**Tuesday, June 19, 2012**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator THOMAS.

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

In David’s prayer he asks the Lord:

“ ‘ ...therefore may it please you to bless the house of your servant, that it may continue forever before you.’ ”

(I Chronicles 17:27a)

Let us pray:

Gracious God, the operative word for us today -- as it was also for David -- is “continue.” For here we are, gathering again in this Senate Chamber, debating and voting on significant matters, striving to complete the work of the 2nd regular Session of this 119th General Assembly. O Lord, bless these dedicated Senators, their hard-working staff members, and all other support personnel who labor here on behalf of this State we love. May every South Carolinian give thanks for these servants as the work of this Senate continues. Also, dear Lord, we ask a special blessing upon Senator LARRY MARTIN and his family in the death this past weekend of the Senator’s father. All of this we pray in Your loving name, dear Lord.

Amen.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 12, 2012, at 1:57 P.M. and the following Acts and Joint Resolutions were ratified:

(R261, S. 105) -- Senators Verdin, Leventis and L. Martin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO CREATE THE AGRITOURISM AND TOURISM‑ORIENTED SIGNAGE PROGRAM, TO DEFINE NECESSARY TERMS, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE’S RURAL CONVENTIONAL HIGHWAYS AND NONINTERSTATE SCENIC BYWAYS LEADING TO AGRITOURISM AND TOURISM‑ORIENTED FACILITIES, TO PROVIDE FOR AN OVERSIGHT COMMITTEE TO APPROVE APPLICATIONS FOR SIGNAGE; TO DIRECT THE DEPARTMENT OF AGRICULTURE AND PARKS, RECREATION AND TOURISM TO DEVELOP LOGOS TO BE UTILIZED FOR THE SIGNAGE; AND BY ADDING SECTION 57‑7‑90 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO CAMP WITHIN THE RIGHT‑OF‑WAY OF A HIGHWAY UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PENALTY.

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(R262, S. 168) -- Senators Shoopman, Verdin and Leventis: AN ACT TO AMEND SECTION 16‑11‑580, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR CUTTING, REMOVING, OR TRANSPORTING FOREST PRODUCTS WITHOUT THE CONSENT OF THE LANDOWNER, SO AS TO REVISE THE PENALTIES AND PROVIDE GRADUATED PENALTIES FOR FIRST AND SECOND OR SUBSEQUENT OFFENSES BASED ON THE VALUE OF THE FOREST PRODUCTS.

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(R263, S. 263) -- Senators Knotts and Ford: AN ACT TO AMEND SECTION 56‑5‑2910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RECKLESS HOMICIDE, SO AS TO PROVIDE THAT THE OFFENSE SHALL BE DESIGNATED AS RECKLESS VEHICULAR HOMICIDE, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑2946, RELATING TO THE REQUIREMENT THAT A PERSON MUST SUBMIT TO CHEMICAL TESTS OF HIS BREATH, BLOOD, OR URINE FOR THE PURPOSE OF DETERMINING WHETHER HE IS UNLAWFULLY OPERATING A VEHICLE, SO AS TO PROVIDE THAT THE OFFICER WHO DIRECTS THAT THE TESTS MUST BE ADMINISTERED DOES NOT HAVE TO HAVE PROBABLE CAUSE TO BELIEVE THAT THE PERSON IS GUILTY OF FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER SUBSTANCE; AND BY ADDING SECTION 56‑5‑2948 SO AS TO PROVIDE THAT WHEN A PERSON IS SUSPECTED OF CAUSING A MOTOR VEHICLE INCIDENT RESULTING IN THE DEATH OF ANOTHER PERSON, THE DRIVER MUST SUBMIT TO FIELD SOBRIETY TESTS IF HE IS PHYSICALLY ABLE TO SUBMIT TO THE TESTS.

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(R264, S. 300) -- Senators Fair, Hutto, Jackson, Knotts, Rankin and Ford: AN ACT TO AMEND SECTION 63‑19‑1440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMITMENT OF JUVENILES TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO AUTHORIZE THE DEPARTMENT OF JUVENILE JUSTICE TO ALLOW A JUVENILE WHO IS TEMPORARILY COMMITTED TO ITS CUSTODY, AFTER BEING ADJUDICATED FOR A STATUS OFFENSE, MISDEMEANOR OFFENSE, OR A PROBATION VIOLATION OR CONTEMPT, TO UNDERGO A COMMUNITY EVALUATION WHILE RESIDING IN HIS HOME OR IN HIS HOME COMMUNITY WITH CERTAIN SAFEGUARDS AND EXCEPTIONS; AND BY ADDING SECTION 63-19-1835 SO AS TO PROVIDE THAT THE DEPARTMENT OF JUVENILE JUSTICE MAY GRANT UP TO A TEN-DAY REDUCTION EACH MONTH TO PROBATIONERS AND PAROLEES WHO ARE COMPLIANT WITH THE TERMS OF THEIR SUPERVISION.

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(R265, S. 580) -- Senator Setzler: AN ACT TO AMEND SECTION 40‑18‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 18, TITLE 40 PROVIDING FOR THE LICENSURE AND REGULATION OF PRIVATE SECURITY AND INVESTIGATION AGENCIES, SO AS TO PROVIDE THAT THE CHAPTER DOES NOT APPLY TO A CERTIFIED PUBLIC ACCOUNTANT WHILE IN THE PERFORMANCE OF HIS DUTIES, AND TO PROVIDE THE CHAPTER MUST NOT BE APPLIED TO A PERSON BASED SOLELY ON HIS BEING ENGAGED IN COMPUTER OR DIGITAL FORENSIC SERVICES OR CERTAIN NETWORK OR SYSTEM VULNERABILITY TESTING; AND BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO ENACT THE “COMPUTER AND DIGITAL FORENSICS REGISTRY ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THE CHIEF OF SLED CERTAIN POWERS AND DUTIES RELATED TO THE PRACTICE OF COMPUTER FORENSICS BUSINESSES INCLUDING THE MAINTENANCE OF A COMPUTER FORENSICS REGISTRY AND TO PROVIDE FOR THE PURPOSE AND FUNDING OF THE REGISTRY, TO REQUIRE A PARTY SEEKING TO OPERATE AS A DIGITAL FORENSICS BUSINESS REGISTER WITH SLED IN A SPECIFIED MANNER, AND TO PROVIDE EXCLUSIONS FROM THE APPLICABILITY OF THE CHAPTER.

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(R266, S. 741) -- Senator S. Martin: AN ACT TO AMEND SECTION 50‑11‑710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NIGHT HUNTING PROHIBITIONS AND EXCEPTIONS, SO AS TO PROVIDE FOR THE LAWFUL NIGHT HUNTING OF FERAL HOGS AND COYOTES IN SPECIFIC CIRCUMSTANCES, AND TO DEFINE A RELATED TERM, AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 50‑11‑740, RELATING TO THE CONFISCATION, FORFEITURE, AND SALE OF PROPERTY USED IN UNLAWFUL HUNTING, SO AS TO INCLUDE TRAILERS AND OTHER MEANS OF CONVEYANCE, AND MAKE APPLICABLE TO VIOLATIONS OF UNLAWFUL NIGHT HUNTING; AND TO AMEND SECTION 50‑16‑70, AS AMENDED, RELATING TO PENALTIES FOR UNLAWFUL IMPORTATION OF WILDLIFE, SO AS TO INCLUDE SUSPENSION OF HUNTING LICENSES AND CONFISCATION, FORFEITURE, AND SALE OF CERTAIN ASSOCIATED PROPERTY, TO PROVIDE EACH UNLAWFULLY IMPORTED ANIMAL CONSTITUTES A SEPARATE OFFENSE, AND TO GIVE EXCLUSIVE JURISDICTION TO THE MAGISTRATES COURT.

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(R267, S. 947) -- Senators Malloy and Williams: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 49 SO AS TO ESTABLISH THE LAKE PAUL A. WALLACE AUTHORITY TO MANAGE, MAINTAIN, AND OPERATE THE LAKE, TO PROVIDE FOR THE MEMBERSHIP OF THE GOVERNING BODY OF THE AUTHORITY, TO PROVIDE FOR THEIR POWERS AND DUTIES, AND TO PROVIDE FOR RELATED MATTERS.

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(R268, S. 1007) -- Senator Rose: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑3‑755 SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION SHALL MAINTAIN AN ONLINE TRANSACTION REGISTER OF ALL EXPENDED FUNDS IN A SPECIFIC MANNER, TO SPECIFY RELATED INFORMATION THAT MUST BE INCLUDED, TO PROVIDE THE REGISTER BE PROMINENTLY POSTED ON THE INTERNET WEBSITE OF THE DEPARTMENT, AND TO PROVIDE THE DEPARTMENT MAY CONSULT WITH THE COMPTROLLER GENERAL FOR CERTAIN QUESTIONS OR ISSUES CONCERNING THE REGISTER.

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(R269, S. 1031) -- Senators Lourie, L. Martin, Elliott, Setzler and Alexander: AN ACT TO AMEND SECTION 16‑11‑523, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFULLY OBTAINING NONFERROUS METALS, SO AS TO REVISE THE DEFINITION OF “NONFERROUS METALS”, AND TO PROVIDE FOR THE REVOCATION OF A PERMIT TO PURCHASE NONFERROUS METALS HELD BY A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION; TO AMEND SECTION 16‑17‑680, AS AMENDED, RELATING TO SECONDARY METALS RECYCLERS’ PERMITS TO PURCHASE NONFERROUS METALS AND TRANSPORT AND SELL NONFERROUS METALS, SO AS TO REVISE THE DEFINITIONS OF CERTAIN TERMS, AND TO REVISE THE PROVISIONS THAT REGULATE SECONDARY METALS RECYCLERS WHO PURCHASE NONFERROUS METALS; TO AMEND SECTION 40‑27‑10 AND 40‑27‑20, BOTH RELATING TO REQUIRING A PERSON WHO BUYS JUNK TO KEEP A RECORD OF PERSONS WHO SELL JUNK TO HIM AND KEEP EACH ARTICLE OF JUNK PURCHASED FOR A SEVENTY‑TWO HOUR PERIOD, SO AS TO PROVIDE THAT THESE PROVISIONS APPLY TO JUNK THAT DOES NOT CONSISTS OF NONFERROUS METALS; TO AMEND SECTION 56‑3‑1380, RELATING TO THE RETURN OF THE REGISTRATION CARD, LICENSE PLATE, AND REVALIDATION STICKER TO THE DEPARTMENT OF MOTOR VEHICLES OF A MOTOR VEHICLE THAT HAS BEEN DISMANTLED OR WRECKED, SO AS TO PROVIDE THAT A PERSON WHO DISPOSES OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER CAN SURRENDER THE TITLE CERTIFICATE TO THE DEMOLISHER OR SECONDARY METALS RECYCLER SO THAT THE DEMOLISHER OR SECONDARY METAL RECYCLER CAN SURRENDER THE TITLE CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑5‑5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE THAT THE OFFICE OF COURT ADMINISTRATION SHALL DESIGN A UNIFORM MAGISTRATES ORDER OF SALE AND DISTRIBUTE IT TO MAGISTRATES AND PROVIDE THAT THE ORDER OF SALE MUST BE SUFFICIENT TITLE FOR TRANSFERRING A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER; TO REPEAL SECTION 56‑5‑5660 RELATING TO APPLICATIONS FOR AND THE ISSUANCE OF DISPOSAL AUTHORITY CERTIFICATES; TO AMEND SECTION 56‑5‑5670 AND 56‑5‑5945, BOTH AS AMENDED, RELATING TO THE DUTIES THAT A DEMOLISHER WHO PURCHASES OR ACQUIRES CERTAIN VEHICLES OR NONFERROUS METALS MUST PERFORM, SO AS TO PROVIDE DEFINITIONS FOR CERTAIN TERMS, PROVIDE THAT A DEMOLISHER OR SECONDARY METALS RECYCLER MAY NOT DISPOSE OF A VEHICLE WITHOUT RECEIVING A VALID CERTIFICATE OF TITLE, A VALID MAGISTRATES ORDER OF SALE, OR A VALID SHERIFF’S DISPOSAL AUTHORITY CERTIFICATE, TO PROVIDE THE CIRCUMSTANCES IN WHICH A VEHICLE MAY BE DISPOSED OF BY A DEMOLISHER OR SECONDARY METALS RECYCLER WHEN A CERTIFICATE OF TITLE, MAGISTRATES ORDER OF SALE, OR SHERIFF’S DISPOSAL AUTHORITY CERTIFICATE IS NOT AVAILABLE, TO REVISE THE RECORD KEEPING PROVISIONS THAT APPLY TO DEMOLISHERS AND SECONDARY METAL RECYCLERS, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL CONVENE A WORKING GROUP FOR THE PURPOSE OF ASSISTING IN THE DEVELOPMENT OF FORMS AND REGULATIONS TO IMPLEMENT THE PROVISIONS CONTAINED IN THIS SECTION, AND TO REVISE THE PENALTY FOR A VIOLATION OF THESE PROVISIONS; AND TO AMEND SECTION 56‑19‑480, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS AND MANUFACTURERS SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A DEMOLISHER OR SECONDARY METALS RECYCLER, AND TO PROVIDE THAT A PERSON WHO DISPOSES OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER SHALL PROVIDE THE VEHICLE’S TITLE CERTIFICATE TO THE DEMOLISHER OR SECONDARY METALS RECYCLER SO THAT THEY CAN SURRENDER IT TO THE DEPARTMENT OF MOTOR VEHICLES.

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(R270, S. 1044) -- Senators Knotts, Cromer and Ford: AN ACT TO AMEND SECTION 38‑59‑250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE REQUIREMENTS FOR THE INITIATION OF OVERPAYMENT RECOVERY EFFORTS PURSUANT TO THE SOUTH CAROLINA HEALTH CARE FINANCIAL RECOVERY AND PROTECTION ACT, SO AS TO ADD REQUIREMENTS CONCERNING AN APPEAL.

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(R271, S. 1055) -- Senators McConnell and Ford: AN ACT TO AMEND SECTION 14‑27‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE JUDICIAL COUNCIL, SO AS TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE COUNCIL, THE CHIEF JUDGE OF THE SOUTH CAROLINA COURT OF APPEALS AND A PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW, TO CHANGE THE PERSON SERVING FROM THE SOUTH CAROLINA BAR FROM THE PRESIDENT OF THE SOUTH CAROLINA BAR TO ONE PERSON RECOMMENDED BY THE SOUTH CAROLINA BAR, AND TO ADD A MUNICIPAL COURT JUDGE AS A MEMBER IN LIEU OF ONE OF THE TWO MAGISTRATE COURT JUDGES; TO AMEND SECTION 14‑27‑30, AS AMENDED, RELATING TO MEMBERS APPOINTED BY THE CHIEF JUSTICE, SO AS TO PROVIDE FOR THE APPOINTMENT OF TWO SUMMARY COURT JUDGES IN LIEU OF TWO MAGISTRATE COURT JUDGES, AND TO PROVIDE FOR THE APPOINTMENT OF ONE PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW; AND TO AMEND SECTION 14‑27‑40, AS AMENDED, RELATING TO THE TERMS OF SERVICE, SO AS TO PROVIDE THAT THE CHIEF JUDGE SERVES DURING THE TERM OF HIS OFFICE, THE PERSON RECOMMENDED BY THE SOUTH CAROLINA BAR AND APPOINTED BY THE CHIEF JUSTICE SERVES COTERMINOUS WITH THE TERM OF THE PRESIDENT OF THE SOUTH CAROLINA BAR WHO RECOMMENDED HIS APPOINTMENT, AND THE PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW SERVES FOR A FOUR‑YEAR TERM.

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(R272, S. 1087) -- Senators Jackson, Cromer, Grooms, Ford, Scott, Elliott, Setzler, Land, Pinckney, Anderson, Ryberg, Matthews, Rankin and Verdin: AN ACT TO AMEND SECTION 50‑9‑730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABILITY OF THE DEPARTMENT OF NATURAL RESOURCES TO DESIGNATE “FREE FISHING DAYS” AND SANCTION FISHING EVENTS EXEMPT FROM FISHING LICENSE REQUIREMENTS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT TO DESIGNATE “FREE FISHING DAYS”, TO DESIGNATE JULY FOURTH AND NATIONAL MEMORIAL DAY AS DAYS WHEN A RESIDENT IS NOT REQUIRED TO POSSESS A LICENSE OR PERMIT FOR FRESHWATER RECREATIONAL FISHING, TO LIMIT DEPARTMENT‑SANCTIONED EVENTS THAT ARE EXEMPT FROM FISHING LICENSE REQUIREMENTS TO FRESHWATER EVENTS, AND TO EXEMPT CERTAIN COMMERCIAL FISHERMEN FROM THE PROVISIONS OF THIS SECTION; TO AMEND SECTION 50‑1‑160, RELATING TO THE RELEASE OF SEIZED PROPERTY TO AN INNOCENT OWNER BY THE DEPARTMENT, SO AS TO CLARIFY APPLICATION OF SECTION TO PROPERTY SEIZED FOR A VIOLATION OF TITLE 50; AND TO AMEND SECTION 50‑9‑410, AS AMENDED, RELATING TO CIRCUMSTANCES IN WHICH A COMMERCIAL FISHING LICENSE IS REQUIRED, SO AS TO MODIFY SPECIFICS PERTAINING TO TROTLINES, TAGS, AND HOOKS.

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(R273, S. 1099) -- Senator Fair: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑19‑650 SO AS TO PROVIDE THAT MEMBERS OF THE BOARD OF JUVENILE PAROLE SHALL RECEIVE COMPENSATION IN AN AMOUNT PROVIDED BY THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS ACT; AND TO AMEND SECTION 24‑21‑55, RELATING TO A HEARING FEE FOR THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO INSTEAD PROVIDE FOR COMPENSATION TO BE RECEIVED IN AN AMOUNT PROVIDED BY THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS ACT.

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(R274, S. 1125) -- Senators Bright, Bryant, S. Martin, Thomas, Gregory, Knotts, Campbell, Rose, Cromer, Fair, Campsen, Grooms, Peeler and Shoopman: AN ACT TO AMEND SECTION 41‑35‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE DISCHARGE FOR MISCONDUCT AS A BASIS FOR DISQUALIFICATION, TO SUBJECT A PERSON DISCHARGED FOR MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, TO DELETE OBSOLETE PROVISIONS RELATED TO DISCHARGE FOR CAUSE, TO SUBJECT A PERSON DISCHARGED FOR CAUSE OTHER THAN MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, AND TO PROVIDE DISCHARGE FOR CERTAIN SUBSTANDARD PERFORMANCE IS NOT A BASIS FOR DISQUALIFICATION FROM BENEFITS UNDER THIS SECTION; TO AMEND SECTION 41‑35‑130, AS AMENDED, RELATING TO BENEFIT PAYMENTS NOT CHARGEABLE TO A FORMER EMPLOYER, SO AS PROVIDE A BENEFIT PAID TO A CLAIMANT MAY NOT BE CHARGED TO AN EMPLOYER WHO IS SUBJECT TO THE PAYMENT OF CONTRIBUTIONS IF THE CLAIMANT WAS DISCHARGED BY HIS MOST RECENT BONA FIDE EMPLOYER FOR MISCONDUCT OF CLAIMANT CONNECTED TO HIS EMPLOYMENT, AND TO DEFINE TERMINOLOGY; AND TO AMEND SECTION 41‑41‑40, AS AMENDED, RELATING TO RECOVERY OF BENEFITS BY A PERSON NOT ENTITLED TO BENEFITS, SO AS TO PROVIDE UPON DETERMINATION BY THE DEPARTMENT OF A FRAUDULENT OVERPAYMENT, THE EMPLOYER WHOSE ACCOUNT WAS DEBITED FOR THE OVERPAYMENT MUST BE CREDITED THE AMOUNT OF THE OVERPAYMENT, SUBJECT TO CERTAIN EXCEPTIONS.

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(R275, S. 1167) -- Senator Lourie: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 31‑6‑85 SO AS TO ALLOW A MUNICIPALITY AND ONE OR MORE TAXING DISTRICTS TO PROVIDE BY INTERGOVERNMENTAL AGREEMENT FOR PARTIAL OR MODIFIED PARTICIPATION IN A REDEVELOPMENT PROJECT; TO AMEND SECTION 31‑6‑80, RELATING TO APPROVAL OF A REDEVELOPMENT PLAN FOR PURPOSES OF THE TAX INCREMENT FINANCING LAW, SO AS TO CLARIFY AN AMENDMENT TO THE TAX INCREMENT FINANCING LAW; AND TO AMEND SECTION 4‑10‑310, AS AMENDED, RELATING TO THE IMPOSITION OF THE CAPITAL PROJECTS SALES TAX ACT, SO AS TO PROVIDE THAT THE LIMITATION APPLICABLE TO THE NUMBER OF CERTAIN LOCAL SALES AND USE TAXES THAT MAY BE IMPOSED IN A COUNTY AREA DOES NOT APPLY IN A COUNTY AREA IN WHICH, AS OF JULY 1, 2012, THERE WAS IMPOSED PURSUANT TO A LOCAL ACT OF THE GENERAL ASSEMBLY A LOCAL SALES AND USE TAX, THE REVENUES OF WHICH MUST BE USED TO OFFSET THE COSTS OF SCHOOL CONSTRUCTION, OTHER SCHOOL PURPOSES, OR OTHER GOVERNMENTAL EXPENSES, OR ANY COMBINATION OF THESE USES.

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(R276, S. 1220) -- Senators Campbell, Hayes and Ford: AN ACT TO AMEND SECTION 48‑2‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES IMPOSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR CERTAIN ENVIRONMENTAL PROGRAMS, INCLUDING THE SURFACE WATER WITHDRAWAL PROGRAM, WHICH ARE DEPOSITED INTO THE ENVIRONMENTAL PROTECTION FUND FOR ADMINISTRATION OF THESE PROGRAMS, SO AS TO ENUMERATE THE FEES FOR SURFACE WATER WITHDRAWAL APPLICATIONS AND PERMITS THAT WOULD OTHERWISE HAVE BEEN REPEALED JANUARY 1, 2013; BY ADDING SECTION 49‑4‑175 SO AS TO REIMPOSE THE FEES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY CHARGE FOR SURFACE WATER WITHDRAWAL AND APPLICATIONS AND PERMITS AND TO PROVIDE THAT THE DEPARTMENT SHALL RETAIN THESE FEES TO IMPLEMENT AND OPERATE THE SURFACE WATER WITHDRAWAL PROGRAM; AND TO AMEND ACT 247 OF 2010, BY REPEALING PROVISIONS THAT PROSPECTIVELY REPEAL THE IMPOSITION OF SURFACE WATER WITHDRAWAL PERMIT FEES.

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(R277, S. 1231) -- Senator Gregory: AN ACT TO AMEND SECTION 50‑1‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATIONS OF BIRDS, ANIMALS, AND FISH, SO AS TO ADD COBIA RACHYCENTRON CANADUM TO THE SALTWATER GAMEFISH CLASSIFICATION; TO AMEND SECTION 50‑5‑1700, RELATING TO THE CRIMINAL OFFENSES OF SELLING, PURCHASING, TRADING, BARTERING, TAKING, AND POSSESSING SALTWATER GAMEFISH, SO AS TO ALSO CREATE SUCH CRIMINAL OFFENSES FOR COBIA; TO AMEND SECTION 50‑5‑32, RELATING TO CLOSING SALTWATER FISHING SEASONS, AREAS, OR ACTIVITIES IN AN EMERGENCY AND PROCEDURES FOR SUCH CLOSING, SO AS TO REVISE THE DEFINITION OF “EMERGENCY” AND TO PROVIDE THAT IT IS A CRIMINAL OFFENSE TO POSSESS SPECIFIED SALTWATER FISH IN AN EMERGENCY AND TO ELIMINATE THE OFFENSE OF TAKING OR ATTEMPTING TO TAKE SALTWATER FISH IN AN EMERGENCY; TO AMEND SECTION 50‑5‑1506, RELATING TO SEASONS, TIMES, METHODS, EQUIPMENT, SIZE LIMITS, AND TAKE LIMITS IN COMMERCIAL FISHING FOR SHAD IN SPECIFIED WATERS OF THE STATE, SO AS TO ADD, DELETE, AND REVISE CERTAIN OF THESE WATERS OF THE STATE AND TO REVISE SEASONS, TIMES, METHODS AND EQUIPMENT, AND SIZE AND TAKE LIMITS.

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(R278, S. 1269) -- Senators Peeler and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE THE RIGHTS OF A PHARMACY WHEN UNDERGOING AN AUDIT CONDUCTED BY A MANAGED CARE COMPANY, INSURANCE COMPANY, THIRD‑PARTY PAYER, OR AN ENTITY RESPONSIBLE FOR PAYMENT OF CLAIMS FOR HEALTH CARE SERVICES; TO REQUIRE THE AUDITING ENTITY TO ESTABLISH AN APPEALS PROCESS; TO PROVIDE FOR THE RECOUPMENT OF FUNDS UNDER CERTAIN CIRCUMSTANCES; AND TO EXEMPT SPECIFIC AUDITS, REVIEWS, AND INVESTIGATIONS.

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(R279, S. 1354) -- Senators Bryant, Rose, Bright, Cromer, Fair, Thomas, Ford and L. Martin: AN ACT TO AMEND SECTION 35‑1‑604, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SECURITIES VIOLATIONS, TO REQUIRE A COPY OF ALL FINAL CEASE AND DESIST ORDERS ISSUED BY THE SECURITIES COMMISSIONER BE FORWARDED TO THE DEPARTMENT OF REVENUE AND SECRETARY OF STATE, AND TO PROVIDE THAT ALL CEASE AND DESIST ORDERS ISSUED BY THE COMMISSIONER ARE PUBLIC DOCUMENTS SUBJECT TO THE FREEDOM OF INFORMATION ACT, AND TO REQUIRE PUBLICATION OF ALL SUCH ORDER ON THE ATTORNEY GENERAL’S WEBSITE.

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(R280, S. 1375) -- Senators Campsen, Hutto and Ford: AN ACT TO AMEND SECTION 56‑5‑3860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF ANIMALS AND CERTAIN VEHICLES ON FREEWAYS, SO AS TO PROVIDE FOR AN EXEMPTION FOR BICYCLES AND PEDESTRIANS THAT MAY TRAVEL ALONG NONINTERSTATE FREEWAYS UNDER CERTAIN CIRCUMSTANCES.

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(R281, S. 1417) -- Senator Land: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “SOUTH CAROLINA TENNIS PATRONS FOUNDATION” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2320, RELATING TO THE ISSUANCE OF MOTOR VEHICLE DEALER AND DEMONSTRATION LICENSE PLATES, SO AS TO PROVIDE THAT THE UNITED SERVICE ORGANIZATION SOUTH CAROLINA AND THE AMERICAN RED CROSS MAY BE ISSUED A LICENSE PLATE TO BE USED ON VEHICLES LOANED OR RENTED TO EITHER ENTITY FOR A FEE AND TO PROVIDE FOR THE DISTRIBUTION OF THE FEE; BY ADDING ARTICLE 109 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “TREE MY DOG” SPECIAL LICENSE PLATES; BY ADDING ARTICLE 110 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “UNITED STATES NAVY CHIEF PETTY OFFICER” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7360, AS AMENDED, RELATING TO THE ISSUANCE OF “KOREAN WAR VETERANS” SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THIS SPECIAL LICENSE PLATE MAY BE ISSUED TO A VETERAN WHO SERVED ON ACTIVE DUTY DURING THE KOREAN WAR; TO AMEND SECTION 56‑3‑9910, AS AMENDED, RELATING TO “GOLD STAR FAMILY” SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THE LICENSE PLATE SHALL CONTAIN LETTERS OR NUMBERS, OR BOTH REQUESTED BY THE APPLICANT; BY ADDING ARTICLE 111 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “UNITED STATES MARINE CORPS” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑8800, AS AMENDED, RELATING TO “WORLD WAR II VETERANS” SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT A PERSON WHO QUALIFIES TO OBTAIN THIS LICENSE PLATE AND A HANDICAPPED PLACARD SHALL HAVE ISSUED TO HIM THIS LICENSE PLATE WITH THE INTERNATIONAL SYMBOL OF ACCESS INCLUDED ON IT.

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(R282, S. 1555) -- Senators Knotts, Setzler and Massey: AN ACT TO AMEND SECTION 7‑7‑380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE THE NAMES OF CERTAIN PRECINCTS, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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(R283, H. 3028) -- Reps. Clemmons, Taylor, Clyburn and Long: AN ACT TO AMEND SECTION 59‑26‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUCTION, ANNUAL, AND CONTINUING CONTRACTS FOR TEACHERS, SO AS TO INCREASE THE INDUCTION CONTRACT PERIOD FROM ONE YEAR TO THREE YEARS, AND FURTHER PROVIDE FOR PROVISIONS OF LAW PERTAINING TO TEACHER CONTRACTS AND EMPLOYMENT.

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(R284, H. 3127) -- Reps. Rutherford, G.R. Smith, Clyburn, Weeks, Whipper and R.L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑21‑1010 SO AS TO PERMIT A PERSON WHO APPLIES FOR A PARDON FOR CERTAIN OFFENSES TO REQUEST THE BOARD OF PAROLES AND PARDONS RECOMMEND THE EXPUNGEMENT OF CRIMINAL RECORDS, TO ALLOW RETROACTIVE APPLICATION OF THE STATUTE, TO PROVIDE AN EXCEPTION FOR PERSONS PARDONED FOR A VIOLENT CRIME, TO PROVIDE AN APPLICATION FEE, AND TO PROVIDE A PROCEDURE BY WHICH CRIMINAL RECORDS MAY BE EXPUNGED AND A NONPUBLIC RECORD MAINTAINED.

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(R285, H. 3433) -- Reps. Herbkersman and Patrick: AN ACT TO AMEND SECTION 7‑7‑110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REVIEW AND RENAME CERTAIN VOTING PRECINCTS OF BEAUFORT COUNTY AND TO REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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(R286, H. 3506) -- Reps. Loftis, Allison, J.R. Smith, White, Bowen, Ott, Cobb‑Hunter, Pitts and Henderson: AN ACT TO AMEND SECTION 12‑14‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INVESTMENT TAX CREDIT FOR MANUFACTURING AND PRODUCTIVE EQUIPMENT, SO AS TO EXPAND THE CREDIT TO CERTAIN ACTIVITIES WHERE THE TAXPAYER COMMITS TO EMPLOYING ONE THOUSAND TWO HUNDRED FULL‑TIME EMPLOYEES IN THIS STATE AND COMMITS TO INVEST FOUR HUNDRED MILLION DOLLARS IN CAPITAL INVESTMENT IN THIS STATE, TO DEFINE TERMS, AND TO SET FORTH THE PROCESS BY WHICH A TAXPAYER QUALIFIES FOR THE CREDIT AND THE PROCESS BY WHICH THE AMOUNT OF THE CREDIT IS DETERMINED; AND BY ADDING SECTION 12‑54‑87 SO AS TO PROVIDE THAT FOR PURPOSES OF DISCOUNTS ALLOWED FOR TIMELY FILING OF RETURNS, IF THE DEPARTMENT OF REVENUE WAIVES ALL PENALTIES FOR LATE FILING DUE TO REASONABLE CAUSE, THE DISCOUNT MUST BE ALLOWED.

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(R287, H. 3527) -- Reps. Gilliard, McEachern, Spires, Butler Garrick, King, Jefferson, Sabb, Munnerlyn, V.S. Moss, Cobb‑Hunter, Herbkersman, Willis, Harrell, Pope, D.C. Moss, Norman, Hearn, Horne, Murphy, Bikas, Viers, Whipper and R.L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑970 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE INCARCERATED IN A STATE DEPARTMENT OF CORRECTIONS FACILITY, OR A PERSON ACTING ON BEHALF OF OR ENABLING SUCH AN INMATE, TO USE AN INTERNET‑BASED SOCIAL NETWORKING WEBSITE TO HARASS, INTIMIDATE, OR CONTACT A CRIME VICTIM AND TO PROVIDE PENALTIES.

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(R288, H. 3667) -- Rep. Bannister: AN ACT TO AMEND SECTION 16‑3‑655, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES, SO AS TO CREATE THE OFFENSE OF CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE WHEN THE ACTOR IS OVER THE AGE OF FOURTEEN AND COMMITS CERTAIN ACTS WITH A CHILD UNDER THE AGE OF SIXTEEN, TO PROVIDE AN EXCEPTION FOR CERTAIN CONSENSUAL CONDUCT, AND TO PROVIDE A PENALTY; TO AMEND SECTION 16‑1‑60, AS AMENDED, RELATING TO VIOLENT CRIMES, TO AMEND SECTION 17‑22‑90, AS AMENDED, RELATING TO AGREEMENTS REQUIRED OF OFFENDERS IN PRETRIAL INTERVENTION PROGRAMS, TO AMEND SECTION 19‑11‑30, AS AMENDED, RELATING TO THE COMPETENCY OF THE HUSBAND OR WIFE OF A PARTY AS A WITNESS, TO AMEND SECTION 23‑3‑430, AS AMENDED, RELATING TO THE SEX OFFENDER REGISTRY, TO AMEND SECTION 23‑3‑490, AS AMENDED, RELATING TO PUBLIC INSPECTION OF THE SEX OFFENDER REGISTRY, TO AMEND SECTION 23‑3‑540, AS AMENDED, RELATING TO ELECTRONIC MONITORING OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES, TO AMEND SECTION 24‑3‑20, AS AMENDED, RELATING TO CUSTODY OF PERSONS CONVICTED OF CERTAIN CRIMES, TO AMEND SECTION 24‑13‑710, AS AMENDED, RELATING TO THE SUPERVISED FURLOUGH PROGRAM, TO AMEND SECTION 24‑19‑10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF CORRECTION AND TREATMENT OF YOUTHFUL OFFENDERS, TO AMEND SECTION 44‑48‑30, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE SEXUALLY VIOLENT PREDATOR ACT, TO AMEND SECTION 44‑53‑370, AS AMENDED, RELATING TO PENALTIES FOR CERTAIN DRUG OFFENSES, AND TO AMEND SECTION 63‑7‑2360, RELATING TO PLACEMENT OF MINOR SEX OFFENDERS PURSUANT TO THE CHILDREN’S CODE, ALL SO AS TO MAKE CONFORMING AMENDMENTS TO REFERENCE APPROPRIATE CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES AND TO DELETE REFERENCES TO THE FORMER LEWD ACT UPON A CHILD UNDER THE AGE OF SIXTEEN; AND TO REPEAL SECTION 16‑15‑140 RELATING TO COMMITTING OR ATTEMPTING TO COMMIT A LEWD ACT UPON A CHILD UNDER THE AGE OF SIXTEEN.

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(R289, H. 3676) -- Reps. J.E. Smith, Clemmons, Dillard, Herbkersman, Limehouse, Mitchell and Whipper: AN ACT 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 2012”, 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.

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(R290, H. 3730) -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO, FOR A COMMERCIAL PURPOSE, SELL OR TAKE FUR BEARING ANIMALS BY ANY MEANS AND OF ALL PERSONS WHO TRAP SUCH ANIMALS, TO PROVIDE EXCEPTIONS, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50‑11‑40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50‑11‑1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50‑11‑2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FUR BEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS “FUR BEARING ANIMAL” AND “COMMERCIAL PURPOSES”, AND TO PROVIDE DEFINITIONS FOR THE TERMS “OWNER” AND “AGENT”; TO AMEND SECTION 50‑11‑2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES OR CLARIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 50‑11‑2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS, INCLUDING CERTAIN BODY GRIPPING TRAPS; TO AMEND SECTION 50‑11‑2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER’S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS UNDER CERTAIN CONDITIONS; TO AMEND SECTION 50‑11‑2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO FURTHER PROVIDE FOR THE TYPES OF TRAPS THAT ARE ALLOWED AND THEIR USES; TO AMEND SECTION 50‑11‑2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR’S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FUR BEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50‑11‑2640, RELATING TO PENALTIES FOR IMPORTING FOXES AND COYOTES, SO AS TO PROVIDE THAT EACH ANIMAL TAKEN OR POSSESSED IN VIOLATION OF THE SECTION IS A SEPARATE OFFENSE; TO AMEND SECTION 50‑9‑350, RELATING TO APPRENTICE LICENSES, SO AS TO PERMIT APPRENTICE LICENSE HOLDERS TO OBTAIN OTHER HUNTING PERMITS AND TAGS; TO AMEND SECTION 50‑11‑2570, RELATING TO THE ISSUANCE OF SPECIAL PERMITS TO CAPTURE DESTRUCTIVE ANIMALS, SO AS TO FURTHER PROVIDE FOR THE PURPOSE AND REASONS FOR THE PERMITS; TO PROVIDE THE CIRCUMSTANCES WHEN A NONRESIDENT MAY OBTAIN A LIFETIME COMBINATION LICENSE; AND TO REPEAL SECTIONS 50‑11‑1060, 50‑11‑1070, 50‑11‑2420, AND 50‑11‑2575 RELATING TO, RESPECTIVELY, THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, THE KILLING OF BOBCATS, AND THE SPECIAL PERMITS FOR USE OF BEAVER SNARES.

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(R291, H. 3747) -- Rep. Cooper: AN ACT TO AMEND SECTION 12‑36‑2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT INJECTABLE MEDICATIONS AND INJECTABLE BIOLOGICS SO LONG AS THE MEDICATION OR BIOLOGIC IS ADMINISTERED BY OR PURSUANT TO THE SUPERVISION OF A PHYSICIAN IN AN OFFICE WHICH IS UNDER THE SUPERVISION OF A PHYSICIAN, OR IN A CENTER FOR MEDICARE OR MEDICAID SERVICES (CMS) CERTIFIED KIDNEY DIALYSIS FACILITY, AND TO DEFINE “BIOLOGICS” FOR THE PURPOSES OF THE EXEMPTION.

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(R292, H. 3757) -- Reps. Hardwick, Hearn, Mitchell, Long, Erickson, Brady, Butler Garrick, Funderburk, Munnerlyn, Knight, Dillard, Cobb‑Hunter, Parks, Huggins, Allison, Tallon, Brannon, Atwater, Whipper, Patrick and J.R. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 3, TITLE 16 SO AS TO DEFINE NECESSARY TERMS; TO PROVIDE FOR CERTAIN TRAFFICKING IN PERSONS OFFENSES, PROVIDE PENALTIES, AND PROVIDE FOR STATE GRAND JURY PROSECUTION UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE FOR CRIMINAL LIABILITY OF BUSINESS ENTITIES; TO PROVIDE RESTITUTION FOR VICTIMS OF TRAFFICKING IN PERSONS OFFENSES; TO ESTABLISH AN INTERAGENCY TASK FORCE TO DEVELOP AND IMPLEMENT A PLAN FOR THE PREVENTION OF TRAFFICKING IN PERSONS; TO ALLOW CIVIL ACTIONS BY VICTIMS OF TRAFFICKING IN PERSONS; TO PROVIDE CERTAIN PROTECTIONS FOR VICTIMS OF TRAFFICKING IN PERSONS PURSUANT TO THE VICTIMS’ BILL OF RIGHTS AND OTHER RELEVANT STATUTORY PROVISIONS; TO CREATE THE OFFENSE OF MALICIOUSLY OR WITH CRIMINAL NEGLIGENCE PUBLISHING, DISSEMINATING, OR OTHERWISE DISCLOSING THE LOCATION OF A TRAFFICKING IN PERSONS VICTIM, A TRAFFICKING SHELTER, OR A DOMESTIC VIOLENCE SHELTER AND TO PROVIDE A PENALTY; AND TO PROVIDE FOR THE FORFEITURE OF MONIES AND PROPERTY USED IN VIOLATION OF A TRAFFICKING IN PERSONS OFFENSE; AND TO REPEAL SECTION 16‑3‑930 RELATING TO TRAFFICKING IN PERSONS FOR FORCED LABOR OR SERVICES.

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(R293, H. 3918) -- Rep. White: AN ACT TO AMEND CHAPTER 1, TITLE 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT OF COMMERCE, SO AS TO PROVIDE DEFINITIONS FOR VARIOUS TERMS, TO MOVE THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE DIVISION OF AERONAUTICS TO THE SOUTH CAROLINA BUDGET AND CONTROL BOARD, TO PROVIDE THAT ALL FEES AND FINES ASSESSED BY THE DIVISION MUST BE DEPOSITED INTO THE STATE AVIATION FUND, TO REVISE CERTAIN PROVISIONS RELATING TO THE OPERATION OF INTRASTATE SCHEDULED AIRLINE SERVICE, COUNTY AVIATION COMMISSIONS, THE USE OF STATE‑OWNED AIRCRAFT, AND THE USE OF ALCOHOLIC BEVERAGES BY FLIGHT CREW MEMBERS, TO MAKE TECHNICAL CHANGES, AND TO REVISE CERTAIN PENALTIES; TO AMEND CHAPTER 3, TITLE 55, RELATING TO THE UNIFORM STATE LAWS FOR AERONAUTICS, SO AS TO MAKE TECHNICAL CHANGES, REVISE CERTAIN PROVISIONS RELATING TO THE DEFINITION OF VARIOUS FORMS OF AIRCRAFT, THE OWNERSHIP OF AIRSPACE, THE LANDING OF AN AIRCRAFT ON LANDS OR WATERS, TO PROVIDE THAT IT IS ILLEGAL TO POINT, AIM, OR DISCHARGE A LASER DEVICE AT CERTAIN AIRCRAFT, AND PROVIDE PENALTIES; TO AMEND CHAPTER 5, TITLE 55, RELATING TO THE UNIFORM STATE AERONAUTICAL REGULATORY LAW, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT CONTAINS VARIOUS TERMS AND THEIR DEFINITIONS, TO DELETE THE PROVISION THAT REQUIRES THE STATE BUDGET AND CONTROL BOARD TO PROVIDE OFFICES FOR THE DIVISION OF AERONAUTICS, TO DELETE THE PROVISION THAT REQUIRES THE DIVISION OF AERONAUTICS TO FURNISH COUNTY AUDITORS A LIST OF ALL AIRCRAFT REGISTERED IN THEIR COUNTY, TO REVISE THE DIVISION’S RESPONSIBILITIES RELATING TO ITS REGULATION OF CERTAIN AIR NAVIGATION AND AIRPORT FACILITIES, THE CONSTRUCTION OF AIRPORTS, THE REPORTS IT FILES WITH THE FEDERAL AVIATION ADMINISTRATION, AND THE OPERATION OF THE DIVISION, TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS CHAPTER, AND TO REVISE PROVISIONS RELATING TO THE USE OF MONIES CONTAINED IN THE STATE AVIATION FUND; TO AMEND CHAPTER 9, TITLE 55, RELATING TO THE UNIFORM SOUTH CAROLINA AIRPORTS ACT, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS CHAPTER ALSO APPLIES TO COUNTIES, AIRPORT COMMISSIONS, AND SPECIAL PURPOSE DISTRICTS, TO DELETE OBSOLETE TERMS, TO REVISE THE PROJECTS THAT MAY BE FUNDED FROM MONIES CONTAINED IN AIRPORT FACILITIES ACCOUNTS, AND TO PROVIDE FOR THE TERM “AIRPORT HAZARD” AND TO PROVIDE ITS DEFINITION AND THE REGULATION OF AN AIRPORT HAZARD; TO AMEND CHAPTER 11, TITLE 55, RELATING TO THE CREATION AND OPERATION OF CERTAIN AIRPORTS WITHIN THE STATE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE DIVISION OF AERONAUTICS IS TRANSFERRED FROM THE DEPARTMENT OF COMMERCE TO THE STATE BUDGET AND CONTROL BOARD, TO DELETE CERTAIN OBSOLETE TERMS, TO REVISE THE PROCESS FOR THE MAKING OF CERTAIN CONTRACTS FOR THE CONSTRUCTION, ERECTION, MAINTENANCE, AND REPAIR OF CERTAIN AIRPORT FACILITIES, TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN AIRPORT FACILITIES, TO REVISE CERTAIN PENALTIES, TO REVISE THE DEFINITION OF A “QUORUM” FOR A CERTAIN AIRPORT COMMISSION, TO EXPAND THE AUTHORITY OF CERTAIN AIRPORT COMMISSIONS TO ADOPT RULES AND PROMULGATE REGULATIONS, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN CERTAIN ACTIVITIES UPON CERTAIN AIRPORT PROPERTIES, TO DELETE THE TERM “SECRETARY” AND ITS DEFINITION, AND REPLACE IT WITH THE TERM “EXECUTIVE DIRECTOR” AND ITS DEFINITION AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 13, TITLE 55, RELATING TO THE PROTECTION OF AIRPORTS AND AIRPORT PROPERTIES, SO AS TO PROVIDE THAT THE DIVISION OF AERONAUTICS SHALL CREATE MAPS OF THE STATE’S PUBLIC USE AIRPORTS AND DISTRIBUTE THEM TO VARIOUS LOCAL GOVERNMENTAL AGENCIES FOR VARIOUS PURPOSES, TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY ASSIST WITH THE PROTECTION OF AREAS THAT POSE HAZARDS TO AIR TRAFFIC, AND TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS CHAPTER; TO AMEND CHAPTER 15, TITLE 55, RELATING TO RELOCATION ASSISTANCE, SO AS TO DELETE THE TERM “DEPARTMENT OF COMMERCE” AND REPLACE IT WITH THE TERM “BUDGET AND CONTROL BOARD”, AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 17, TITLE 55, RELATING TO REGIONAL AIRPORT DISTRICTS, SO AS TO REVISE THE PROVISION THAT REVISES THE TYPE OF AIR CARRIERS REGULATED BY THIS CHAPTER, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 13‑1‑20, RELATING TO CERTAIN RESPONSIBILITIES OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE ITS RESPONSIBILITY TO DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 13‑1‑30, AS AMENDED, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF COMMERCE, SO AS TO REVISE THE PROVISIONS RELATING TO THE DIVISION OF AERONAUTICS; TO AMEND SECTION 13‑1‑1050, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO PROVIDE FOR THE APPOINTMENT OF A MEMBER OF THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 13‑1‑1000, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT IT IS NO LONGER A DIVISION OF THE DEPARTMENT OF COMMERCE, BUT A DIVISION OF THE BUDGET AND CONTROL BOARD; TO AMEND SECTION 13-1-1010, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT THE COMMISSIONS DUTIES AND RESPONSIBILITIES ARE TRANSFERRED FROM THE DEPARTMENT OF COMMERCE TO THE BUDGET AND CONTROL BOARD; AND TO REPEAL CHAPTER 8, TITLE 55 RELATING TO THE UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT.

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(R294, H. 3986) -- Reps. Hayes and Bingham: A JOINT RESOLUTION TO PROVIDE THAT, UNTIL DECEMBER 31, 2012, A SCHOOL DISTRICT MAY APPLY FOR AND RECEIVE ITS ALLOTTED SHARE OF EIA SCHOOL BUILDING FUNDS UNDER SECTION 59‑21‑430, CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2011‑2012 UNDER THE TERMS AND CONDITIONS APPLICABLE TO ALL SCHOOL DISTRICTS.

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(R295, H. 4042) -- Reps. Harrison, Brady, Pinson, H.B. Brown, Munnerlyn, Viers, Horne and Hardwick: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑57‑75 SO AS TO PROVIDE FOR PROCEDURES THAT MUST BE FOLLOWED WHEN AN INSURED HAS SUFFERED DAMAGE TO VEHICLE GLASS, TO PROHIBIT AN INSURER FROM REQUIRING VEHICLE GLASS REPAIR WORK TO BE DONE BY A PARTICULAR PROVIDER, TO PROVIDE CERTAIN DISCLOSURES, AND TO PROVIDE PROCEDURES WHEN AN INSURED CHOOSES A PROVIDER WHO IS NOT A MEMBER OF THE INSURER’S OR THIRD PARTY ADMINISTRATOR’S PREFERRED PROVIDER LIST, TO PROVIDE THAT A VEHICLE GLASS REPAIR OR REPLACEMENT FACILITY IS PROHIBITED FROM THREATENING AN INSURER TO FILE A CLAIM OR FROM ENGAGING IN AN OTHERWISE UNFAIR OR DECEPTIVE PRACTICE, TO PROVIDE EXCEPTIONS, AND TO PROVIDE THAT VIOLATIONS OF THIS SECTION ARE SUBJECT THE PROVISIONS OF THE SOUTH CAROLINA INSURANCE UNFAIR CLAIM PRACTICES ACT; AND BY ADDING SECTION 39‑5‑180 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO SELLS, REPAIRS, OR REPLACES VEHICLE GLASS TO SUBMIT FALSE CLAIMS OR MAKE OTHER MATERIAL MISREPRESENTATIONS, AMONG OTHER THINGS, REGARDING VEHICLE GLASS REPAIRS.

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(R296, H. 4082) -- Reps. Vick, Edge, Hiott, Hayes, R.L. Brown, Jefferson, Bowers, Anthony, Skelton, Williams, McLeod, G.M. Smith, Weeks, Gilliard, Agnew, Horne, Funderburk, Tribble, Pinson, Clemmons and Neilson: AN ACT TO AMEND SECTION 38‑7‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT BEGINNING JULY 1, 2013, THROUGH JUNE 30, 2017, 2.25 PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT.

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(R297, H. 4093) -- Reps. Pope, Sottile, Simrill, Hosey, Williams, Atwater, Quinn, Toole, Huggins, Brannon, Knight, Gambrell, Clyburn, McCoy, Gilliard, Owens, Merrill, Norman, Crawford, Bowers, Murphy, Bedingfield, Bowen, Branham, Chumley, Clemmons, Delleney, Hamilton, Hodges, Loftis, Lowe, D.C. Moss, V.S. Moss, Nanney, J.M. Neal, Ott, Ryan, G.M. Smith, G.R. Smith, J.R. Smith, Spires, Tallon, Taylor, Whitmire, Willis, Neilson and Harrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑713A SO AS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS THE OFFICIAL STATE EMBLEM OF THE SERVICE AND SACRIFICE BY THOSE IN THE UNITED STATES ARMED FORCES WHO HAVE GIVEN THEIR LIVES IN THE LINE OF DUTY.

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(R298, H. 4473) -- Reps. Limehouse, Brady and Neilson: AN ACT TO AMEND SECTION 63-7-2340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINGERPRINT REVIEWS OF POTENTIAL FOSTER PARENTS, SO AS TO PROVIDE THAT A PERSON WHO IS APPLYING FOR APPROVAL FOR ADOPTION PLACEMENT MUST ALSO UNDERGO A FINGERPRINT REVIEW; TO AMEND SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES MAY USE FUNDS APPROPRIATED FOR FOSTER CARE TO PAY FOR FINGERPRINT REVIEWS CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION FOR FOSTER CARE FAMILIES RECRUITED AND SELECTED AS POTENTIAL FOSTER CARE AND ADOPTIVE FAMILIES FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES; TO AMEND SECTION 63‑7‑2350, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO RESTRICT THE PLACEMENT OF A CHILD IN FOSTER CARE OR FOR ADOPTION PLACEMENT WITH A PERSON WHO HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO CERTAIN OFFENSES OR IF A PERSON RESIDING IN THE HOME WHO IS EIGHTEEN YEARS OF AGE OR OLDER HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO CERTAIN OFFENSES.

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(R299, H. 4497) -- Reps. Sellers, Johnson, Brady, Gilliard, Jefferson and Knight: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑187 SO AS TO ENACT THE “CERVICAL CANCER PREVENTION ACT”, TO PROVIDE THAT BEGINNING WITH THE 2012‑2013 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL PROGRAM RELATED TO THIS VACCINATION OFFERING WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO MAKE IMPLEMENTATION OF VACCINE PROVISION AND INFORMATIONAL PROGRAM CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

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(R300, H. 4513) -- Rep. Harrison: AN ACT TO AMEND SECTION 43‑35‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE MEMBERSHIP AND MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43‑35‑330, RELATING TO THE DUTIES OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE DUTIES OF THE COUNCIL AND ADD THE REQUIREMENT THAT THE COUNCIL ANNUALLY PREPARE AND DISTRIBUTE TO THE MEMBERSHIP, VARIOUS MEMBERS OF THE GENERAL ASSEMBLY, AND OTHER INTERESTED PARTIES A REPORT OF THE COUNCIL’S ACTIVITIES AND ACCOMPLISHMENTS FOR THE CALENDAR YEAR AND TO REQUIRE THE REPORT TO BE PUBLISHED ON THE DEPARTMENT OF HEALTH AND HUMAN SERVICES’ WEBSITE.

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(R301, H. 4614) -- Reps. Pitts, Lucas, Hearn, Brannon, Weeks, Spires, Loftis and Clemmons: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT‑ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING “JOINT CUSTODY” AND “SOLE CUSTODY”, REQUIRING EACH PARENT TO PREPARE AND SUBMIT A PARENTING PLAN OR TO JOINTLY SUBMIT A PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS, AND PROVIDING THAT THE SOUTH CAROLINA SUPREME COURT SHALL DEVELOP RULES AND FORMS FOR IMPLEMENTATION OF THE PARENTING PLAN; TO REQUIRE THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, TO REQUIRE THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, AS WELL AS ALL CUSTODY OPTIONS, STATING IN ITS FINAL ORDER THE REASONING FOR ITS CUSTODY DETERMINATION, AND TO ALLOW THE COURT TO ALLOCATE PARENTING TIME REGARDLESS OF THE CUSTODY DETERMINATION; TO PROVIDE MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER AND TO PROVIDE FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD; TO PROVIDE THAT IF A COURT DETERMINES IN ITS ORDER THAT TELEPHONIC AND ELECTRONIC COMMUNICATIONS WITH THE PARENT IS IN THE BEST INTEREST OF THE CHILD, EACH PARENT SHOULD FACILITATE OPPORTUNITIES PROVIDING FOR SUCH COMMUNICATIONS; TO PROVIDE THAT REGARDLESS OF CUSTODY ARRANGEMENTS AND UNLESS OTHERWISE PROHIBITED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL ACCESS AND RIGHTS TO OBTAIN ALL EDUCATIONAL AND MEDICAL RECORDS OF THEIR CHILDREN AND TO PARTICIPATE IN THEIR CHILDREN’S SCHOOL AND EXTRACURRICULAR ACTIVITIES; AND TO CREATE THE SOUTH CAROLINA FAMILY COURT STUDY COMMITTEE TO STUDY THE FEASIBILITY OF TRACKING THE OUTCOME OF CONTESTED CUSTODY PROCEEDINGS AND TO PROVIDE FOR ITS MEMBERSHIP, STAFFING, AND REPORTING.

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(R302, H. 4665) -- Reps. Hixon, Clyburn, J.R. Smith, Spires, Taylor and Young: AN ACT TO AMEND ACT 571 OF 1967, AS AMENDED, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, THE BOUNDARIES OF WHICH PURSUANT TO THIS ACT INCLUDE AREAS IN EDGEFIELD AND AIKEN COUNTIES, SO AS TO REVISE THE MANNER IN WHICH MEMBERS OF THE GOVERNING BODY OF THE AUTHORITY SHALL BE APPOINTED AND FROM WHAT AREAS.

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(R303, H. 4699) -- Reps. Bannister, Harrison, Horne, Sellers, Hearn, Young, H.B. Brown, J.E. Smith, Brannon, Stavrinakis, Funderburk, Allen, Weeks, Munnerlyn and McLeod: AN ACT TO AMEND SECTION 14‑5‑610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT‑LARGE CIRCUIT JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE CIRCUIT COURT JUDGES FROM THIRTEEN TO SIXTEEN; AND TO AMEND SECTION 63‑3‑40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD SIX ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

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(R304, H. 4738) -- Reps. Govan and Hearn: AN ACT TO AMEND SECTION 20‑3‑170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY DUE TO CHANGED CIRCUMSTANCES, INCLUDING CHANGE IN FINANCIAL ABILITY, SO AS TO PROVIDE THAT UPON THE MOTION OF A PARTY, RETIREMENT BY A SUPPORTING SPOUSE IS SUFFICIENT GROUNDS FOR A HEARING TO DETERMINE WHETHER RETIREMENT CONSTITUTES A CHANGE IN CIRCUMSTANCES AND TO PROVIDE FACTORS THE COURT SHALL CONSIDER IN MAKING SUCH A DETERMINATION.

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(R305, H. 4763) -- Reps. Sandifer, King, Butler Garrick and Parks: AN ACT TO AMEND SECTION 32‑7‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO PRENEED FUNERAL CONTRACTS, SO AS TO ADD CERTAIN DEFINITIONS AND REVISE OTHER DEFINITIONS; TO AMEND SECTION 32‑7‑35, RELATING TO THE TRANSFER OF PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE REQUIREMENTS FOR THE TRANSFER OF CONTRACTS “AT PRENEED” AND “AT NEED”; TO AMEND SECTION 32‑7‑50, AS AMENDED, RELATING TO PRENEED FUNERAL CONTRACT LICENSES, SO AS TO FURTHER PROVIDE FOR THE AMOUNT OF APPLICATION AND APPLICATION RENEWAL LICENSE FEES, FOR THE TERM OF THE LICENSE AND FOR THE USE OF LICENSE RENEWAL FEES; TO AMEND SECTION 32‑7‑60, AS AMENDED, RELATING TO THE PRENEED FUNERAL LOSS REIMBURSEMENT FUND, SO AS TO DELETE THE LIMITATION ON THE MAXIMUM AMOUNT OF THE FUND; AND TO AMEND SECTION 32‑7‑100, AS AMENDED, RELATING TO UNLAWFUL VIOLATIONS OF LAW PERTAINING TO PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS BASED ON THE AMOUNT OF MONEY OBTAINED OR SOUGHT TO BE OBTAINED WITH CERTAIN OFFENSES DECLARED TO BE MISDEMEANORS AND CERTAIN OFFENSES DECLARED TO BE FELONIES, AND TO PROVIDE FOR OTHER AUTHORIZED ACTIONS FOR VIOLATIONS OF THIS CHAPTER.

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(R306, H. 4766) -- Reps. Stringer, Weeks and Funderburk: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 33 SO AS TO ENACT THE “SOUTH CAROLINA BENEFIT CORPORATION ACT” WHICH PERMITS A CORPORATION TO ELECT AS A CORPORATE PURPOSE THE PROVIDING OF CERTAIN PUBLIC BENEFITS WITHOUT SUBJECTING THE CORPORATION OR ITS DIRECTORS TO LIABILITY OR DERIVATIVE SUIT EXCEPT FOR SPECIFIED REASONS.

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(R307, H. 4786) -- Reps. Sandifer and D.C. Moss: AN ACT TO AMEND SECTION 41‑35‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYMENT OF UNEMPLOYMENT BENEFITS BASED ON CERTAIN SERVICES IN SCHOOLS OR INSTITUTIONS OF HIGHER EDUCATION, SO AS TO INCLUDE SERVICES PROVIDED BY SUBSTITUTE TEACHERS UNDER CERTAIN CIRCUMSTANCES.

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(R308, H. 4798) -- Reps. McLeod and Bowers: AN ACT TO AMEND SECTION 5‑7‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRIAL OF A PERSON IN A MUNICIPAL COURT, SO AS TO NO LONGER PROVIDE THAT A MAYOR MAY CONDUCT A MUNICIPAL TRIAL, TO PROVIDE THAT A MUNICIPAL JUDGE MUST CONDUCT A SPEEDY TRIAL OF PERSONS ARRESTED AND INCARCERATED, AND TO REVISE THE PERIOD OF TIME THAT A PERSON MUST BE TRIED AFTER THE DATE OF HIS ARREST.

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(R309, H. 4824) -- Rep. Rutherford: A JOINT RESOLUTION TO PROVIDE THAT THE DRIVER’S LICENSE OF A PERSON IS REINSTATED ON THIS ACT’S EFFECTIVE DATE IF THE PERSON’S DRIVER’S LICENSE WAS SUSPENDED PURSUANT TO FORMER SECTION 56‑1‑745 OF THE 1976 CODE DUE TO A CONTROLLED SUBSTANCE VIOLATION AND CHARGED PRIOR TO APRIL 12, 2011, AND CONVICTED ON OR AFTER APRIL 12, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST NOT REIMBURSE SUCH PERSON WHOSE DRIVER’S LICENSE SUSPENSION ENDED AND WHO PAID A REINSTATEMENT FEE BEFORE THIS ACT’S EFFECTIVE DATE.

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(R310, H. 4888) -- Reps. Thayer, Owens, Daning, Brannon, Erickson, Whitmire, Atwater, R.L. Brown, Gambrell, J.M. Neal, Putnam and Willis: AN ACT TO AMEND SECTION 38‑73‑470, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF THE UNINSURED MOTORIST FUND, SO AS TO PROVIDE THAT THE PORTION OF THE FUND THAT WAS FORMERLY PAID TO THE DEPARTMENT OF PUBLIC SAFETY MUST BE PAID TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑1‑286, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OR PERMIT OF CERTAIN PERSONS WHO DRIVE A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE PORTION OF THE FEE TO OBTAIN A TEMPORARY ALCOHOL LICENSE THAT WAS FORMERLY RETAINED BY THE DEPARTMENT OF PUBLIC SAFETY MUST BE DISTRIBUTED TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑3‑3910, RELATING TO THE ISSUANCE OF “SHAG” SPECIAL LICENSE PLATES, SO AS TO REVISE THE BIENNIAL PERIOD IN WHICH THE LICENSE PLATE MUST BE ISSUED OR REVALIDATED; TO AMEND SECTION 56‑3‑5200, RELATING TO “SOUTH CAROLINA: FIRST IN GOLF” SPECIAL LICENSE PLATES, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE WHEN A DRIVER REFUSES TO SUBMIT TO TESTS TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56‑10‑552, RELATING TO THE UNINSURED ENFORCEMENT FUND, SO AS TO PROVIDE THAT THIS FUND WHICH WAS FORMERLY DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY MUST NOW BE DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES AND USED BY BOTH THE DEPARTMENT OF MOTOR VEHICLES AND THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 56‑15‑420, RELATING TO THE PROMULGATION OF CERTAIN REGULATIONS BY THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO PROVIDE THAT THESE REGULATIONS NOW SHALL BE PROMULGATED BY THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑19‑240, AS AMENDED, RELATING TO THE APPLICATION FOR A CERTIFICATE OF TITLE AND ITS CONTENTS, SO AS TO PROVIDE THAT THE OWNER OF A BONA FIDE LEASING COMPANY IS NOT REQUIRED TO SUPPLY A SOUTH CAROLINA PHYSICAL ADDRESS OF ITS BUSINESS OPERATIONS ON ITS APPLICATION FOR A CERTIFICATE OF TITLE AND TO PROVIDE THAT VEHICLES THAT ARE PURCHASED FOR PRIMARY OPERATION IN ANOTHER STATE OR A FOREIGN JURISDICTION CANNOT BE TITLED AND REGISTERED IN THIS STATE; TO PROVIDE FOR THE REVERSAL OF CERTAIN CONVICTIONS FOR CONTROLLED SUBSTANCE VIOLATIONS PURSUANT TO FORMER SECTION 56‑1‑745; TO AMEND SECTION 56‑2‑100, RELATING TO CONDITIONS GOVERNING THE OPERATION OF LOW SPEED VEHICLES, SO AS TO PROVIDE THAT A LOW SPEED VEHICLE MAY BE OPERATED ON ANY HIGHWAY FOR WHICH THE POSTED SPEED LIMIT IS THIRTY‑FIVE MILES AN HOUR OR LESS; TO REPEAL ARTICLE 60, CHAPTER 3, TITLE 56 RELATING TO THE ISSUANCE OF “SHRINERS” SPECIAL LICENSE PLATES; BY ADDING SECTION 56‑19‑495 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL CONVENE A WORKING GROUP FOR THE PURPOSE OF ASSISTING IN THE DEVELOPMENT OF A PROCESS TO BE USED FOR THE TITLING OF CERTAIN VEHICLES.

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(R311, H. 4945) -- Reps. Funderburk, Harrison, Brantley, McLeod, Butler Garrick, Munnerlyn, Taylor, J.H. Neal, Dillard, Bannister, G.R. Smith, Bowers, Cobb‑Hunter, Delleney, Hixon, Long, Pope and Young: AN ACT TO AMEND SECTION 7‑5‑170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NECESSITY OF WRITTEN VOTER REGISTRATION APPLICATIONS, SO AS TO PERMIT ELECTRONIC APPLICATIONS; BY ADDING SECTION 7‑5‑185 SO AS TO AUTHORIZE A PERSON TO REGISTER TO VOTE ELECTRONICALLY ON THE STATE ELECTION COMMISSION’S INTERNET WEBSITE, TO PROVIDE A PROCEDURE FOR ELECTRONIC REGISTRATIONS, AND TO AUTHORIZE THE STATE ELECTION COMMISSION TO PROMULGATE REGULATIONS TO EFFECTUATE ELECTRONIC REGISTRATIONS; BY ADDING SECTION 7‑5‑186 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AND MAINTAIN A STATEWIDE VOTER REGISTRATION DATABASE, TO REQUIRE CERTAIN STATE AGENCIES TO PROVIDE REQUESTED INFORMATION TO THE STATE ELECTION COMMISSION, AND TO ALLOW THE STATE ELECTION COMMISSION TO ENTER INTO AGREEMENTS WITH OTHER STATES OR GROUPS OF STATES IN ORDER TO MAINTAIN THE STATEWIDE VOTER REGISTRATION DATABASE; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE ESTABLISHMENT AND MAINTENANCE OF A STATEWIDE VOTER REGISTRATION DATABASE; TO AMEND SECTION 7‑3‑30, AS AMENDED, RELATING TO THE NOTICE OF DELETION OF AN ELECTOR’S NAME FROM THE ROSTER OF ELECTORS, SO AS TO CLARIFY THE REASONS FOR DELETION AND TO PROVIDE THAT THE EXECUTIVE DIRECTOR SHALL RESTORE AN ELECTOR’S NAME TO THE ROSTER IF INSTRUCTED TO DO SO BY THE COUNTY BOARD OF REGISTRATION; TO AMEND SECTION 7‑3‑40, AS AMENDED, RELATING TO REPORTS FURNISHED BY THE BUREAU OF VITAL STATISTICS, SO AS TO PROVIDE THAT THESE REPORTS MUST BE PROVIDED AT NO CHARGE; AND BY ADDING SECTION 7‑3‑70 SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO FURNISH CERTAIN MONTHLY REPORTS TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION AT NO CHARGE.

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(R312, H. 5098) -- Reps. Hixon, Clyburn, Harrison, Taylor and Young: AN ACT TO AMEND SECTION 61‑6‑2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY PERMITS FOR THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK IN A COUNTY OR MUNICIPALITY UPON A FAVORABLE REFERENDUM VOTE, SO AS TO FURTHER PROVIDE FOR THOSE ELECTIONS WHICH CONSTITUTE GENERAL ELECTIONS FOR PURPOSES OF THE REFERENDUMS REQUIRED UNDER THIS SECTION, AND TO PROVIDE FOR THE PROCEDURES AND REQUIREMENTS PERTAINING TO THE CONDUCT OF THESE REFERENDUMS.

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**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**PRESIDENT PRESIDES**

At 12:11 P.M., the PRESIDENT assumed the Chair.

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

**Appointment Reported**

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

Initial Appointment, State Inspector General, with term coterminous with Governor

Patrick James Maley, 1225 Braemer Court, Birmingham, AL 35242

Received as information.

**Motion Adopted**

On motion of Senator KNOTTS, with unanimous consent, Senators MASSEY, COLEMAN and KNOTTS were granted leave to attend a conference committee meeting and were granted leave to vote from the balcony.

**Status Report from the Chairman of the Senate Finance Committee**

**H. 4813--GENERAL APPROPRIATIONS BILL**

**H. 4814--CAPITAL RESERVE BILL**

Senator LEATHERMAN was recognized to report to the Senate the status of the Committees of Conference on H. 4813 and H. 4814.

**MESSAGE FROM THE GOVERNOR**

Columbia, S.C., June 18, 2012

Mr. President and Senators:

I am vetoing and returning without my approval S. 1167, R 275:

(R275, S1167) -- Senator Lourie: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 31‑6‑85 SO AS TO ALLOW A MUNICIPALITY AND ONE OR MORE TAXING DISTRICTS TO PROVIDE BY INTERGOVERNMENTAL AGREEMENT FOR PARTIAL OR MODIFIED PARTICIPATION IN A REDEVELOPMENT PROJECT; TO AMEND SECTION 31‑6‑80, RELATING TO APPROVAL OF A REDEVELOPMENT PLAN FOR PURPOSES OF THE TAX INCREMENT FINANCING LAW, SO AS TO CLARIFY AN AMENDMENT TO THE TAX INCREMENT FINANCING LAW; AND TO AMEND SECTION 4‑10‑310, AS AMENDED, RELATING TO THE IMPOSITION OF THE CAPITAL PROJECTS SALES TAX ACT, SO AS TO PROVIDE THAT THE LIMITATION APPLICABLE TO THE NUMBER OF CERTAIN LOCAL SALES AND USE TAXES THAT MAY BE IMPOSED IN A COUNTY AREA DOES NOT APPLY IN A COUNTY AREA IN WHICH, AS OF JULY 1, 2012, THERE WAS IMPOSED PURSUANT TO A LOCAL ACT OF THE GENERAL ASSEMBLY A LOCAL SALES AND USE TAX, THE REVENUES OF WHICH MUST BE USED TO OFFSET THE COSTS OF SCHOOL CONSTRUCTION, OTHER SCHOOL PURPOSES, OR OTHER GOVERNMENTAL EXPENSES, OR ANY COMBINATION OF THESE USES.

Respectfully submitted,

Nikki R. Haley

Governor

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

**MESSAGE FROM THE GOVERNOR**

Columbia, S.C., June 18, 2012

Mr. President and Senators:

I am vetoing and returning without my approval S.580, R 265:

(R265, S580) -- Senator Setzler: AN ACT TO AMEND SECTION 40‑18‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 18, TITLE 40 PROVIDING FOR THE LICENSURE AND REGULATION OF PRIVATE SECURITY AND INVESTIGATION AGENCIES, SO AS TO PROVIDE THAT THE CHAPTER DOES NOT APPLY TO A CERTIFIED PUBLIC ACCOUNTANT WHILE IN THE PERFORMANCE OF HIS DUTIES, AND TO PROVIDE THE CHAPTER MUST NOT BE APPLIED TO A PERSON BASED SOLELY ON HIS BEING ENGAGED IN COMPUTER OR DIGITAL FORENSIC SERVICES OR CERTAIN NETWORK OR SYSTEM VULNERABILITY TESTING; AND BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO ENACT THE “COMPUTER AND DIGITAL FORENSICS REGISTRY ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THE CHIEF OF SLED CERTAIN POWERS AND DUTIES RELATED TO THE PRACTICE OF COMPUTER FORENSICS BUSINESSES INCLUDING THE MAINTENANCE OF A COMPUTER FORENSICS REGISTRY AND TO PROVIDE FOR THE PURPOSE AND FUNDING OF THE REGISTRY, TO REQUIRE A PARTY SEEKING TO OPERATE AS A DIGITAL FORENSICS BUSINESS REGISTER WITH SLED IN A SPECIFIED MANNER, AND TO PROVIDE EXCLUSIONS FROM THE APPLICABILITY OF THE CHAPTER.

Respectfully submitted,

Nikki R. Haley

Governor

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

**Leave of Absence**

At 12:37 P.M., Senator SETZLER requested a leave of absence from 2:00 - 3:00 P.M. today.

**Leave of Absence**

At 1:30 P.M., Senator CAMPBELL requested a leave of absence for Senator ROSE from 2:00 - 4:00 P.M. today.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1594 -- Senator Courson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. JOSEPH GERALD CAREW, PRESIDENT OF THE SOUTH CAROLINA CHIROPRACTIC ASSOCIATION, FOR HIS SERVICE TO THE PEOPLE OF THE PALMETTO STATE AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1595 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE MS. SHARON GRICE UPON HER RETIREMENT FROM THE CLEMSON EXTENSION SERVICE FOR THIRTY-THREE YEARS OF SERVICE, AND TO WISH HER WELL IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1596 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BRETT MCLAUGHLIN OF OCONEE COUNTY, EDITOR OF THE JOURNAL NEWSPAPER IN SENECA, UPON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1597 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CARLOS GALARZA OF OCONEE COUNTY, STAFF WRITER FOR THE JOURNAL NEWSPAPER IN SENECA, UPON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1598 -- Senator Thomas: A SENATE RESOLUTION TO THANK MRS. MARY LOYD RILEY FOR HER FIFTEEN YEARS OF DISTINGUISHED AND EXEMPLARY SERVICE TO THE SENATE OF SOUTH CAROLINA AND TO WISH HER HAPPINESS AND GOOD HEALTH FOR THE FUTURE.

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Whereas, the members of the Senate have learned that Mrs. Mary Loyd Riley will be retiring in June 2012. She began working on April 29, 1997, as a staff member of the South Carolina Senate; and

Whereas, Mary has spent the last fifteen years working for the Honorable David L. Thomas, first during his chairmanship with the General Committee subsequently throughout his chairmanship of the Banking and Insurance Committee; and

Whereas, prior to working for Senator Thomas, Mary worked as a paralegal and assisted the president of MacGregor Golf and she performed financial and forestry management for Rolf Kauka, a comic artist who is considered the Walt Disney of Germany; and

Whereas, in 2000, Mary was awarded the Homeward Bound Award for helping ex‑offenders get a fresh start and in 2008 she received a Consumer Spirit Award in Governmental Excellence for Leadership in Consumer Advocacy by the South Carolina Department of Consumer Affairs; and

Whereas, Mary thoroughly enjoys spending her time with her husband of thirty‑two years, Duane, and together they are the proud parents of three grown children, Ware, Mike, and Dana, and they also have four wonderful grandchildren, Beau, Corey, Morgan, and Marshall; and

Whereas, Mary is active in her church at the Christian Life Church in Columbia and in her spare time she especially enjoys antique hunting, decorating, and designing through her own business “The Matchmaker” for which she enjoys traveling to High Point, North Carolina, and the wholesale market in Atlanta, Georgia; and

Whereas, Mary is an endearing friend to many in the Senate and we are greatly pleased to have this opportunity to salute Mary and accord her special recognition for her commitment and outstanding service to the members of the Senate. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate, by this resolution, thank Mrs. Mary Loyd Riley for her fifteen years of distinguished and exemplary service to the Senate of South Carolina and to wish her happiness and good health for the future.

Be it further resolved that a copy of this resolution be forwarded to Mrs. Mary Riley.

The Senate Resolution was adopted.

S. 1599 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SENECA HIGH SCHOOL GIRLS TRACK TEAM FOR ITS IMPRESSIVE WIN OF THE CLASS AAA 2012 STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS AND COACHES ON AN OUTSTANDING SEASON.

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The Senate Resolution was adopted.

S. 1600 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MR. JIM ALEXANDER, OCONEE COUNTY ECONOMIC DEVELOPMENT DIRECTOR, UPON HIS RETIREMENT, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1601 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE JAKE RYAN DARSEY UPON HIS GRADUATION FROM WEST POINT AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 1602 -- Senators Hayes, Gregory, Peeler and Coleman: A SENATE RESOLUTION TO CELEBRATE THE THIRTIETH ANNIVERSARY OF THE CITY OF TEGA CAY AND TO CONGRATULATE MAYOR GEORGE SHEPPARD, THE CITY COUNCIL MEMBERS, AND THE CITIZENS OF TEGA CAY FOR THREE DECADES OF DISPLAYING THE CHARM AND STRENGTH OF THIS LAKESIDE BEAUTY SPOT.

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The Senate Resolution was adopted.

S. 1603 -- Senator Anderson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND PURE-N-HEART KIDS ON THE OCCASION OF ITS CD RELEASE AND DVD PREMIERE RED CARPET EVENT, TO BE HELD ON JUNE 16, 2012, AND TO THANK THE ORGANIZATION FOR ITS NINE YEARS OF CHANGING THE LIVES OF YOUTH THROUGH KINGDOM PRAISE MUSIC.

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The Senate Resolution was adopted.

S. 1604 -- Senators Bryant and L. Martin: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MR. TIMOTHY WAYNE EVATT OF ANDERSON, SOUTH CAROLINA, FOR HIS COURAGE, STRENGTH, AND FAITH, AND TO WISH HIM MUCH HEALTH AND HAPPINESS IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 1605 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE JAMES KNOTTS OF THE RICHARD STREET COMMUNITY IN RICHLAND COUNTY FOR HIS SERVICE AS A MEMBER OF THE MONTFORD POINT MARINES DURING WORLD WAR II, TO HONOR THE COURAGE AND DEDICATION HE DISPLAYED AS A MEMBER OF THAT PROUD GROUP, AND TO COMMEMORATE HIS BEING AWARDED A BRONZE MEDAL OF HONOR, WHICH IS A REPLICA OF THE CONGRESSIONAL GOLD MEDAL, AT A CEREMONY TO TAKE PLACE IN WASHINGTON, D.C., ON JUNE 27, 2012.

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The Senate Resolution was adopted.

S. 1606 -- Senator Land: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MARIE ADELL MERCOGLIANO LAND FOR HER TWENTY-FOUR YEARS OF DEDICATED SERVICE ON THE COLLEGE OF CHARLESTON BOARD OF TRUSTEES.

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The Senate Resolution was adopted.

S. 1607 -- Senators Hayes, Leventis, Peeler, Malloy, Cromer, Sheheen, Coleman and Gregory: A CONCURRENT RESOLUTION TO COMMEND SARAH NUCKLES, COMMISSIONER OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, FOR HER DISTINGUISHED SERVICE REPRESENTING DISTRICT 5, AND TO WISH HER WELL IN ALL HER FUTURE ENDEAVORS.

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

S. 1608 -- Senators Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Ford, Grooms, Gregory, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Verdin and Williams: A SENATE RESOLUTION TO COMMEND THE HONORABLE DAVID L. THOMAS FOR HIS DISTINGUISHED SERVICE ON BEHALF OF THE CITIZENS OF SENATE DISTRICT 8, AND TO EXPRESS DEEP APPRECIATION FOR HIS CONTRIBUTIONS TO THE SOUTH CAROLINA SENATE, TO OUR STATE, AND TO HIS CONSTITUENTS.

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Whereas, the Honorable David L. Thomas has served the citizens of Greenville County in District 8 in the South Carolina Senate since 1985 with enthusiasm, devotion, and integrity; and

Whereas, in 1949 he was born and raised in South Carolina, the son of Harry Lee and Mary Brown Thomas; and

Whereas, Senator Thomas graduated in 1971 with a B.A. degree from the University of North Carolina in Charlotte, in 1975 with a Master of Divinity from Southwestern Baptist Theological Seminary in Ft. Worth, Texas, in 1979 a Master of Arts degree from Texas Christian University; and

Whereas, he served on Greenville City Council from 1979 to 1984 and as Mayor Pro Tempore from 1983 to 1984; and

Whereas, Senator Thomas was a newlywed to his lovely wife, Fran, when he entered the Senate Chamber in 1985 with a head full of dark hair. He leaves us this year with still a head full of hair - only it is a lot whiter now; and

Whereas, Senator Thomas continued to perform his duties in the Senate and serve his constituents with unwavering energy while obtaining a law degree in 1995 from the University of South Carolina; and

Whereas, during his tenure with the Senate, his many committee assignments have included the Corrections and Penology, Finance, General, and Medical Affairs Committees, and he currently serves as Chairman of the Banking and Insurance Committee; and

Whereas, an outspoken reformer, he helped lead the fight for landmark residential property tax relief and welfare reform. As prior Chairman of the Senate Corrections and Penology Committee, he was a Senate leader in passing “truth in sentencing” and “three strikes you’re out” laws; and

Whereas, Senator Thomas has been recognized as a national leader on environment and beautification issues since his founding of the Litter Task Force in 1999, ultimately becoming Palmetto Pride, the Governor’s Council on Beautification and Litter, a statewide beautification and eradication of litter program in South Carolina; and

Whereas, Senator Thomas will be fondly remembered as a strong leader, a hardworking conservative, and an outspoken reformer. He has served his community in many capacities, including the Joint Legislative Committee on Children and Families, the Protection and Advocacy for People with Disabilities Steering Committee, the Palmetto Conservation Commission, the Blue Ribbon Task Force for the South Carolina Fatherhood Policy Project, the Associated Marine Institutes Board, and the YMCA Youth in Government Board; and

Whereas, Senator Thomas remains extremely active and he continues to practice law in Greenville County. He and his wife, Fran, attend Calvary Baptist Church in Simpsonville where he has taught Sunday School; and

Whereas, the members of the Senate recognize, honor, and celebrate the gift of twenty-seven years of true and faithful service that Senator Thomas has so ably and humbly bestowed upon this Senate and the people of South Carolina. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate, by this resolution, commend the Honorable David L. Thomas for his distinguished service on behalf of the citizens of Senate District 8 and express deep appreciation for his contributions to the South Carolina Senate, to our State, and to his constituents.

Be it further resolved that a copy of this resolution be forwarded to the Honorable David L. Thomas.

The Senate Resolution was adopted.

**Expression of Personal Interest**

Senator FAIR rose for an Expression of Personal Interest.

**Remarks by Senator FAIR**

Thank you, Mr. PRESIDENT.

This is an honor for me, but also a moment with regrets as I stand here today to introduce a Resolution that would attempt to honor a colleague who is leaving the body.

I was thinking about Senator THOMAS before I walked up here and how the power has moved around the state. We went from Governor Carroll Campbell to the Speaker of the House, David Wilkins, to a 28‑year-veteran of the State Senate pretty much to nothing -- from that, well, I was referring to myself when I said nothing.

My friendship with Senator THOMAS goes back well beyond 28 years. I had the opportunity to invite him to discuss predestination in a Baptist Church. And he spent six weeks with us. Yes, it takes a shorter amount of time with Presbyterians to understand predestination than it does with Baptists.

That was my first exposure to a person who, I believe, is not only a good man, but is also one of the brightest people and best friends I have ever had. He also continues to maintain a friendship with me! Thank you. He’s got more degrees than most of us over 60 have illnesses, and that’s a lot of illnesses. As you know, Senator THOMAS graduated from University of North Carolina at Charlotte. That wasn’t enough. He went out to Texas and got a couple of Master’s Degrees -- one in theology and one in philosophy. Well, you can philosophize in a minute. I must say that he has made a tremendous contribution to the State of South Carolina in his service in the South Carolina Senate over the years, and I have watched him all the way because we were elected at the same time.

I was elected across the way in the House and he was elected to the Senate in the same year in somewhat parallel paths. I was on county council and he was on city council. Senator THOMAS has stood by his wife, Fran, who is with us -- and we are delighted to see her looking so pretty and so healthy. At times she has been ill, and her closest nursemaid has probably been her husband. He has stood by her and he also has nursed his mom and dad through their illnesses and their passing in the last few years. I

He handled an attack at home in this particular election with grace and as a gentleman, and in a way that we would have expected him to handle it. I’m sorry he lost the election, but he did. He’s here with no apologies; except to say that he did his best. I would say that about you, Senator THOMAS, that you are a mentor for me. I came in over here and looked up to you then, and I still do. I will be calling you, probably continuously, in the future as I have in the past, asking for your advice.

We are going to miss you in the Senate. We are going to miss you a lot.

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**Remarks by Senator COURSON**

Mr. PRESIDENT, I just want to echo what my colleague Senator FAIR said -- we are going to miss you.

I first met DAVID THOMAS in 1982 when he had run for the city council in Greenville and beat his opponent. He wasn’t supposed to but he defeated my wife’s cousin. He came to see me in 1982, when he was the campaign manager for former Senator NORMA RUSSELL who was running for Lt. Governor. She got 35% of the vote. I knew he was a political genius after that race.

We were elected together in 1984. We had 16 new Senators in 1984. Of course, my name began with the letter “C” so I was a senior member to Senator THOMAS whose name began with “T”. I got to serve on the Judiciary Committee and other major committees. Former Senator JOE WILSON was elected with us. I think he was number 46 and Senator THOMAS was number 44 or 45. They would sit on the back row and occasionally, Senator DENNIS or WILLIAMS, would roll over and ask them to go get a cup of coffee for him. Neither had any seniority.

We have developed a good friendship. He and now Congressman WILSON, Senator then, used to go to lunch together. We developed a close friendship that has lasted a long time. Since we have served together we have been involved in many exciting times. One occasion that really stands out, Senator, was in 1992, when President George H.W. Bush was running for re-election and we picked up the train in Georgia and went all across South Carolina. It was a beautiful fall day. Big crowds turned out in small towns. We were sitting in a dome car. We knew that because President Bush was campaigning in Georgia and South Carolina ten days before the election that we were in deep, deep trouble.

He has been a dear friend and asset for many years, and I just wanted to let you know, my friend. I will miss you, sir.

**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**Remarks by Senator LARRY MARTIN**

Mr. PRESIDENT, I’d like to make a few brief remarks from my seat.

I couldn’t pass up this opportunity.

Mr. PRESIDENT and members of the Senate, for those of you who don’t know, the Senator from Greenville, also aside from being my neighbor, actually lived in Pickens County during his younger years. He lived in the Liberty area that I represented when I was in the House. When I first started running for the House years ago, the Senator from Greenville was involved in the Greenville City Council. The folks that knew him as a young person took notice of him. They were still there in Liberty and we are so proud of having known him. He went to church there at First Baptist Liberty where his father was pastor for a number of years and he was very well thought of.

Later when Senator THOMAS ran for Lieutenant Governor, we had a little get together there in Liberty and we had a good turnout for that. We had a lot of fun and recalled a lot of great memories with folks that he grew up with and folks that knew him when he was younger. Folks there think so highly of him. Let me just say this -- throughout all of his public service life he has made and met friends through his work and DAVID has been a great friend.

Best wishes.

**Expression of Personal Interest**

Senator HAYES rose for an Expression of Personal Interest.

**Remarks by Senator HAYES**

I just wanted to say just a few things about DAVID.

He comes from Charlotte, which is almost in my district. We count it as a suburb of Rock Hill.

But in ’92, I was in the House running for the Senate, and at that point I was not a member of the GOP, but he and Senator FAIR came to York County and formed a committee called Republicans for WES HAYES. And I never have forgotten that. If you want to know somebody to blame for my election to the Senate, it is probably DAVID THOMAS and MIKE FAIR. They came to York County when I was a Democrat and I have never forgotten that.

But I remember our battles over the years. I remember video poker. I think we may have lost more than we won. Ultimately, I think we prevailed. That is, until recently. We are back on it again.

I will miss you with the pancakes. In addition to the Shrimper we go and eat pancakes. It’s one of the things my wife doesn't know about, so keep that a secret.

I’m reminded of a saying: “One man with courage makes a majority.” Senator, you have shown courage over the years and have certainly been an example for me. We are going to miss you in the Senate.

Thank you.

**Expression of Personal Interest**

Senator LAND rose for an Expression of Personal Interest.

**Remarks by Senator LAND**

Mr. PRESIDENT and gentlemen of the Senate, the Senator from Greenville and I have been friends the entire time he has been here. I just hold him in high regard. Senator, your services in this body will greatly be missed because you have certainly distinguished yourself by your service and in the legal profession.

I may be solely responsible for him being a lawyer. When he was just a little young Senator, he came to me and I remember we sat down and talked. He asked me all about the law, and so forth. Of course, I exaggerated it some -- about the income that you could make and so forth. But, anyway, he was intrigued and somehow -- and I never have told him differently, he thought that I somehow could get him into Law School. So, when he asked me if I would help him get into Law School, I told him absolutely I could. I did write a letter for him. I'm sure they didn't pay it any attention, but, Senator, I promise you got in on your own; not because of any letter from me. You truly distinguished yourself as a lawyer, and how you did it while you served so well in the Senate, I don’t know. But Law School was hard for me because I was not that smart. I had to study harder than everybody else just to keep up. But you served in the Senate, and did your other business and went to Law School at the same time, Senator from Cherokee. That takes a lot. You have become a great lawyer, and I have just enjoyed my friendship with you over the years.

He has promised me for the last 20 years anyway that he was coming down to Clarendon County to go fishing. He has never come. But, anyway, he tells me now that he thinks he might have time to come. I’ve got the fishing rod and all -- but the worms have already died now. We will have to get some new worms or maybe a cricket or two.

But, I wish you well. Your service will be missed in this body and I will miss having every day my friendship with you. I will, however, be right down there in Clarendon County and I know you will be in Greenville if I need you.

God bless you, brother.

Thank you.

**Expression of Personal Interest**

Senator VERDIN rose for an Expression of Personal Interest.

**Remarks by Senator VERDIN**

Senator from Clarendon, I will compete with you because for ten years he’s been promising or threatening or asking to go to work with me when I’m not in Columbia. Senator J. VERNE SMITH used to say, “You see these hands? They fix flat tires for a living.” I would go from the back here and check his hands every time he would make that speech. I’d say. “Yeah, just like last time -- soft as a proverbial baby's,” and he would look up at me and say, “You are right. Senator you are the only working man in the Senate.” DAVID, we will do some work one of these days when we adjourn.

But I do take credit for Senator THOMAS spending 28 years with you here in the Senate because in 1989, he was a shoe-in for the 4th Congressional District. Really. I mean, he would have been the Congressman from the 4th Congressional District. He deferred. He let others of his friends run. I was working for somebody else, and I think I even tried to prevail upon him to consider not getting in the Congressional race. Had he been in the Congressional race, it would be hard determining what kind of Congressional career or beyond he could have had.

But I know he loves this body. I know that he has invested much in many of us and the mentorship that comes with serving with a man of character and conviction will not be lost on me soon. I appreciate it. I do love you. I thank you for your love for South Carolina, your love for your family, your love for your constituents, your neighbors. You will be missed here but you will certainly be the gain of many others outside this Chamber. Godspeed.

**Expression of Personal Interest**

Senator LOURIE rose for an Expression of Personal Interest.

**Remarks by Senator LOURIE**

Mr. PRESIDENT, I have had the pleasure of knowing Senator THOMAS since I was in college. I will never forget when I was in college and we were celebrating the Passover holiday, my father brought DAVID THOMAS and JIM BRYAN over to our house on West Shore Road to help us celebrate Passover. As you know, DAVID is a man of deep religion and faith and he and my father would sit beside each other and talk about our respective religions and through that grew a great friendship that extended to me for which I have been very grateful.

I have had the chance and pleasure of serving with you, DAVID, in the Senate, for eight years and then, of course, as a House member. I have some great memories. One of them was the time I invited you to meet me at the old Biscuit House. Where is Martha Casto? Senator THOMAS heard me talk about the place called the Biscuit House right across from Williams-Brice Stadium. He said, “What do they like to eat there?” And he is somewhat of a connoisseur of fine food. I told him that they served delicious eggs and cheese on a cheese biscuit and these great cinnamon rolls. He said, “That sounds delicious.” He said, “Let's meet there in the morning.” We met and had our egg and cheese biscuit and cinnamon roll and then he topped it off with a big bag of vitamins. He pulled out this bag of vitamins -- all that junk you just ate and you were worried about taking vitamins?

I think you and I have had a lot of conversations over the last few weeks about serving and what it means to serve and what it means to retire -- to go back home and spend more time with your family and your business.

I think of all the issues that I have had a chance to work with you on, the one that I can’t help but think tops them all is the one dealing with autism. Had it not been for your openness and leadership to allow several of us -- Senator CLEARY and myself -- to really take the ball, Senator MALLOY, and run with that Bill, there wouldn’t be services available to the thousands of children that have autism today. And that’s because of you and your willingness to get behind us. I can remember sitting in your office, on the last Thursday of April. If we hadn’t passed that Bill on that Thursday to give it second reading, and then give it third reading the next day, we would never have made the crossover deadline to send the Bill to the House in time.

You have so much to be proud of. I have enjoyed serving with you and will always look forward to our continued friendship in the years to come.

Thank you.

**Expression of Personal Interest**

Senator GREGORY rose for an Expression of Personal Interest.

**Remarks by Senate GREGORY**

I’d like to make a couple of comments concerning the Senator from Greenville. Senator, I’ve certainly enjoyed serving with you over the years. You have an infectious optimism that is unseen in politics so much these days.

I would like to say also that I appreciate very much your efforts on the part of combating litter in South Carolina. It is not an issue that we talk about every day, but it is something that is very important. You really took the initiative -- it must have 10 or 12 years ago -- to create Palmetto Pride. That’s been a tremendous program in this State that would not have happened had it not been for your efforts. It has really gone a long way toward changing the mindset of school children especially in the State about litter on the roadways in South Carolina. They are significantly cleaner today than they were ten years ago largely because of this program. I am sure you could probably tell us the statistics regarding that. I know you have spent countless hours outside of this Chamber working with that issue and Palmetto Pride. Everybody in South Carolina has benefitted as a result of your efforts on that particular issue, Senator.

I just wanted to bring that up as people are making comments.

Thank you for your service.

**Expression of Personal Interest**

Senator CAMPSEN rose for an Expression of Personal Interest.

**Remarks by Senator CAMPSEN**

I’d like to make some remarks about the Senator from Greenville.

Senator, first of all, I appreciate your many years of service and, as all of you know, the Senator from Greenville is not only a senator, but he's a lawyer, a businessman -- and, in that capacity, a barbecue aficionado -- a philosopher and a theologian. Rarely do you see so much intellectual talent and diverse interests present in one individual, DAVID. I appreciate that you have brought that metaphysical perspective, your legal training and your business experience to bear in the legislative process. It has made for better laws and policy in the State of South Carolina. So, we would have to conclude that you are really a Renaissance man. There is no question about that. In fact, David’s interests are so diverse that many of you are probably unaware that the Senator from Greenville has an infatuation with surfing. Believe it or not, he does.

I love to surf, as you know, and David will often strike up conversations with me about surfing. So, I told him he had a standing invitation to surf with me. Senator THOMAS actually took me up on the invitation to surf a few years ago. He and Fran spent an evening with me and my family and we went surfing.

I have often said, and many of you know, that humor is what really makes the Senate and this process -- that otherwise would be unbearable -- bearable. One thing I love about the Senate and appreciate is the interjections of humor from time to time. For example, we had a great time with the High School League this year, all Session long. I’m not going to beat up on them anymore. They supported our Bill that got passed. But humor makes this process work. I reflect during my career of the many instances of humor we have enjoyed together. However, there is no more humorous event affiliated with my Senate service than the picture in my mind of DAVID THOMAS, on my surfboard at the Washout on Folly Beach, trying to catch a wave. That is clearly the most humorous incident associated with my service in the Senate. Senator THOMAS, I wish I had a picture of that to share with everyone. I’m sure they would agree with me that you would not make the cover of Surfer magazine.

DAVID, thank you for your service and keep up your eclectic interests. You are a true Renaissance man.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

**Remarks by Senator HUTTO**

As the Senator from Lancaster and Senator from Mt. Pleasant have just said, we are losing a Senator, a businessman, a theologian and a czar. It is not every day that we lose a czar. I mean, Senators come and go, but we don’t lose czars but every so often.

I, too, want to thank you for what you have done to combat litter. I appreciate it every year getting those letters from Palmetto Pride with various grants that are going back to our districts to help with litter which is a very serious problem in South Carolina. I don’t know if anyone is the heir-apparent to the czar-ship. Maybe you will retain that. Maybe you will continue to be the czar, but we will miss you.

**Expression of Personal Interest**

Senator KNOTTS rose for an Expression of Personal Interest.

**Remarks by Senator KNOTTS**

I’d like to make a few remarks about my good friend from Greenville.

I was fortunate enough to know DAVID before he was a politician -- before he was an elected politician. He was on the campaign trail for many people trying to raise money for folks, and I was doing a lot of cooking over in Lexington and all over the State for JOE WILSON and a bunch of Republicans. That’s how I met DAVID. I do a lot of barbecuing and roll my grills around and do my chicken bogs and that will feed sometimes 2,000 to 3,000 people at one time. The story I remember the best was DAVID found out that I used to work for Mr. “B”, Mr. Bessinger with Piggy Park, when I was a young boy. That’s where I learned the particular trade on barbecue. DAVID came to me -- I called him DAVID, excuse me, the Senator from Greenville -- but we go back that far. He wanted to know something about barbecue ribs. He was opening up a restaurant or something up in Greenville, I believe it was. Did you ever get that restaurant opened?

He brought some ribs down for me to taste. Senator THOMAS, I told you they were good, but I lied to you. I don’t know how long you were in business but they did develop into some pretty good ribs. Even Jake Moore -- who is in the law firm that you and I are affiliated with -- went up there and came back and asked me one day, “Have you been up to DAVID’s restaurant?” I said, “No.” He said, “I went up and tasted the ribs.” He said, “Those were the nastiest ribs I have ever eaten.” So, I went to DAVID and I told him. I told him, “DAVID, you have good ribs.” And a couple of weeks later or a month later, it was gone. The restaurant was closed. I will tell you, DAVID, you are a good helper with washing dishes and cleaning up in the barbecue rally and things like that. I hope to see you back in this Senate, because you are a heck of a lot better Senator than you are a cook.

**Expression of Personal Interest**

Senator THOMAS rose for an Expression of Personal Interest.

**Remarks by Senator THOMAS**

Gentlemen of the Senate, it is an honor to have served with you.

I actually did not understand that there was a Resolution coming. I thought the Resolution they kept talking about was something for Mary Riley and so they talked about it being delayed. I said, “Why delay it? Just get Mary over here and present it to her.” They said, “No, this is your Resolution.” I didn’t know I had such a nice thing coming and I really appreciate it. I thought if you lost in an election, you didn’t get a Resolution. That’s how naive I was about it. I want to thank each one of you.

You know, what you learn over the years in dealing with just everybody is the respect you get as a Senator. Even if you disagree with people, the respect you get for the powers that are in here is amazing. I don’t mean political power. I mean the insights into things and the drive that individuals have. I could go down the list of all of you because you have been teachers to me. I have learned from you and I’m better for it.

When I first came here, I was just so naive about so many things at 34 years old. I remember coming in here and, I was kind of walking around here and all impressed with how pretty it was and everything and the Senator from Clarendon was the first Senator that came in. He looked at me and I was standing over there and he came over there and he said, “Are you a page or that new Senator because I want a cup of coffee?” And I said, “Well, sir, I’m new Senator, but I will be glad to get you a cup of coffee if that’s what you want.” We have had a good relationship ever since then. We came with that team, I guess -- what, 14 new or 16, however many Senators came in at that time. So, that was kind of a brand new wave of individuals that were quasi-bomb throwers. We were always asking for roll call votes every time you turned around and, Senator, you remember always asking for roll call votes and now it is considered kind of a new thing -- you know, the roll call vote issue? It was as if we didn’t know what roll call votes were 24, 26 or 28 years ago. The sense that I have as I leave is, it gives you extra time and all that. So that’s a positive about it. But what I’m going to miss the most are the individuals and the fluidity of ideas we have.

We hear a lot of criticism from outside also. Those folks that are out there lobbying are kind of looked down on by so many people, but they serve a legitimate function in government. I have a great deal of respect for virtually all the members of that lobby out there that we depend on quite often to give us good and accurate information. When they don’t, that’s kind of a different matter.

But the Senate is a group that’s a fluid group. It will change. What I remember and what I will continue to remember most about it are the people. And that’s what I will miss the most -- the individuals with whom you have this interaction and ultimately it’s a thrill you have such a deep appreciation for. I do say very seriously, I’m going to miss that. I’m going to miss the individuals that I have learned so much from.

Mr. Chairman, Senator LEATHERMAN, I want to speak about you for a second since I mentioned the other side over here. I don’t quite know where to start because of all the individuals I have known, along with somebody like a Senator JACK LINDSAY for instance. What brain power he had. Let me tell you -- our Senator from Florence is one of the most astute individuals I have ever come across. The more I got to know him, the greater the respect I had for you.

I want to talk about my leader, Senator PEELER, for just a second. You know, when we did all the things that we had to do -- when the big break came and as controversial as it was -- I guess I was that, too. Twelve years ago when that happened, you know, Senator PEELER was very much involved in that, and I think it’s proper that you have been our leader for now these, well, however many years it’s been and prior to that, the Senator from Florence. But Senator PEELER, you have done a great job. You have done a wonderful job in difficult situations being the leader of the majority as Senator LAND has done as leader of the minority. You know something? We haven’t had much acrimony in that time -- really not much, Senator. You don’t see this bitterness and anger that we hear about in Washington. I commend the members for that. I commend the members for trying to be gentlemen and trying to carry themselves with deportment as we take on the serious issues.

The new PRESIDENT, former Senator McCONNELL, I would say to you, sir -- I have looked up to you for some years, even prior to going into the Senate. What a leader you have been and how much I have learned from you over the years. If I have grown at all, it is because I have been around great men and women that I have been able to absorb from and have come out of a kind of shallowness and gained some depth of situations and the issues we face. It is not easy. It is very hard. But we manage to pull it off with a lot of, I think, dignity.

Now, I could go down the line of just about all these individuals in here -- Senator from Pickens, Senator LARRY MARTIN, my friend; Senator HAYES -- goodness, gracious. I mean, the depth of my friendship with Senator FAIR -- and I better quick talking because I will have to call everybody’s name. How I love you all -- every one of you.

S. 1609 -- Senator Campsen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BROOKE MOSTELLER, AN OUTSTANDING STUDENT, ATHLETE, AND ACTIVIST, AND TO CONGRATULATE HER ON THE STATEWIDE SUCCESS AND EFFECTIVENESS OF HER COLLEGE APPLICATION DAY PROGRAM.

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

**Message from the House**

Columbia, S.C., June 19, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sent the following veto to the Senate:

(R265, S580) -- Senator Setzler: AN ACT TO AMEND SECTION 40‑18‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 18, TITLE 40 PROVIDING FOR THE LICENSURE AND REGULATION OF PRIVATE SECURITY AND INVESTIGATION AGENCIES, SO AS TO PROVIDE THAT THE CHAPTER DOES NOT APPLY TO A CERTIFIED PUBLIC ACCOUNTANT WHILE IN THE PERFORMANCE OF HIS DUTIES, AND TO PROVIDE THE CHAPTER MUST NOT BE APPLIED TO A PERSON BASED SOLELY ON HIS BEING ENGAGED IN COMPUTER OR DIGITAL FORENSIC SERVICES OR CERTAIN NETWORK OR SYSTEM VULNERABILITY TESTING; AND BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO ENACT THE “COMPUTER AND DIGITAL FORENSICS REGISTRY ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THE CHIEF OF SLED CERTAIN POWERS AND DUTIES RELATED TO THE PRACTICE OF COMPUTER FORENSICS BUSINESSES INCLUDING THE MAINTENANCE OF A COMPUTER FORENSICS REGISTRY AND TO PROVIDE FOR THE PURPOSE AND FUNDING OF THE REGISTRY, TO REQUIRE A PARTY SEEKING TO OPERATE AS A DIGITAL FORENSICS BUSINESS REGISTER WITH SLED IN A SPECIFIED MANNER, AND TO PROVIDE EXCLUSIONS FROM THE APPLICABILITY OF THE CHAPTER.

Respectfully submitted,

Speaker of the House

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

**ORDERED ENROLLED FOR RATIFICATION**

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

H. 4550 -- Reps. Rutherford, Bales, Ballentine, Brady, Butler Garrick, Harrison, Hart, Howard, McEachern, J.H. Neal and J.E. Smith: A BILL TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

By prior motion of Senator SCOTT.

**THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

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

**THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.**

**Message from the House**

Columbia, S.C., June 19, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sent the following veto to the Senate:

(R296, H4082) -- Reps. Vick, Edge, Hiott, Hayes, R.L. Brown, Jefferson, Bowers, Anthony, Skelton, Williams, McLeod, G.M. Smith, Weeks, Gilliard, Agnew, Horne, Funderburk, Tribble, Pinson, Clemmons and Neilson: AN ACT TO AMEND SECTION 38‑7‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT BEGINNING JULY 1, 2013, THROUGH JUNE 30, 2017, 2.25 PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT.

Very respectfully,

Speaker of the House

Received as information.

The veto was ordered placed on the Calendar for consideration tomorrow.

**THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**H. 3124--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 3124 -- Reps. Pitts and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, AND 124 TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “DISTINGUISHED SERVICE MEDAL” SPECIAL LICENSE PLATES, “SECOND AMENDMENT” SPECIAL LICENSE PLATES, “DISTINGUISHED SERVICE CROSS” SPECIAL LICENSE PLATES, “DEPARTMENT OF NAVY” SPECIAL LICENSE PLATES, “PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS” SPECIAL LICENSE PLATES, “STATE FLAG” SPECIAL LICENSE PLATES, “SOUTH CAROLINA HIGHWAY PATROL‑RETIRED” LICENSE PLATES, “I SUPPORT LIBRARIES” SPECIAL LICENSE PLATES, “SOUTH CAROLINA EDUCATOR” SPECIAL LICENSE PLATES, “COON HUNTERS” LICENSE PLATES, “BEACH MUSIC” SPECIAL LICENSE PLATES, “CITADEL ALUMNI ASSOCIATION ‘BIG RED’” SPECIAL LICENSE PLATES, “LARGE MOUTH BASS” SPECIAL LICENSE PLATES, “HIGH SCHOOL” SPECIAL LICENSE PLATES, “SOUTH CAROLINA WILDLIFE FEDERATION” SPECIAL LICENSE PLATES AND “HISTORIC” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7330, RELATING TO THE ISSUANCE OF “BOY SCOUTS OF AMERICA” SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF “EAGLE SCOUTS OF AMERICA” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56‑3‑1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑3‑10410, RELATING TO THE ISSUANCE OF “VETERAN” SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN “VETERAN” LICENSE PLATES; TO AMEND SECTION 56‑3‑3310, AS AMENDED, RELATING TO THE ISSUANCE OF “PURPLE HEART” SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56‑3‑8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT’S USE OF THE ORGANIZATION’S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56‑3‑8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

On motion of Senator PEELER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator PEELER spoke on the report.

The question the was adoption of the Report of Committee of Conference.

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

**Ayes 34; Nays 2**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Fair Gregory

Hayes Hutto Knotts

Land Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--34**

**NAYS**

Bright Sheheen

**Total--2**

**H. 3124--Conference Report**

The General Assembly, Columbia, S.C., May 31, 2012

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3124 -- Reps. Pitts and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, AND 124 TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “DISTINGUISHED SERVICE MEDAL” SPECIAL LICENSE PLATES, “SECOND AMENDMENT” SPECIAL LICENSE PLATES, “DISTINGUISHED SERVICE CROSS” SPECIAL LICENSE PLATES, “DEPARTMENT OF NAVY” SPECIAL LICENSE PLATES, “PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS” SPECIAL LICENSE PLATES, “STATE FLAG” SPECIAL LICENSE PLATES, “SOUTH CAROLINA HIGHWAY PATROL‑RETIRED” LICENSE PLATES, “I SUPPORT LIBRARIES” SPECIAL LICENSE PLATES, “SOUTH CAROLINA EDUCATOR” SPECIAL LICENSE PLATES, “COON HUNTERS” LICENSE PLATES, “BEACH MUSIC” SPECIAL LICENSE PLATES, “CITADEL ALUMNI ASSOCIATION ‘BIG RED’” SPECIAL LICENSE PLATES, “LARGE MOUTH BASS” SPECIAL LICENSE PLATES, “HIGH SCHOOL” SPECIAL LICENSE PLATES, “SOUTH CAROLINA WILDLIFE FEDERATION” SPECIAL LICENSE PLATES AND “HISTORIC” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7330, RELATING TO THE ISSUANCE OF “BOY SCOUTS OF AMERICA” SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF “EAGLE SCOUTS OF AMERICA” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56‑3‑1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑3‑10410, RELATING TO THE ISSUANCE OF “VETERAN” SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN “VETERAN” LICENSE PLATES; TO AMEND SECTION 56‑3‑3310, AS AMENDED, RELATING TO THE ISSUANCE OF “PURPLE HEART” SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56‑3‑8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT’S USE OF THE ORGANIZATION’S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56‑3‑8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

‘Distinguished Service Medal’ Special License Plates

Section 56‑3‑10810. (A) The Department of Motor Vehicles may issue ‘Distinguished Service Medal’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names who have been awarded the Distinguished Service Medal. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section must contain an illustration of the Distinguished Service Medal. The application for this special license plate must include proof that the applicant is a recipient of the Distinguished Service Medal. Not more than two license plates may be issued to a person.

(B) This special license plate is exempt from the provisions contained in Section 56‑3‑8100.”

SECTION 2. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 109

‘Second Amendment’ Special License Plates

Section 56‑3‑10910. (A) The Department of Motor Vehicles may issue ‘Second Amendment’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the Criminal Justice Academy.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 3. Article 124, Title 56 of the 1976 Code is amended by adding:

“Article 124

‘Historic’ Special Motor Vehicle License Plates

Section 56‑3‑12410. The Department of Motor Vehicles may issue a ‘Historic’ special motor vehicle license plate for use on a private passenger carrying motor vehicle, as defined in Section 56‑3‑630, or a motorcycle as defined in Section 56‑3‑20, that is twenty‑five years of age or older at the time of applying for the special plate. The applicant for a ‘Historic’ license plate must be the owner of the motor vehicle or motorcycle and must be a resident of this State.

Section 56‑3‑12420. The special license plate must be of the same size and general design as a regular motor vehicle or motorcycle license plate. The Department of Motor Vehicles shall imprint the special license plates with the word ‘Historic’, with numbers the department may determine. The license plate must be for a biennial period that expires twenty‑four months from the month it is issued.

Section 56‑3‑12430. A license plate issued pursuant to this article may be transferred to another vehicle or motorcycle that meets the requirements of Section 56‑3‑12240, and is owned by the same person upon application being made and being approved by the Department of Motor Vehicles. It is unlawful for any person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle or motorcycle except the one authorized by the department.

Section 56‑3‑12440. The provisions of this article do not affect the registration and licensing of motor vehicles or motorcycles as required by other provisions of this chapter, but are cumulative to those other provisions. Any person violating the provisions of this article or any person who (a) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (b) conceals a material fact, or (c) otherwise commits fraud in the application or in the use of any special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.

Section56‑3‑12450. The fee for the plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty‑five dollars. Notwithstanding another provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.

Section 56‑3‑12460. The guidelines for the production, collection and distribution of fees for a ‘Historic’ special license plate must meet the requirements of Section 56‑3‑8100.”

SECTION 4. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 110

‘Distinguished Service Cross’ Special License Plates

Section 56‑3‑11010. (A) The Department of Motor Vehicles may issue ‘Distinguished Service Cross’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names who have been awarded the Distinguished Service Cross. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section must contain an illustration of the Distinguished Service Cross. The application for this special license plate must include proof that the applicant is a recipient of the Distinguished Service Cross. Not more than two license plates may be issued to a person.

(B) This special license plate is exempt from the provisions contained in Section 56‑3‑8100.”

SECTION 5. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 111

‘Department of the Navy’ Special License Plates

Section 56‑3‑11110. (A) The Department of Motor Vehicles may issue ‘Department of the Navy’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 6. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 112

‘Parents and Spouses of Active Duty Overseas Veterans’

Special License Plates

Section 56‑3‑11210. (A) The Department of Motor Vehicles may issue ‘Parents and Spouses of Active Duty Overseas Veterans’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 7. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 113

‘State Flag’ Special License Plates

Section 56‑3‑11310. (A) The Department of Motor Vehicles may issue special ‘State Flag’ motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. The fee for this special license plate is twenty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The design of the license plate must replicate the color, layout, and design of the state flag. The blue used for the license plate must be the official state color as established in Section 1‑1‑710.

(C) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(D) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 8. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 114

‘South Carolina Highway Patrol‑Retired’ License Plates

Section 56‑3‑11410. (A) The Department of Motor Vehicles may issue ‘South Carolina Highway Patrol‑Retired’ license plates for use on private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in a person’s name in this State who served as a South Carolina Highway Patrolman or State Trooper and who honorably retired. An application for this special motor vehicle license plate must include certification from the South Carolina Highway Patrol that the applicant honorably retired.

(B) The requirements for production, collection and distribution of fees for a license plate are those set forth in Section 56‑3‑8100. The Department of Motor Vehicles shall imprint the special license plates with the insignia of the South Carolina Highway Patrol and the words ‘South Carolina Highway Patrol‑Retired’ with numbers the department may determine.

(C) Only one special license plate authorized by this section may be issued to a person. A license plate issued pursuant to this section may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles.

(D) Any person issued a special license plate pursuant to this section who is convicted of any felony, classified misdemeanor, traffic violation requiring a suspension of driving privileges, crime involving dishonesty or moral turpitude, or other crime punishable by imprisonment for one year or more, shall surrender the special license plate to the Department of Motor Vehicles within three days of the date of the conviction.

(E) The provisions of this section do not affect the registration and licensing of motor vehicles required by other provisions of this chapter, but are cumulative to those other provisions.

(F) A person violating the provisions of this section or a person who:

(1) fraudulently gives false or fictitious information in any application for a special license plate authorized by this section;

(2) conceals a material fact or otherwise commits fraud in the application for a special license plate issued pursuant to this section;

(3) permits the special license plate to be displayed on any vehicle except the one authorized by the Department of Motor Vehicles; or

(4) who fails to surrender the special license plate as required by this section, is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days, or both.”

SECTION 9. Article 65, Chapter 3 of Title 56 is amended to read:

“ARTICLE 65

BOY SCOUTS OF AMERICA AND EAGLE SCOUT

SPECIAL LICENSE PLATES

Section 56‑3‑7330. (A) The Department of Motor Vehicles may issue ‘Boy Scouts of America’ special license plates to owners of private passenger motor vehicles, as defined in Section 56-3-630, or motorcycles as defined in Section 56-3-20, registered in their names. The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. Any portion of the additional thirty‑dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the South Carolina Indian Waters Council, Boy Scouts of America, to then be distributed to the other five Boy Scout councils serving counties in South Carolina.

(B)(1) The Department of Motor Vehicles may issue ‘Eagle Scouts of America’ special license plates to owners of private passenger motor vehicles, as defined in Section 56-3-630, or motorcycles as defined in Section 56-3-20, registered in their names who have been awarded the Eagle Scout Award from the Boy Scouts of America. The motor vehicle owner must present the department with official documentation that states that he was awarded the Eagle Scout Award, along with his application for this special license plate. The fee for this special license plate is thirty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The special license plate must be imprinted with an emblem, seal, symbol, or design agreed to by all of the Boy Scout councils serving counties in South Carolina.

(2) The fees collected pursuant to this section above the cost of production must be distributed to the South Carolina Indian Waters Council, Boy Scouts of America, to then be distributed to the other five Boy Scout councils serving counties in South Carolina.

(3) Section 56-3-8100 requirements met for the production, collection, and distribution of fees for the ‘Boy Scouts of America’ special plate are deemed to have been met for the ‘Eagle Scouts of America’ special license plate.”

SECTION 10. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 116

‘I Support Libraries’ Special License Plates

Section 56‑3‑11610. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names which must have imprinted on the plate ‘I Support Libraries’. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be equally distributed between the South Carolina Association of School Librarians and the South Carolina Library Association.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 11. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 117

‘South Carolina Educator’ Special License Plates

Section 56‑3‑11710. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names which must have imprinted on the plate ‘South Carolina Educator’. The application for this special license plate must include proof that the applicant is a public or private kindergarten through twelfth grade school teacher. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of the production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 12. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 119

‘Beach Music’ Special License Plates

Section 56‑3‑11910. (A) The Department of Motor Vehicles may issue ‘Beach Music’ special motor vehicle license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names which may have imprinted on the plate an emblem, a seal, or other symbol chosen by the department in consultation with the South Carolina Arts Commission reflecting the status of beach music as the official state popular music pursuant to Section 1‑1‑689. License plate number ‘one’ for the beach music license plate is reserved for the president of the Beach Music Association International or its successor organization if that individual is otherwise eligible to register a qualifying motor vehicle in this State. License plate number ‘two’ for the beach music license plate is reserved for the Chairman of the Board of Trustees of Coastal Carolina University if that individual is otherwise eligible to register a motor vehicle in this State. The special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of twenty dollars.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 13. Chapter 3, Title 56 of the 1976 code is amended by adding:

“Article 120

Citadel Alumni Association ‘Big Red’ Special License Plate

Section 56‑3‑12010. (A) The Department of Motor Vehicles may issue Citadel Alumni Association ‘Big Red’ special license plates to owners of private passenger carrying motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names. The fee for each special license plate is seventy‑five dollars every two years in addition to the regular motor vehicle license fee set forth in Article 5, Chapter 3 of this title. Each special license plate must be of the same size and general design of regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be distributed to the Citadel Alumni Association.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 14. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 121

‘Largemouth Bass’ Special License Plates

Section 56‑3‑12210. (A) The Department of Motor Vehicles may issue ‘Largemouth Bass’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. The license plate shall have the image of a largemouth bass imprinted on it. The design of the plate and the largemouth bass image utilized must be selected through a public process conducted by the Department of Natural Resources. This special license plate must be of the same size and general design of regular motor vehicle license plates. The special license plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the Department of Natural Resources, which shall only use the funds to promote bass fishing throughout the State.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 15. Section 56‑3‑2150 of the 1976 Code, as last amended by Act 177 of 2008, is further amended to read:

“Section 56‑3‑2150. The Department of Motor Vehicles may issue special motor vehicle license plates to former members of the South Carolina Delegation of the United States Congress, retired judicial officers elected by the General Assembly or confirmed by the United States Senate, respectively, members of municipal and county councils, county coroners, and mayors of this State for private passenger motor vehicles owned by them. The department also may issue special motor vehicle license plates to former members of the General Assembly who are eligible to receive retirement benefits under the General Assembly Retirement System for private passenger motor vehicles and vehicles classified as private passenger motor vehicles in Section 56‑3‑630 owned by them. The biennial fee for these special license plates is the same as the fee provided in Section 56‑3‑2020, and only one plate may be issued to former members of the South Carolina Delegation of the United States Congress, retired judicial officers elected by the General Assembly or confirmed by the United States Senate, respectively, a councilman, ~~coroner,~~ a mayor, or a member of the General Assembly who is receiving retirement benefits. A coroner may be issued two license plates. ~~The plate~~ These license plates must be issued or revalidated biennially for the regular registration and licensing period.”

SECTION 16. Section 56‑3‑1240 of the 1976 Code is amended to read:

“Section 56‑3‑1240. License plates issued for motor vehicles must be attached to the outside rear of the vehicle, open to view. However, on truck tractors and road tractors the plates must be attached to the outside front of the vehicle provided that single unit commercial motor vehicles with a gross vehicle weight rating in excess of twenty‑six thousand pounds may have the license plate on either the outside front or rear of the vehicle. Every license plate, at all times, must be fastened securely in a horizontal and upright position to the vehicle for which it was issued so as to prevent the plate from swinging. However, if a motorcycle is equipped with vertically mounted license plate brackets, its license plate must be mounted vertically with its top fastened along the right vertical edge. The bottom of the plate must be at a height of not less than twelve inches from the ground in a place and position clearly visible as provided in Section 56‑5‑4530, and it must be maintained free from foreign materials and in a clearly legible condition. No other license plate, lighting equipment, except as permitted in Section 56‑5‑4530, tag, sign, monogram, tinted cover, or inscription of metal or other material may be displayed above, ~~around,~~ or upon the plate other than that which is authorized and issued by the Department of Motor Vehicles for the purpose of validating the plate. It is not unlawful to place a decal or a frame on the license plate if it does not obscure any letters or numbers. A motor vehicle owner may attach a trailer hitch to a motor vehicle provided the hitch does not obscure more than two inches of the license plate issued to the motor vehicle. It is unlawful to operate or drive a motor vehicle with the license plate missing and a person who is convicted for violating this section must be punished as provided by Section 56‑3‑2520.”

SECTION 17. Section 56‑3‑10410 of the 1976 Code, as added by Act 297 of 2008, is amended to read:

“Section 56‑3‑10410. (A) The department may issue a ‘Veteran’ special motor vehicle license plate for use on a private passenger motor vehicle, as defined in Section 56‑3‑630, or motorcycle as defined in Section 56‑3‑20, registered in a person’s name in this State who served in the United States Armed Forces, active or reserve components, and who was honorably discharged from service. An application for this special motor vehicle license plate must include official military documentation showing the applicant was honorably discharged from service. Only two plates may be issued to a person.

(B) The requirements for production, collection and distribution of fees for a special ~~and distribution of the~~ plate under this section are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title. The Department of Motor Vehicles shall imprint the special license plates with the word ‘Veteran’, with numbers the department may determine.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles. It is unlawful for a person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to those other provisions. A person violating the provisions of this article or a person who (1) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (2) conceals a material fact, or (3) otherwise commits fraud in the application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.

(E) If a person who qualifies for the special license plate issued under this section also meets all requirements for the handicapped license plate issued pursuant to Section 56‑3‑1910(B), then the license plate issued pursuant to this section shall also include the distinguishing wheelchair symbol used on license plates issued pursuant to Section 56‑3‑1910(B).

(F) If a person who qualifies for a special license plate issued under this section also is certified by the Veterans’ Administration or County Veterans’ Affairs office with a service related disability, then the license plate issued under this section shall also include the word ‘disabled’.”

SECTION 18. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 122

High School Special License Plates

Section 56‑3‑12210. (A) The Department of Motor Vehicles may issue to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in a person’s name, special motor vehicle license plates which may have imprinted on them an emblem, a seal, or other symbol the department considers appropriate of a public or independent high school located in this State. A school may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate. A school also may request a change in the emblem, seal, or other symbol once the existing inventory of the license plate has been exhausted. The fee for this special license plate is seventy dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3 of this title. This special license plate must be of the same size and general design of regular motor vehicle license plates. The special license plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month they are issued.

(B) The fees collected pursuant to this section must be distributed to a separate fund for each of the respective high schools. Each fund must be administered by the school and may be used only for academic scholarships. Funds collected for state schools must be deposited with the State Treasurer. Funds collected for independent institutions must be deposited in an account designated by the respective school. The distribution is thirty dollars to the department and forty dollars to the school for each special license plate sold for the respective school.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 19. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 123

‘South Carolina Wildlife Federation’ Special License Plates

Section 56‑3‑12310. (A) The Department of Motor Vehicles may issue ‘South Carolina Wildlife Federation’ or ‘Palmetto Wild’ or both, special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630, or motorcycles as defined in section 56‑3‑20, registered in their names which may have imprinted on them an emblem, seal, symbol, or design of the South Carolina Wildlife Federation. The South Carolina Wildlife Federation must submit to the department for its approval the emblem, seal, symbol, or design it wishes to display on the plates. The South Carolina Wildlife Federation must submit to the department written authorization for use of any copyrighted or registered logos, trademarks, or designs. The South Carolina Wildlife Federation may request a change in the emblem, seal, or symbol not more than once every five years. The plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month they are issued. The fee for the plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars.

(B) Notwithstanding another provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the department to defray the expenses of the department in producing and administering the plates. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Wildlife Federation for conservation programs in South Carolina.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 20. Section 56‑3‑3310 of the 1976 Code, as last amended by Act 297 of 2008, is further amended to read:

“Section 56‑3‑3310. The department may issue ~~a~~ no more than three permanent special motor vehicle license ~~plate~~ plates to a recipient of the Purple Heart for use on ~~a~~ his private passenger motor ~~vehicle~~ vehicles, as defined in Section 56‑3‑630, or ~~motorcycle~~ motorcycles as defined in Section 56‑3‑20, registered in his name. There is no fee for the issuance of up to two license ~~plate~~ plates, and not more than ~~two~~ three license plates may be issued to a person. The fee for the third plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars. The application for a special plate must include proof the applicant is a recipient of the Purple Heart.”

SECTION 21. Section 56‑3‑8000 of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“Section 56‑3‑8000. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names which may have imprinted on the plate an emblem, a seal, or other symbol the department considers appropriate of an organization which has obtained certification pursuant to either Section 501(C)(3), 501(C)(6), 501(C)(7), or 501(C)(8) of the Federal Internal Revenue Code and maintained this certification for a period of five years. The special license plate must be the same size and general design of regular motor vehicle license plates and must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The biennial fee for this special license plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee to be requested by the individual or organization seeking issuance of the plate. The initial fee amount requested may be changed only every five years from the first year the plate is issued. Of the additional fee collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates. Any of the remaining fee not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate.

(B) If the organization seeking issuance of the plate does not request an additional fee above the regular registration fee, the department may collect an additional fee of ten dollars.

(C) Of the additional fee collected pursuant to subsections (A) and (B), the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.

(D) Any of the remaining additional fee collected pursuant to subsection (B) not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate, or to the general fund, if no additional fee is requested by the organization.

(E) Before the department produces and distributes a plate pursuant to this section, it must receive:

(1) ~~four hundred or more prepaid applications for the special license plate or four thousand~~ six thousand eight hundred dollars from the individual or organization seeking issuance of the license plate; and

(2) a plan to market the sale of the special license plate which must be approved by the department. If the individual or organization seeking issuance of the plate submits ~~four~~ six thousand eight hundred dollars, the Comptroller General shall place that money into a restricted account to be used by the department to defray the initial cost of producing the special license plate.

~~(C)~~(F) If the department receives less than three hundred biennial applications and renewals for a particular plate authorized under this section, it shall not produce additional plates in that series. The department shall continue to issue plates of that series until the existing inventory is exhausted.

~~(D)~~(G) License plates issued pursuant to this section shall not contain a reference to a private or public college or university in this State or use symbols, designs, or logos of these institutions without the institution’s written authorization.

~~(E)~~(H) Before a design is approved, the organization must submit to the department written authorization of legal authority for the use of any copyrighted or registered logo, trademark, or design, and the organization’s acceptance of legal responsibility for the use.

~~(F)~~(I) The department may alter, modify, or refuse to produce any special license plate that it deems offensive or fails to meet community standards. If the department alters, modifies, or refuses to produce a special license plate, the organization or individual applying for the license plate may appeal the department’s decision to a special joint legislative committee. This committee shall be comprised of two members from the House Education and Public Works Committee and two members from the Senate Transportation Committee.

Appointments to the joint legislative committee shall be made by the chairmen of the House Education and Public Works Committee and the Senate Transportation Committee. The department’s decision may be reversed by a majority of the joint legislative committee. If the committee reverses the department’s decision, the department must issue the license plate pursuant to the committee’s decision. However, the provision contained in ~~subitem (B) of this section~~ subsection (E) also must be met. The joint legislative committee may also review all license plates issued by the department and instruct the department to cease issuing or renewing a plate it deems offensive or fails to meet community standards.

~~(G)~~(J) ~~For~~ Each new classification of special vehicle license plates including, but not limited to, motorcycle license plates, created pursuant to this section must meet the requirements of Articles 81 and 82, Chapter 3, Title 56 as appropriate.

(K) The fee required in subsection (E)(1) must be reviewed by the General Assembly during the 2013 legislative session, and every two years thereafter. The department must provide a detailed, comprehensive justification to increase the fee. Any fee increase must be introduced in a separate bill separate and apart from any other matter.”

SECTION 22. Section 56‑3‑8100 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑8100. (A) Before the Department of Motor Vehicles produces and distributes a special license plate created by the General Assembly after January 1, 2006, it must receive:

(1) ~~four hundred prepaid applications for the special license plate or four thousand~~ six thousand eight hundred dollars from the individual or organization seeking issuance of the license plate;

(2) a plan to market the sale of the special license plate which must be approved by the department; and

(3) the emblem, a seal, or other symbol to be used for the plate and, if necessary, written authorization for the department to use a logo, trademark, or design that is copyrighted or registered. If the individual or organization seeking issuance of the plate submits ~~four~~ six thousand eight hundred dollars, the Comptroller General shall place that money into a restricted account to be used by the department to defray the initial cost of producing the special license plate.

(B) The fee for all special license plates created by the General Assembly after January 1, 2006, is the regular biennial registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee to be requested by the individual or organization seeking issuance of the plate, as authorized by law. The initial fee amount requested can only be changed every five years from the first year the plate is issued. Each special license plate must be of the same size and general design of regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(C) If the individual or organization seeking issuance of the plate does not request an additional fee above the regular registration fee, and no other additional fee is prescribed by law, the department may collect an additional fee of ten dollars.

(D) Of the additional fee collected pursuant to ~~this~~ ~~section~~ subsections (B) and (C), the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.

(E) Any of the remaining additional fee collected pursuant to subsections (B) and (C) not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate, or to the general fund, if no additional fee is requested by the organization.

~~(D)~~(F) If the department receives less than three hundred biennial applications and renewals for a particular special license plate, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

~~(E)~~(G) If the department receives less than three hundred biennial applications and renewals for plates created pursuant to Article 12, Chapter 3, Title 56; Article 14, Chapter 3, Title 56; Article 31, Chapter 3, Title 56; Article 39, Chapter 3, Title 56; Article 40, Chapter 3, Title 56; Article 43, Chapter 3, Title 56; Article 45, Chapter 3, Title 56; Article 49, Chapter 3, Title 56; Article 50, Chapter 3, Title 56; Article 60, Chapter 3, Title 56; Article 70, Chapter 3, Title 56; Article 72, Chapter 3, Title 56; and Article 76, Chapter 3, Title 56, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

~~(F)~~(H) The provisions contained in subsection (A)(1) and (2) do not apply to the production and distribution of the Korean War Veterans Special License Plates contained in Article 68, Chapter 3, Title 56.

~~(G)~~(I) For each new classification of special vehicle license plate, including, but not limited to, motorcycle license plates, created pursuant to this section, must meet the requirements of Articles 81 and 82, Chapter 3, Title 56 as appropriate.

(J) The fee required in subsection (A)(1) must be reviewed by the General Assembly during the 2013 legislative session, and every two years thereafter. The department must provide a detailed, comprehensive justification to increase the fee. Any fee increase must be introduced in a separate bill separate and apart from any other matter.”

SECTION 23. The provisions of this act are severable. If any section, subsection, paragraph, item, subitem, 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 the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 24. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 124

DR. MARY MCLEOD BETHUNE SPECIAL LICENSE

PLATES

Section 56-3-12410. (A) The Department of Motor Vehicles may issue ‘Dr. Mary McLeod Bethune’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56-3-630, registered in their names which shall have imprinted on burgundy and gold license plates ‘Dr. Mary McLeod Bethune’ and her image, her year of birth, and her year of death. Twin City Outreach Mission shall submit to the department for its approval a design it desires to be used for this special license plate. Twin City Outreach Mission may request a change in the design not more than once every five years. The fee for this special license plate is thirty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56‑3‑8100. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of the regular motor vehicle registration fee must be distributed in the following manner:

(1) seventy-five percent to Twin City Outreach Mission to:

(a) fund the construction and operation of the Dr. Mary McLeod Bethune Museum and Restaurant;

(b) fund the construction of the Dr. Mary McLeod Bethune Nature Trail;

(c) promote tourism in the Town of Mayesville, Sumter County, South Carolina; and

(d) promote other projects related to Dr. Mary McLeod Bethune, tourism that will impact economic development and job creation for the citizens of Mayesville, Sumter County, and South Carolina; and

(2) twenty-five percent to the Town of Mayesville to be used for operational and program opportunity matching funds.”

SECTION 25. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 125

GADSDEN FLAG LICENSE PLATES

Section 56‑3‑12510. (A) The Department of Motor Vehicles may issue special state flag motor vehicle license plates to owners of private passenger carrying motor vehicles as defined in Section 56‑3‑630 and motorcycles as defined in Section 56-3-20 registered in their names. The fee for this special license plate is twenty dollars every two years in addition to the regular motor vehicle registration fee contained in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and shape of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The design of the license plate must replicate the color, layout, and design of the Gadsden flag and contain the words ‘Don’t Tread on Me’ below a coiled rattlesnake.

(C) The fees collected pursuant to this section above the cost of producing the license plates must be distributed to the State Museum. The State Museum must use the fees only to help fund programs and exhibits dedicated to the Revolutionary War and our state’s role in the Revolutionary War.

(D) The requirements for production, collection, and distribution of fees for this license plate are those set for the in Section 56‑3‑8100.

(E) If the department receives fewer than three hundred biennial applications and renewals for this special license plate, it may not produce additional special license plates in this series. The department shall continue to issue special license plates of this series until the existing inventory is exhausted.”

SECTION 26. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 126

‘ACTIVE DUTY MEMBERS OF THE UNITED STATES

ARMED FORCES’ SPECIAL LICENSE PLATES

Section 56‑3‑12610. The Department of Motor Vehicles may issue special license plates for use on private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56‑3‑20, owned by any active member of the United States Armed Forces who is a resident of this State. The motor vehicle owner must present the department with official documentation that states that he is serving on active duty along with his application for this special license plate. The guidelines for the production and distribution of this special license plate must meet the requirements contained in Section 56‑3‑8100.”

SECTION 27. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 127

‘2010‑11 BASEBALL NATIONAL CHAMPIONS’ SPECIAL

LICENSE PLATES

Section 56‑3‑12710. (A) The Department of Motor Vehicles may issue ‘2010 Baseball National Champions’ special license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56‑3‑20, registered in their names.

(B) The University of South Carolina may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate, provided that the phrase ‘2010‑11 National Baseball Champions’ must be utilized on the plate.

(C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of seventy dollars. Any portion of the additional seventy‑dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the fund established for the University of South Carolina pursuant to Section 56‑3‑3710(B) used for the purposes provided in that section.

(D) License number ‘1’ for the ‘2010‑11 Baseball National Champions’ license plate is reserved for the University of South Carolina Head Baseball Coach.”

SECTION 28. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 128

COMBAT‑RELATED DISABLED VETERAN SPECIAL

LICENSE PLATES

Section 56‑3‑10810. (A) The department may issue ‘Combat Related Disabled Veteran’ special motor vehicle license plates for use on private passenger motor vehicles or motorcycles registered in a person’s name in this State who is a veteran classified as at least fifty percent disabled due to a combat‑related injury as determined from medical records on file with the United States Department of Veterans Affairs. An application for these special motor vehicle license plates must include official military documentation showing the applicant has at least a fifty percent combat‑related disability and who was honorably discharged from service. Only two plates may be issued to a person.

(B) The provision in Section 56‑3‑8100 that requires the department to receive a deposit for a special license plate before it may be produced does not apply for the production of this special license plate. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title. The Department of Motor Vehicles shall imprint the special license plates with the words ‘Combat‑Related Disabled Veteran’, with numbers the department may determine.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles. It is unlawful for a person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to those other provisions. A person violating the provisions of this article or a person who (1) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (2) conceals a material fact, or (3) otherwise commits fraud in the application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.”

SECTION 29. Section 56‑3‑6000 of the 1976 Code is amended to read:

“Section 56‑3‑6000. (A) The department may issue a distinct and separate special license ~~plates~~ plate for the United States Army, the United States Navy, the United States Marines Corps, the United States Air Force, and the United States Coast Guard for use on private passenger motor vehicles and motorcycles owned or leased by residents of this State ~~which separately honor the United States Army, United States Navy, United States Marines Corps, United States Air Force, and the United States Coast Guard~~. The biennial fee for ~~the~~ each special license plate issued for a branch of the military is the regular motor vehicle license plate fee contained in Article 5, Chapter 3 of this title plus thirty dollars.

(B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be ~~administered by the Department of Education and deposited in an appropriate account designated by the Department of Education for distribution to the ROTC program~~ disbursed in equal amounts to the various county Veterans’ Administration offices to be used for operational expenses.

(C) ~~Before the department produces and distributes a special license plate pursuant to this section, it must receive:~~

~~(1)~~ ~~four hundred prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization’s license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit.~~

~~(2)~~ ~~a plan to market the sale of the special license plate that must be approved by the department~~ Notwithstanding another provision of law, the requirements for production, collection, and distribution of fees for these license plates are those set forth in Section 56‑3‑8100.

(D) ~~If the department receives less than three hundred biennial applications and renewals for a particular license plate, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.~~

~~(E)~~ ~~The special license plates must be of the same size and general design as regular motor vehicle license plates.~~ The department shall imprint the special license plates with a distinctive emblem approved by the United States Department of Defense and United States Department of Transportation, as applicable, which distinguishes each branch of the United States Armed Services.”

SECTION 30. This act takes effect six months after approval by the Governor. /

/s/Sen. Harvey S. Peeler, Jr. /s/Rep. Phillip Owens

/s/Sen. Daniel B. Verdin III /s/Rep. Joe Daning

/s/Sen. Clementa C. Pinckney /s/Rep. J. Todd Rutherford

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 7, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3124 -- Reps. Pitts and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, AND 124 TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “DISTINGUISHED SERVICE MEDAL” SPECIAL LICENSE PLATES, “SECOND AMENDMENT” SPECIAL LICENSE PLATES, “DISTINGUISHED SERVICE CROSS” SPECIAL LICENSE PLATES, “DEPARTMENT OF NAVY” SPECIAL LICENSE PLATES, “PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS” SPECIAL LICENSE PLATES, “STATE FLAG” SPECIAL LICENSE PLATES, “SOUTH CAROLINA HIGHWAY PATROL‑RETIRED” LICENSE PLATES, “I SUPPORT LIBRARIES” SPECIAL LICENSE PLATES, “SOUTH CAROLINA EDUCATOR” SPECIAL LICENSE PLATES, “COON HUNTERS” LICENSE PLATES, “BEACH MUSIC” SPECIAL LICENSE PLATES, “CITADEL ALUMNI ASSOCIATION ‘BIG RED’” SPECIAL LICENSE PLATES, “LARGE MOUTH BASS” SPECIAL LICENSE PLATES, “HIGH SCHOOL” SPECIAL LICENSE PLATES, “SOUTH CAROLINA WILDLIFE FEDERATION” SPECIAL LICENSE PLATES AND “HISTORIC” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7330, RELATING TO THE ISSUANCE OF “BOY SCOUTS OF AMERICA” SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF “EAGLE SCOUTS OF AMERICA” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56‑3‑1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑3‑10410, RELATING TO THE ISSUANCE OF “VETERAN” SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN “VETERAN” LICENSE PLATES; TO AMEND SECTION 56‑3‑3310, AS AMENDED, RELATING TO THE ISSUANCE OF “PURPLE HEART” SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56‑3‑8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT’S USE OF THE ORGANIZATION’S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56‑3‑8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

Very respectfully,

Speaker of the House

Received as information.

**H. 3124--ENROLLED FOR RATIFICATION**

H. 3124 -- Reps. Pitts and G.R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, AND 124 TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “DISTINGUISHED SERVICE MEDAL” SPECIAL LICENSE PLATES, “SECOND AMENDMENT” SPECIAL LICENSE PLATES, “DISTINGUISHED SERVICE CROSS” SPECIAL LICENSE PLATES, “DEPARTMENT OF NAVY” SPECIAL LICENSE PLATES, “PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS” SPECIAL LICENSE PLATES, “STATE FLAG” SPECIAL LICENSE PLATES, “SOUTH CAROLINA HIGHWAY PATROL‑RETIRED” LICENSE PLATES, “I SUPPORT LIBRARIES” SPECIAL LICENSE PLATES, “SOUTH CAROLINA EDUCATOR” SPECIAL LICENSE PLATES, “COON HUNTERS” LICENSE PLATES, “BEACH MUSIC” SPECIAL LICENSE PLATES, “CITADEL ALUMNI ASSOCIATION ‘BIG RED’” SPECIAL LICENSE PLATES, “LARGE MOUTH BASS” SPECIAL LICENSE PLATES, “HIGH SCHOOL” SPECIAL LICENSE PLATES, “SOUTH CAROLINA WILDLIFE FEDERATION” SPECIAL LICENSE PLATES AND “HISTORIC” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7330, RELATING TO THE ISSUANCE OF “BOY SCOUTS OF AMERICA” SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF “EAGLE SCOUTS OF AMERICA” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56‑3‑1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑3‑10410, RELATING TO THE ISSUANCE OF “VETERAN” SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN “VETERAN” LICENSE PLATES; TO AMEND SECTION 56‑3‑3310, AS AMENDED, RELATING TO THE ISSUANCE OF “PURPLE HEART” SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56‑3‑8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT’S USE OF THE ORGANIZATION’S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56‑3‑8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**H. 4008--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

H. 4008 -- Reps. Harrison, H.B. Brown, G.R. Smith, Knight, Atwater, Branham, Viers, Bannister, Dillard, Erickson, Hamilton, Hearn, Hosey, Limehouse, D.C. Moss, Patrick, Pinson, Sandifer, G.M. Smith, J.R. Smith, Stringer, Toole, Willis, Bingham and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑390 SO AS TO PROVIDE THAT THERE IS NO MONETARY LIABILITY, AND NO CAUSE OF ACTION IS CREATED, BY A HOSPITAL UNDERTAKING OR PERFORMING CERTAIN ACTS IF NOT DONE WITH MALICE; BY ADDING SECTION 44‑7‑392 SO AS TO PROVIDE THAT CERTAIN HOSPITAL PROCEEDINGS AND DATA, DOCUMENTS, RECORDS, AND INFORMATION RESULTING FROM THESE PROCEEDINGS ARE CONFIDENTIAL AND NOT SUBJECT TO DISCOVERY OR SUBPOENA AND MAY NOT BE USED AS EVIDENCE IN A CIVIL ACTION UNLESS THE HOSPITAL HAS WAIVED CONFIDENTIALITY OR THE DATA, DOCUMENTS, RECORDS, OR INFORMATION ARE OTHERWISE AVAILABLE AND SUBJECT TO DISCOVERY; TO PROVIDE THAT THE OUTCOME OF A PRACTITIONER’S APPLICATION FOR HOSPITAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES, INCLUDING THE PRIVILEGES REQUESTED OR APPROVED, IS NOT CONFIDENTIAL, THAT THE APPLICATION AND SUPPORTING DOCUMENTS ARE CONFIDENTIAL, AND THAT THE APPLICATION MAY BE OBTAINED FROM THE PHYSICIAN OR FROM THE PRACTICE WHERE THE PHYSICIAN WORKS; TO PROVIDE THAT A PRACTITIONER SUBJECT TO A DISCIPLINARY PROCEEDING MAY RECEIVE DATA, DOCUMENTS, RECORDS, AND INFORMATION RELATING TO THE PRACTITIONER, EVEN IF OTHERWISE CONFIDENTIAL, TO PROVIDE THAT RELEASE OF SUCH DATA, DOCUMENTS, RECORDS, AND INFORMATION IS NOT A WAIVER OF CONFIDENTIALITY, AND TO PROHIBIT DISCLOSURE BY THE PRACTITIONER TO THIRD PARTIES, OTHER THAN COUNSEL; TO PROVIDE THAT DISCLOSURE OF CERTAIN INFORMATION BY A HOSPITAL THROUGH REPORTS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE JOINT COMMISSION, THE BOARD OF MEDICAL EXAMINERS, OR THE NATIONAL PRACTITIONER DATA BANK IS NOT A WAIVER OF A PRIVILEGE OR CONFIDENTIALITY; AND TO PROVIDE THAT AN AFFECTED PERSON MAY FILE AN ACTION TO ASSERT A CLAIM OF CONFIDENTIALITY AND A MOTION TO ENJOIN THE HOSPITAL FROM RELEASING DATA, DOCUMENTS, RECORDS, OR INFORMATION TO THE DEPARTMENT, THE BOARD OF MEDICAL EXAMINERS, THE NATIONAL PRACTITIONER DATA BANK, OR THE JOINT COMMISSION THAT ARE NOT REQUIRED BY LAW TO BE RELEASED AND TO PROVIDE PROCEDURES TO FURTHER ADDRESS SUCH CLAIMS, INCLUDING AN AWARD OF ATTORNEYS FEES WHEN SUCH A CLAIM IS UNREASONABLY ASSERTED; BY ADDING SECTION 44-7-394 SO AS TO PROVIDE PROCEDURES WHEN A CLAIM OF CONFIDENTIALITY IS ASSERTED IN A JUDICIAL PROCEEDING, INCLUDING AN AWARD OF ATTORNEYS FEES WHEN SUCH A CLAIM IS UNREASONABLY ASSERTED; AND TO PROVIDE RESTRICTIONS ON AND PROCEDURES FOR OFFERING TESTIMONY IN A MEDICAL OR HOSPITAL MALPRACTICE CASE BY A PERSON WHO WAS A WITNESS TO THE CARE THAT IS THE SUBJECT OF THE MALPRACTICE CASE; AND TO AMEND SECTION 40‑71‑10, RELATING TO IMMUNITY FROM LIABILITY FOR MEMBERS OF CERTAIN PROFESSIONAL SOCIETY STANDARDS COMMITTEES, HOSPITAL MEDICAL STAFF COMMITTEES, AND COMMITTEES APPOINTED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REVIEW PATIENT RECORDS, SO AS TO EXCLUDE FROM IMMUNITY MEMBERS OF A HOSPITAL MEDICAL STAFF COMMITTEE AND TO INCLUDE IMMUNITY FOR MEMBERS OF COMMITTEES APPOINTED BY THE DEPARTMENT OF MENTAL HEALTH TO STUDY PATIENT RECORDS.

The Report of the Committee of Conference was taken up for immediate consideration.

Senator CLEARY spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Fair Gregory

Hayes Hutto Jackson

Knotts Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey McGill Nicholson

O'Dell Peeler Pinckney

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

**H. 4008--Conference Report**

The General Assembly, Columbia, S.C., June 7, 2012

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4008 -- Reps. Harrison, H.B. Brown, G.R. Smith, Knight, Atwater, Branham, Viers, Bannister, Dillard, Erickson, Hamilton, Hearn, Hosey, Limehouse, D.C. Moss, Patrick, Pinson, Sandifer, G.M. Smith, J.R. Smith, Stringer, Toole, Willis, Bingham and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑390 SO AS TO PROVIDE THAT THERE IS NO MONETARY LIABILITY, AND NO CAUSE OF ACTION IS CREATED, BY A HOSPITAL UNDERTAKING OR PERFORMING CERTAIN ACTS IF NOT DONE WITH MALICE; BY ADDING SECTION 44‑7‑392 SO AS TO PROVIDE THAT CERTAIN HOSPITAL PROCEEDINGS AND DATA, DOCUMENTS, RECORDS, AND INFORMATION RESULTING FROM THESE PROCEEDINGS ARE CONFIDENTIAL AND NOT SUBJECT TO DISCOVERY OR SUBPOENA AND MAY NOT BE USED AS EVIDENCE IN A CIVIL ACTION UNLESS THE HOSPITAL HAS WAIVED CONFIDENTIALITY OR THE DATA, DOCUMENTS, RECORDS, OR INFORMATION ARE OTHERWISE AVAILABLE AND SUBJECT TO DISCOVERY; TO PROVIDE THAT THE OUTCOME OF A PRACTITIONER’S APPLICATION FOR HOSPITAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES IS NOT CONFIDENTIAL BUT THAT THE APPLICATION AND SUPPORTING DOCUMENTS ARE CONFIDENTIAL; TO PROVIDE THAT DISCLOSURE OF CERTAIN INFORMATION BY A HOSPITAL THROUGH REPORTS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE JOINT COMMISSION, OR THE BOARD OF MEDICAL EXAMINERS IS NOT A WAIVER OF ANY PRIVILEGE OR CONFIDENTIALITY; AND TO PROVIDE THAT AN AFFECTED PERSON MAY FILE AN ACTION TO ASSERT A CLAIM OF CONFIDENTIALITY AND TO ENJOIN THE HOSPITAL, THE JOINT COMMISSION, OR THE BOARD OF MEDICAL EXAMINERS FROM RELEASING SUCH INFORMATION, AND IF THE COURT FINDS THAT THE PERSON ACTED UNREASONABLY IN ASSERTING THIS CLAIM, THE COURT SHALL ASSESS ATTORNEY’S FEES AGAINST THAT PERSON; BY ADDING SECTION 44‑7‑394 SO AS TO PROVIDE THAT IF IN A JUDICIAL PROCEEDING THE COURT FINDS DOCUMENTS, OVER WHICH THE HOSPITAL ASSERTED A CLAIM OF CONFIDENTIALITY, ARE NOT SUBJECT TO CONFIDENTIALITY AND THAT THE HOSPITAL ACTED UNREASONABLY IN ASSERTING THIS CLAIM, THE COURT SHALL ASSESS ATTORNEY’S FEES AGAINST THE HOSPITAL FOR COSTS INCURRED BY THE REQUESTING PARTY TO OBTAIN THE DOCUMENTS; AND TO AMEND SECTION 40‑71‑10, RELATING TO THE EXEMPTION FROM TORT LIABILITY FOR MEMBERS OF CERTAIN PROFESSIONAL COMMITTEES, SO AS TO DELETE FROM THE EXEMPTION AN APPOINTED MEMBER OF A COMMITTEE OF A MEDICAL STAFF OF A HOSPITAL IF THE STAFF OPERATES PURSUANT TO WRITTEN BYLAWS APPROVED BY THE GOVERNING BOARD OF THE HOSPITAL.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Article 3, Chapter 7, Title 44 of the 1976 Code is amended by adding:

“Section 44‑7‑390. There is no monetary liability on the part of, and no cause of action for damages arising against, a hospital licensed under this article, its parent, subsidiaries, health care system, physician practices owned by the hospital (its parent or subsidiaries), directors, officers, agents, employees, medical staff members, external reviewers, witnesses, or a member of any committee of a licensed hospital, whether permanent or ad hoc, including the hospital’s governing body, for any act or proceeding undertaken or performed without malice, made after reasonable effort to obtain the facts, and the action taken was in the belief that it is warranted by the facts known, arising out of or relating to:

(1) sentinel event investigations or root cause analyses, or both, as prescribed by the joint commission or any other organization under whose accreditation a hospital is deemed to meet the Centers for Medicare and Medicaid Services’ conditions of participation;

(2) investigations into the competence or conduct of hospital employees, agents, members of the hospital’s medical staff or other practitioners, relating to the quality of patient care, and any disciplinary proceedings or fair hearings related thereto, provided the medical staff operates pursuant to written bylaws that have been approved by the governing body of the hospital;

(3) quality assurance reviews;

(4) the medical staff credentialing process, provided the medical staff operates pursuant to written bylaws that have been approved by the governing body of the hospital;

(5) reports by a hospital to its insurance carriers;

(6) reviews or investigations to evaluate the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners; or

(7) reports or statements, including, but not limited to, those reports or statements to the National Practitioner Data Bank and the South Carolina Board of Medical Examiners, that provide analysis or opinion (including external reviews) relating to the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners.

Section 44‑7‑392. (A)(1) All proceedings of, and all data, documents, records, and information prepared or acquired by, a hospital licensed under this article, its parent, subsidiaries, health care system, committees, whether permanent or ad hoc, including the hospital’s governing body, or physician practices owned by the hospital (its parent or subsidiaries), relating to the following are confidential:

(a) sentinel event investigations or root cause analyses, or both, as prescribed by the joint commission or any other organization under whose accreditation a hospital is deemed to meet the Centers for Medicare and Medicaid Services’ conditions of participation;

(b) investigations into the competence or conduct of hospital employees, agents, members of the hospital’s medical staff or other practitioners, relating to the quality of patient care, and any disciplinary proceedings or fair hearings related thereto;

(c) quality assurance reviews;

(d) the medical staff credentialing process;

(e) reports by a hospital to its insurance carriers;

(f) reviews or investigations to evaluate the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners; or

(g) reports or statements, including, but not limited to, those reports or statements to the National Practitioner Data Bank and the South Carolina Board of Medical Examiners, that provide analysis or opinion (including external reviews) relating to the quality of care provided by hospital employees, agents, members of the hospital’s medical staff, or other practitioners; or

(h) incident or occurrence reports and related investigations, unless the report is part of the medical record.

(2) The proceedings and data, documents, records, and information described in subsection (A)(1) may be shared with a parent corporation, subsidiaries, other hospitals in the health care system, directors, officers, employees, and agents of the hospital and if shared, remain confidential. These proceedings and data, documents, records, and information in subsection (A)(1) are not subject to discovery, subpoena, or introduction into evidence in any civil action unless the hospital and any affected person who is a party to such action waives the confidentiality in writing. Notwithstanding the foregoing, however, in the event an affected person asserts a claim in any civil action against a hospital, its parent, affiliates, directors, officers, agents, employees, or member of any committee of a licensed hospital, relating to any proceeding identified in subsection (A)(1), the hospital may, without consultation with the affected person, waive confidentiality in that civil action. Likewise, if a hospital asserts a claim in any civil action against an affected person relating to any proceeding identified in subsection (A)(1) in which the affected person was a party, the affected person may use information in the affected person’s possession that is otherwise confidential under this section in that civil action.

(3) Data, documents, records, or information which are otherwise available from original sources are not confidential and are not immune from discovery from the original source under this section or use in a civil action merely because they were acquired by the hospital.

(4) This subsection does not make confidential the outcome of a practitioner’s application for medical staff membership or clinical privileges, nor does it make confidential the list of clinical privileges requested by the practitioner or the list of clinical privileges that were approved. However, the practitioner’s application for medical staff membership or clinical privileges, and all supporting documentation submitted or requested for the application are confidential. Nevertheless, the application itself may be obtained from the physician requesting privileges or the practice where the physician works as an employee or an independent contractor.

(5) If a practitioner is the subject of a disciplinary proceeding or fair hearing, this subsection does not, subject to the provisions of the medical staff bylaws, prohibit the practitioner from receiving data, documents, records, and information relating to this practitioner that is relevant to the proceeding or fair hearing, even if the data, documents, records, and information are otherwise confidential under this section. Such a disclosure to a practitioner in a disciplinary proceeding or fair hearing must not be considered a waiver of any privilege or confidentiality provided for in subsection (A)(1). The practitioner must not, however, without the written consent of the hospital, publish to any third party, other than legal counsel or a person retained for the purposes of representing the practitioner in a disciplinary proceeding or fair hearing, the data, documents, records, or information that were disclosed to him as part of the disciplinary proceeding or fair hearing.

(6) There is nothing in this section which makes any part of a patient’s medical record confidential from the patient, including any redactions, corrections, supplements, or amendments to the patient’s record, whether electronic or written.

(B) The confidentiality provisions of subsection (A) do not prevent committees appointed by the Department of Health and Environmental Control from issuing reports containing solely non-identifying data and information.

(C) Nothing in this section affects the duty of a hospital licensed by the Department of Health and Environmental Control to report accidents or incidents pursuant to the department’s regulations. However, anything reported pursuant to the department’s regulations must not be considered a waiver of any privilege or confidentiality provided in subsection (A).

(D) Any data, documents, records or information that is reported to or reviewed by the joint commission or other accrediting bodies must not be considered a waiver of any privilege or confidentiality provided for in subsection (A).

(E) Any data, documents, records, or information of an action by a hospital to suspend, revoke, or otherwise limit the medical staff membership or clinical privileges of a practitioner that is submitted to the South Carolina Board of Medical Examiners pursuant to a report required by Section 44‑7‑70 or the National Practitioner Data Bank must not be considered a waiver of any privilege or confidentiality provided for in subsection (A).

(F) An affected person may file a civil action to assert a claim of confidentiality before a court of competent jurisdiction and file a motion to request the court to issue an order to enjoin a hospital from releasing data, documents, records, or information to the department, the South Carolina Board of Medical Examiners, the National Practitioner Data Bank, and the joint commission or other accrediting bodies that are not required by law or regulation to be released by a hospital. The data, documents, records, or information in controversy must be filed under seal with the court having jurisdiction over the pending action and are subject to judicial review. If court finds that a party acted unreasonably in unsuccessfully asserting the claim of confidentiality under this subsection, the court shall assess attorney’s fees against that party.

(G) For purposes of this section, an ‘affected person’ means a person, other than a patient, who is a subject of a proceeding enumerated in subsection (A)(1).

Section 44‑7‑394. (A) If a hospital or affected person asserts a claim of confidentiality over documents pursuant to Section 44‑7‑392 and the party seeking the documents objects, then upon motion to the court having jurisdiction over the pending action the court shall review the documents under seal to determine if any of the documents are subject to discovery. The court may order production of the documents to the requesting party. If the court finds that a hospital or affected person acted unreasonably in unsuccessfully asserting the claim of confidentiality, the court may assess attorney’s fees against that party for any fees incurred by the requesting party in obtaining the documents.

Further, a party to a medical or hospital malpractice case shall not offer testimony of a person who was a witness to the medical or hospital care that is the subject of the medical or hospital malpractice case if their testimony would be inconsistent with a prior written, electronic, video, or audio statement of fact submitted by the person and that is confidential under Section 44-7-392 unless such prior inconsistent statement of fact is first produced to all parties in the medical or hospital malpractice case. Upon request by a party, a privilege log shall be provided by a hospital to all parties in the medical or hospital malpractice case identifying any prior written, electronic, video, or audio statements of fact relating to the medical or hospital care that is the subject of the medical or hospital malpractice case that were given by a witness who is identified in discovery and may testify at trial. Upon motion of any party, a prior statement of fact, whether written, electronic, video, or audio, that is confidential under Section 44-7-392, may be reviewed by the court in camera to determine whether the prior statement of fact is inconsistent with the trial testimony offered in the medical or hospital malpractice case. If the court concludes that the prior statement of fact is inconsistent, the court shall order that the prior written statement of fact be produced to the moving party.

(B) For purposes of this section an ‘affected person’ means a person, other than a patient, who is a subject of a proceeding enumerated in Section 44‑7‑392(A)(1).

(C) If the court orders a hospital or affected person to produce documents to a third party under this Section, the hospital or affected person shall have the right to immediately appeal that order, and the filing of the appeal shall stay the enforcement of the order compelling the production.”

SECTION 2. Section 40‑71‑10(B) of the 1976 Code is amended to read:

“(B) There is no monetary liability on the part of, and no cause of action for damages arising against, a member of an appointed committee which is formed to maintain professional standards of a state or local professional society as defined in this section or ~~an appointed member of a committee of a medical staff of a licensed hospital, provided the medical staff operates pursuant to written bylaws that have been approved by the governing board of the hospital, or~~ a committee appointed by the Department of Mental Health, or a committee appointed by the Department of Health and Environmental Control to review patient medical and health records in order to study the causes of death and disease for any act or proceeding undertaken or performed within the scope of the functions of the committee if the committee member acts without malice, has made a reasonable effort to obtain the facts relating to the matter under consideration, and acts in the belief that the action taken by him is warranted by the facts known to him.”

SECTION 3. This act take effect upon approval by the Governor and apply to any investigative action undertaken as provided herein where the underlying event giving rise to the investigation occurs on or after the effective date. /

Amend title to read:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑7‑390 SO AS TO PROVIDE THAT THERE IS NO MONETARY LIABILITY, AND NO CAUSE OF ACTION IS CREATED, BY A HOSPITAL UNDERTAKING OR PERFORMING CERTAIN ACTS IF NOT DONE WITH MALICE; BY ADDING SECTION 44‑7‑392 SO AS TO PROVIDE THAT CERTAIN HOSPITAL PROCEEDINGS AND DATA, DOCUMENTS, RECORDS, AND INFORMATION RESULTING FROM THESE PROCEEDINGS ARE CONFIDENTIAL AND NOT SUBJECT TO DISCOVERY OR SUBPOENA AND MAY NOT BE USED AS EVIDENCE IN A CIVIL ACTION UNLESS THE HOSPITAL HAS WAIVED CONFIDENTIALITY OR THE DATA, DOCUMENTS, RECORDS, OR INFORMATION ARE OTHERWISE AVAILABLE AND SUBJECT TO DISCOVERY; TO PROVIDE THAT THE OUTCOME OF A PRACTITIONER’S APPLICATION FOR HOSPITAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES, INCLUDING THE PRIVILEGES REQUESTED OR APPROVED, IS NOT CONFIDENTIAL, THAT THE APPLICATION AND SUPPORTING DOCUMENTS ARE CONFIDENTIAL, AND THAT THE APPLICATION MAY BE OBTAINED FROM THE PHYSICIAN OR FROM THE PRACTICE WHERE THE PHYSICIAN WORKS; TO PROVIDE THAT A PRACTITIONER SUBJECT TO A DISCIPLINARY PROCEEDING MAY RECEIVE DATA, DOCUMENTS, RECORDS, AND INFORMATION RELATING TO THE PRACTITIONER, EVEN IF OTHERWISE CONFIDENTIAL, TO PROVIDE THAT RELEASE OF SUCH DATA, DOCUMENTS, RECORDS, AND INFORMATION IS NOT A WAIVER OF CONFIDENTIALITY, AND TO PROHIBIT DISCLOSURE BY THE PRACTITIONER TO THIRD PARTIES, OTHER THAN COUNSEL; TO PROVIDE THAT DISCLOSURE OF CERTAIN INFORMATION BY A HOSPITAL THROUGH REPORTS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE JOINT COMMISSION, THE BOARD OF MEDICAL EXAMINERS, OR THE NATIONAL PRACTITIONER DATA BANK IS NOT A WAIVER OF A PRIVILEGE OR CONFIDENTIALITY; AND TO PROVIDE THAT AN AFFECTED PERSON MAY FILE AN ACTION TO ASSERT A CLAIM OF CONFIDENTIALITY AND A MOTION TO ENJOIN THE HOSPITAL FROM RELEASING DATA, DOCUMENTS, RECORDS, OR INFORMATION TO THE DEPARTMENT, THE BOARD OF MEDICAL EXAMINERS, THE NATIONAL PRACTITIONER DATA BANK, OR THE JOINT COMMISSION THAT ARE NOT REQUIRED BY LAW TO BE RELEASED AND TO PROVIDE PROCEDURES TO FURTHER ADDRESS SUCH CLAIMS, INCLUDING AN AWARD OF ATTORNEYS FEES WHEN SUCH A CLAIM IS UNREASONABLY ASSERTED; BY ADDING SECTION 44-7-394 SO AS TO PROVIDE PROCEDURES WHEN A CLAIM OF CONFIDENTIALITY IS ASSERTED IN A JUDICIAL PROCEEDING, INCLUDING AN AWARD OF ATTORNEYS FEES WHEN SUCH A CLAIM IS UNREASONABLY ASSERTED; AND TO PROVIDE RESTRICTIONS ON AND PROCEDURES FOR OFFERING TESTIMONY IN A MEDICAL OR HOSPITAL MALPRACTICE CASE BY A PERSON WHO WAS A WITNESS TO THE CARE THAT IS THE SUBJECT OF THE MALPRACTICE CASE; AND TO AMEND SECTION 40‑71‑10, RELATING TO IMMUNITY FROM LIABILITY FOR MEMBERS OF CERTAIN PROFESSIONAL SOCIETY STANDARDS COMMITTEES, HOSPITAL MEDICAL STAFF COMMITTEES, AND COMMITTEES APPOINTED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REVIEW PATIENT RECORDS, SO AS TO EXCLUDE FROM IMMUNITY MEMBERS OF A HOSPITAL MEDICAL STAFF COMMITTEE AND TO INCLUDE IMMUNITY FOR MEMBERS OF COMMITTEES APPOINTED BY THE DEPARTMENT OF MENTAL HEALTH TO STUDY PATIENT RECORDS. /

/s/Sen. Harvey S. Peeler, Jr. /s/Rep. James H. Harrison

/s/Sen. Raymond E. Cleary III /s/Rep. F.G. Delleney, Jr.

/s/Sen. Joel Lourie /s/Rep. Eric M. Bedingfield

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**S. 1137--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE.

The Report of the Committee of Conference was taken up for immediate consideration.

Senator BRYANT spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Cromer Davis

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McGill Nicholson O'Dell

Peeler Pinckney Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

**Total--0**

**S. 1137--Conference Report**

The General Assembly, Columbia, S.C., June 18, 2012

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED EMERGENCY.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. This act may be cited as the “Architects’ and Engineers’ Volunteer Act”.

SECTION 2. Chapter 3, Title 40 of the 1976 Code is amended by adding:

“Section 40‑3‑325. A licensed architect under the provisions of this chapter is immune from liability for volunteer architectural services provided during an emergency in the same manner as a licensed engineer is immune for volunteer engineering services as provided in Section 40‑22‑295. This section does not provide immunity from liability for persons merely registered in this state pursuant to Section 40‑3‑260.”

SECTION 3. Chapter 22, Title 40 of the 1976 Code is amended by adding:

“Section 40‑22‑295. (A) A licensed engineer who voluntarily, without compensation, provides structural, electrical, mechanical, or other engineering services at the scene of a declared national or state emergency, at the request of the Governor, is not liable for any personal injury, wrongful death, property damage, or other loss caused by the licensed engineer’s acts, errors, or omissions in performing the engineering services for a structure, building, piping, or other engineered system, either publicly or privately owned. Immunity from liability under this section is only effective as to services rendered during the thirty days following the event that gave rise to the declared state of emergency.

(B)(1) Any licensed engineer appointed pursuant to this section must not be held liable for any civil damages as a result of the providing of requested engineering services unless the damages result from providing, or failing to provide engineering services if the consequences of the services provided are proven by a preponderance of the evidence to be the result of gross negligence or recklessness.

(2) This section applies if the engineer does not receive payment other than as allowed in Section 8‑25‑40 for the appointed services and prescribed duties. However, if the engineer is an employee of the State, the engineer may continue to receive compensation from his employer.

(C) This section does not provide immunity from liability to persons providing services pursuant to Section 40‑22‑75.”

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

Amend title to read:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE. /

/s/Sen. Glenn G. Reese /s/Rep. William E. Sandifer

/s/Sen. Kevin L. Bryant /s/Rep. Carl L. Anderson

/s/Sen. Phillip W. Shoopman /s/Rep. Kenneth A. Bingham

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 18, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE.

Very respectfully,

Speaker of the House

Received as information.

**S. 1137--ENROLLED FOR RATIFICATION**

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**H. 3400--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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.

The Report of the Committee of Conference was taken up for immediate consideration.

Senator SHEHEEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 37; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Fair Gregory

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McGill Nicholson Peeler

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

**Total--0**

**H. 3400--Conference Report**

The General Assembly, Columbia, S.C., June 7, 2012

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3400 -- Rep. Weeks: 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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 63-3-530(A)(17) of the 1976 Code is amended to read:

“(17) To make all orders for support run until further order of the court, except that orders for child support run until the child ~~is~~ turns eighteen years of age or until the child is married or becomes self‑supporting, as determined by the court, whichever occurs first~~;~~, or ~~without further order,~~ past the age of eighteen years if the child is enrolled and still attending high school, not to exceed high school graduation or the end of the school year after the child reaches nineteen years of age, whichever is later; or in accordance with a preexisting agreement or order to provide for child support past the age of eighteen years; or in the discretion of the court, to provide for child support past age eighteen ~~where~~ when there are physical or mental disabilities of the child or other exceptional circumstances that warrant the continuation of child support beyond age eighteen for as long as the physical or mental disabilities or exceptional circumstances continue. When child support is terminated due to the child turning eighteen years of age, graduating from high school, or reaching the end of the school year when the child is nineteen, no arrearage may be incurred as to that child after the date of the child’s eighteenth birthday, the date of the child’s graduation from high school, or the last day of the school year when the child is nineteen, whichever date terminated the child support obligation.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor. /

Amend title to conform.

/s/Sen. Vincent A. Sheheen /s/Rep. Bruce W. Bannister

/s/Sen. George E. Campsen III /s/Rep. J. David Weeks

/s/Sen. Paul G. Campbell /s/Rep. George M. Hearn

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**S. 1088--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

S. 1088 -- Senators McConnell, Ford and Knotts: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE STATE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE STATE ETHICS COMMISSION, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY, SECTION 1‑13‑40, SECTION 1‑31‑10, SECTION 8‑13‑310, SECTION 58‑3‑20, SECTION 58‑31‑20, SECTION 63‑11‑700, SECTION 63‑11‑920, AND SECTION 63‑19‑610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE FOR THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

On motion of Senator CAMPBELL, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPBELL spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Coleman Courson

Cromer Davis Fair

Ford Gregory Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

**S. 1088--Conference Report**

The General Assembly, Columbia, S.C., June 7, 2012

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1088 -- Senator McConnell: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY SECTION 1-13-40(B), SECTION 1-31-10, SECTION 8-13-310, SECTION 58-3-20, SECTION 58-31-20, SECTION 63-11-700, SECTION 63-11-920, AND SECTION 63-19-610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO INCLUDE THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 1‑13‑40(b) of the 1976 Code is amended to read:

“(b) The commission shall consist of ~~fifteen members, with two members~~ a member from each congressional district appointed by the Governor, with the advice and consent of the Senate, and ~~three~~ two members at large appointed by the Governor. ~~The first appointed members from the first and second congressional districts and one at large member shall serve until June, 1984. The first appointed members from the third and fourth congressional districts and one at large member shall serve until June, 1985.~~ ~~Thereafter all~~ Each member~~s~~ shall serve for a term of three years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired term.”

SECTION 2. Section 1‑15‑10 of the 1976 Code, as last amended by Act 249 of 2008, is further amended to read:

“Section 1‑15‑10. There is hereby created a Commission on Women to be composed of ~~fifteen~~ sixteen members appointed by the Governor with the advice and consent of the Senate from among persons with a competency in the area of public affairs and women’s activities. One member must be appointed from each congressional district and the remaining members from the State at large. The commission ~~shall~~must be under and a part of the Office of the Governor. Members of the commission shall serve for terms of four years and until their successors are appointed and qualify, except of those members first appointed after the expansion of the commission to fifteen members, two members shall serve a term of one year, two members shall serve a term of two years, two members shall serve a term of three years, and two members shall serve a term of four years. Members appointed prior to and after the expansion of the commission to fifteen members ~~shall~~must be designated by the Governor as being appointed to serve either from a particular congressional district or at large. The member first appointed from the Seventh Congressional District after the expansion of the commission to sixteen members shall serve a four-year term. Vacancies ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. No member ~~shall~~must be eligible to serve more than two consecutive terms.”

SECTION 3. Section 1‑31‑10 of the 1976 Code is amended to read:

“Section 1‑31‑10 . There is created a State Commission for Minority Affairs consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the ~~six~~ congressional districts of the State and ~~three~~ two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for the remainder of the unexpired term. A majority of the members of the commission must be African American.”

SECTION 4. Section 6‑19‑30 of the 1976 Code is amended to read:

“Section 6‑19‑30. The fund for such grants shall be from either revenue-sharing trust funds or from general appropriations to the Department of Health and Environmental Control, which shall administer such grants for intermission to public water supply authorities or districts, sewer authorities or districts, water and sewer authorities, rural community water or sewer systems, nonprofit corporations or municipal sewer systems to which the grant is made. The Governor, with the advice and consent of the Senate, shall appoint an advisory committee composed of ~~six~~ seven members, one from each congressional district of the State. In addition an employee of the Department of Health and Environmental Control, designated by the commissioner thereof, shall serve ex officio as a member of the committee. The Governor may invite any director or his representative from any agency providing water and sewer funds to serve as an advisory nonvoting member to the committee. ~~Of those initially appointed by the Governor and serving on April 1, 1975, the members representing the third and sixth districts shall serve until June 30, 1977, the members representing the second and fourth districts shall serve until June 30, 1978, and the members representing the first and fifth districts shall serve until June 30, 1979. Thereafter all~~ All members shall be appointed for terms of three years. In the event of a vacancy a successor shall be appointed for the unexpired term in the manner of original appointment. The advisory committee shall meet as soon after its appointment as may be practicable and shall organize by electing a chairman, vice‑chairman, secretary, and such other officers as it may deem desirable. The advisory committee shall select the projects to be funded in accordance with Section 6‑19‑40. Funds may also be expended from gifts or grants from any source which are made available for the purpose of carrying out the provisions of this chapter. Appropriations made to the fund but not expended at the end of the fiscal year for which appropriated shall not revert to the general fund but shall accrue to the credit of the fund. Grants shall be made only for water supply and waste water facilities projects on which construction was not commenced before April 1, 1974.”

SECTION 5. Section 8‑13‑310(B) of the 1976 Code is amended to read as follows:

“(B) There is created the State Ethics Commission composed of nine members appointed by the Governor, upon the advice and consent of the General Assembly. One member shall represent each of the ~~six~~ seven congressional districts, and ~~three~~ two members must be appointed from the State at large. No member of the General Assembly or other public official shall be eligible to serve on the State Ethics Commission. The Governor shall make the appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the commission is representative of all citizens of the State of South Carolina.”

SECTION 6. Section 13‑1‑1050(B) of the 1976 Code is amended to read:

“(B) The terms of the initial members of the commission appointed from congressional district are as follows:

(1) commission members appointed to represent congressional district one and two, two years;

(2) commission members appointed to represent congressional district three, ~~and~~ four, and seven, three years;

(3) commission members appointed to represent congressional district five and six, four years.”

SECTION 7. Section 13‑17‑40 (A) of the 1976 Code is amended to read:

“(A)(1) The SCRA shall consist of a board of twenty‑four trustees that includes the following ex officio members: President of the Council of Private Colleges of South Carolina, Chairman of the South Carolina Commission on Higher Education, President of Clemson University, President of the Medical University of South Carolina, President of South Carolina State College, President of the University of South Carolina, Director of Savannah River National Laboratory, President of Francis Marion University, Chairman of the State Board for Technical and Comprehensive Education, Governor of South Carolina or his designee, Chairman of the House Ways and Means ~~Committee’s~~ Committee or his designee, Chairman of the Senate Finance ~~Committee’ s~~ Committee or his designee, and the Secretary of Commerce or his designee.

(2) The Governor shall name the chairman who must not be a public official and who serves at the pleasure of the Governor. The remaining ten trustees must be elected by the board of trustees from a list of nominees submitted by an ad hoc committee named by the chairman and composed of the members serving as elected trustees. ~~The original elected trustees must be the same members serving as elected trustees on the board on January 1, 2005.~~ Each of the Congressional Districts of South Carolina ~~has~~ must have at least one of the ten trustees.

(3) Terms of elected trustees are for four years, and half expire every two years. An elected trustee may not serve more than two consecutive four‑year elected terms. Vacancies must be filled for the unexpired term in the manner of original appointment. A vacancy occurs upon the expiration of the term of service, death, resignation, disqualification, or removal of a trustee.”

SECTION 8. Section 24‑21‑10(B) of the 1976 Code is amended to read:

“(B) The Board of Probation, Parole and Pardon Services is composed of seven members. The terms of office of the members are for six years. ~~Six~~ Each of the seven members must be appointed from each of the congressional districts ~~and one member must be appointed at large~~. ~~The at‑large~~ At least one appointee shall have at least five years of work or volunteer experience in one or more of the following fields: parole, probation, corrections, criminal justice, law, law enforcement, psychology, psychiatry, sociology, or social work. Vacancies must be filled by gubernatorial appointment with the advice and consent of the Senate for the unexpired term. If a vacancy occurs during a recess of the Senate, the Governor may fill the vacancy by appointment for the unexpired term pending the consent of the Senate, provided the appointment is received for confirmation on the first day of the Senate’s next meeting following the vacancy. A chairman must be elected annually by a majority of the membership of the board. The chairman may serve consecutive terms.”

SECTION 9. Section 25‑19‑10 of the 1976 Code is amended to read:

“Section 25‑19‑10. There is established a Prisoner of War Commission in South Carolina composed of one member from each congressional district and one member from the State at large, to be appointed by the Governor with the advice and consent of a majority ~~of the members~~ of the Senate members representing the congressional district involved and a majority ~~of the members~~ of the House of Representatives members representing the congressional district involved. A chairman must be elected annually by the commission from its membership. All members must be former prisoners of war. The South Carolina Department of the American Ex‑Prisoners of War may submit to the Governor names and biographical data on former prisoners of war willing and able to serve. Their terms are for four years and until their successors are appointed and qualify~~, except that the initial members from the first, third, and fifth congressional districts shall serve for terms of two years~~. Vacancies must be filled by the Governor for the remainder of an unexpired term.”

SECTION 10. Section 40‑57‑40(A) of the 1976 Code is amended to read:

“(A) The South Carolina Real Estate Commission consists of ~~nine~~ ten members elected or appointed as follows:

(1) ~~Six~~ seven members who are professionally engaged in the active practice of real estate, one elected from each of the ~~six~~ seven congressional districts by a majority of house members and senators, representing the house and senate districts located within each of the congressional districts~~.~~;

(2) ~~Two~~ two members representing the public who are not professionally engaged in the practice of real estate, each appointed by the Governor with the advice and consent of the Senate~~.~~;

(3) ~~The eight~~ the nine elected and appointed members shall elect from the State at large~~,~~ one additional member who must be in the active practice of real estate.”

SECTION 11. Section 40‑59‑10(A) of the 1976 Code is amended to read:

“(A) There is created the South Carolina Residential Builders Commission which must be composed of ~~seven~~ eight persons who shall have been residents of the State for at least five years and two of whom must be consumers not engaged in the business of residential building, four of whom have been actively engaged in residential building for a period of at least five years before the date of their appointment, and who must be recommended to the Governor by the South Carolina Home Builders Association and one of whom has been actively engaged in residential specialty contracting for a period of at least five years before the date of appointment. One member must be appointed from each congressional district, and one must be appointed from the State at large. Members of the commission must be appointed by the Governor with the advice and consent of the Senate for a term of four years or until their successors are appointed and qualify. A vacancy occurring by reason of death, resignation, removal for cause, or otherwise must be filled for the remainder of the unexpired term in the manner of the original appointment. The Governor may remove any member of the commission in accordance with Section 1‑3‑240.”

SECTION 12. Section 40‑69‑10(A) of the 1976 Code is amended to read:

“(A) There is created the State Board of Veterinary Medical Examiners to be composed of ~~nine~~ ten members, one of whom must be a consumer member from the State at large, one of whom must be a licensed veterinary technician practicing in this State, one of whom must be a veterinarian from the State at large, and ~~six~~ seven of whom must be veterinarians representing each of the ~~six~~ seven congressional districts. Each veterinarian and veterinary technician must be a resident of the State, licensed by the State, and currently practicing with at least five years of clinical experience. Each veterinarian representing a congressional district must reside in the district that he represents. The consumer member must be a resident of this State. The terms of the members are for six years and until their successors are appointed and qualify. The chairman may ~~only~~ vote only in the case of a tie vote by the board.”

SECTION 13. Section 40‑81‑50(A) of the 1976 Code is amended to read:

“(A) There is created the State Athletic Commission consisting of ~~eight~~ nine members appointed by the Governor with the advice and consent of the Senate to regulate boxing, kickboxing, wrestling, mixed martial arts, and other combative sports in this State. One member must be appointed from each congressional district of the State and two from the State at large. One of the at‑large appointments shall be a physician licensed and in good standing in the State. The terms of the members are for four years and until their successors are appointed and qualified. Vacancies must be filled by the Governor for the remainder of an unexpired term. The commissioners of the State Athletic Commission may not have any financial interest, direct or indirect, in the promotion, management, or result of any boxing, kickboxing, mixed martial arts, or wrestling event or exhibition.”

SECTION 14. Section 41‑43‑30 of the 1976 Code is amended to read:

“Section 41‑43‑30. There is created the South Carolina Jobs‑Economic Development Authority, a public body corporate and politic and an agency of the State, with the responsibility of effecting the public purposes of this act. The authority is governed by a Board of Directors (board) which consists of ~~nine~~ ten members.”

SECTION 15. Section 43‑25‑10 of the 1976 Code is amended to read:

“Section 43‑25‑10. There is ~~hereby~~ created the South Carolina Commission for the Blind. The Commission shall consist of seven members, one from each of the ~~six~~ seven Congressional Districts ~~and one from the State at large~~, of whom three shall have a visual acuity not to exceed 20/200. The Governor shall, with the advice and consent of the Senate, appoint the members of the Commission for terms of four years and until their successors are appointed and qualify. All vacancies ~~shall~~ must be filled in the manner of the original appointment for the unexpired portion of the term only. The members of the Commission shall elect one of its members as chairman for a term of two years or until his successor has been elected. The chairman shall preside at the regular meetings of the Commission to be held at least once each month. The chairman may call a meeting when he ~~deems~~ considers it necessary to be held at a time to be determined by the Commission. The Commission shall appoint a commissioner and ~~such~~ other officers as ~~it deems~~ the Commission considers necessary, none of whom ~~shall~~ may be a member of the Commission, and shall fix the compensation and prescribe the duties of ~~such~~ these appointees. The members of the Commission shall receive no salary but ~~shall~~ must be allowed the usual mileage, subsistence, and per diem as authorized by law for commissions, committees, and boards.”

SECTION 16. Section 43‑31‑40 of the 1976 Code is amended to read:

“Section 43‑31‑40. The Governor shall appoint a State Agency of Vocational Rehabilitation to be composed of seven members, ~~which~~ and this Agency shall provide for the administration of this chapter. The members of the Agency shall consist of one member from each congressional district ~~and one member at large~~. The Governor, upon the advice and consent of the Senate, shall appoint the members. The members ~~first appointed having been designated by the Governor to serve for terms of one, two, three, four, five, six and seven years respectively, each member of the Agency thereafter shall be appointed for~~ shall serve a term of seven years. The terms of office ~~shall~~ must always remain staggered so that the term of one member ~~shall expire~~ expires every year with appointments to fill unexpired terms caused by death, resignation, or disability.”

SECTION 17. Section 48‑4‑30 of the 1976 Code is amended to read:

“Section 48‑4‑30. (A) The department shall be governed by a board consisting of ~~seven~~ non‑salaried board members to be appointed and constituted in a manner provided by law. ~~Board members of the former Department of Wildlife and Marine Resources shall serve as board members for the Department of Natural Resources until their terms expire and their successors are appointed and qualify.~~ The Governor shall appoint one member to serve as chairman, upon the advice and consent of the Senate. The appointment to chairman is subject to the advice and consent of the Senate, even if the person appointed to serve as chairman is already a current member of the board.

(B) All board members shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed from each congressional district of the ~~state and one shall be appointed from the state at‑large~~ State.

(C) Notwithstanding subsection (B), membership on the board shall also include the at‑large board member serving on the board on March 1, 2012. The at‑large board member may continue to serve on the board until that board member’s term expires, he is removed from the board as provided by law, or he resigns from the board. At the expiration of the at‑large board member’s term, or upon his removal from or resignation from the board, the provisions of this subsection no longer apply to the composition of the membership of the board.

(D) In making appointments, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. Board members must possess sound moral character, superior knowledge in the fields of wildlife, marine, and natural resource management, and proven administrative ability.

(E) The Governor may remove any board member pursuant to the provisions of Section 1‑3‑240.

(F) Terms of the members shall be for four years and until their successors are appointed and qualify. If a vacancy occurs when the General Assembly is not in session, it must be filled by the Governor’s appointment for the unexpired term, subject to confirmation by the Senate at the next session of the General Assembly.

(G) Each board member, within thirty days after notice of appointment and before taking office, shall take and file with the Secretary of State the oath of office prescribed by the State Constitution. ~~One of the members of the board shall be designated by the Governor to serve as chairman.~~

(H) Notwithstanding subsection (E), the terms of members representing congressional districts serving on the board on March 1, 2012, shall terminate on the dates provided in this subsection. The terms of the members representing the Fourth and the Sixth Congressional Districts shall expire July 1, 2012. The terms of the members representing the First, Second, Third, and Fifth Congressional Districts shall expire on July 1, 2014.

(I) Notwithstanding subsection (E), the initial term of the member representing the Seventh Congressional District shall expire July 1, 2016.”

SECTION 18. Section 48‑39‑40(A) of the 1976 Code is amended to read:

“(A) On July 1, 1994, there is created the Coastal Zone Management Appellate Panel which consists of ~~fourteen~~ fifteen members, which shall act as an advisory council to the Department of Health and Environmental Control. The members of the panel shall be constituted as follows: eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; ~~six~~ seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote. The panel shall elect a chairman, ~~vice‑chairman~~ vice chairman, and other officers it considers necessary.”

SECTION 19. Section 48‑39‑45(A) of the 1976 Code is amended to read:

“(A)(1) On July 1, 2010, there is created the Coastal Zone Management Advisory Council that consists of ~~fourteen~~ fifteen members, which shall act as an advisory council to the department’s Office of Ocean and Coastal Resources Management.

(2) The members of the council must be constituted as follows:

(a) eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; and

(b) ~~six~~ seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote.

(3) The council shall elect a chairman, vice chairman, and other officers it considers necessary.”

SECTION 20. Section 48‑59‑40 (A) of the 1976 Code is amended to read:

“(A) There is established the South Carolina Conservation Bank. The bank is governed by a ~~twelve~~ fourteen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) ~~three~~ four members appointed by the Speaker of the House of Representatives, one each from the third, fourth, and sixth congressional districts and one member from the State at large; and

(4) ~~three~~ four members appointed by the President Pro Tempore of the Senate, one each from the first, second, ~~and~~ fifth, and seventh congressional districts.”

SECTION 21. Section 51‑13‑1720 of the 1976 Code is amended to read:

“Section 51‑13‑1720. The Authority ~~shall~~must be governed by a board of regents consisting of ~~nine~~ten members, as follows:

(a) The resident Senator for Colleton County shall serve ex officio;

(b) The Representative in whose district the present Village of Jacksonborough is ~~situate~~ located shall serve ex officio;

(c) Four members resident in Colleton County appointed by the Governor upon recommendation of the Colleton County Legislative Delegation;

(d) One member resident in the First or Second Congressional District appointed by the Governor with the advice and consent of the Senate;

(e) One member resident in the Third or Fourth Congressional District appointed by the Governor with the advice and consent of the Senate;

(f) One member resident in the Fifth or Sixth Congressional District appointed by the Governor with the advice and consent of the Senate~~.~~;

(g) One member resident in the Seventh Congressional District appointed by the Governor with the advice and consent of the Senate.

The terms of the members ~~shall~~must be for four years and until their successors are appointed and qualify except that those originally appointed to the board of regents, four shall serve two years and three shall serve for four years. The length of such terms ~~shall~~must be determined by lot. In the case of ~~any~~ a vacancy, the vacancy ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. The board of regents, upon being appointed, shall meet and elect a chairman and ~~such~~ other officers ~~as~~ it ~~deems~~considers necessary from its membership.”

SECTION 22. Section 51‑17‑50 of the 1976 Code is further amended to read:

“Section 51‑17‑50. The Heritage Trust Advisory Board is hereby created to assist the board of the department in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of ~~seventeen~~ eighteen members who ~~shall~~must be chosen as follows and shall elect from its membership a chairman:

~~1.~~(1) From the general public, ~~six~~ seven persons, one from each congressional district within the State, who ~~shall~~ must be appointed by the Governor and serve for a term of six years. Of these six, four persons ~~shall~~must be from the scientific community who are recognized and qualified experts in the ecology of natural areas, and two persons ~~shall~~must be from the cultural community who are recognized and qualified experts in the history and archeology of the State. The term ‘expert’ does not of necessity denote a professional but one learned and interested in the field.

~~2.~~(2) From state government, the following persons or their designees:

~~A.~~(a) ~~The~~the Chairman of the board of the Department of Natural Resources;

~~B.~~(b) ~~The~~the Director of the Department of Natural Resources;

~~C.~~(c) ~~The~~the Director of the South Carolina Department of Park, Recreation and Tourism;

~~D.~~(d) ~~The~~the Director of the Land Resources Conservation Districts Division of the Department of Natural Resources;

~~E.~~(e) ~~The~~the Director of the South Carolina Department of Archives and History;

~~F.~~(f) ~~The~~the State Forester;

~~G.~~(g) ~~The~~the State Archeologist;

~~H.~~(h) ~~The~~the Director of the State Museum; and

~~I.~~(i) ~~The~~the Secretary of Commerce.

~~Provided, however, of the initial appointees under this section, that of the six persons appointed under Item 1 above, two shall serve for a term of two years, two for a term of four years, and two for a term of six years.~~”

SECTION 23. Section 51‑18‑60 of the 1976 Code is amended to read:

“Section 51‑18‑60. The War Between the States Heritage Trust Advisory Board is ~~hereby~~ created to assist the commission in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of ~~eleven~~ thirteen members who ~~shall~~must be chosen as follows and shall elect from its membership a chairman:

(1) From the general public, ~~six~~ eight persons, one from each congressional district within the State and one at large, who ~~shall~~must be appointed by the Governor and serve for a term of six years. These persons ~~shall~~must be residents of the State who are recognized experts in the history and archeology of the State who have demonstrated an interest in historical, cultural, and natural preservation of historical sites and who have a background in South Carolina history and/or African‑American history and/or Confederate history. The term ‘expert’ does not of necessity denote a professional but one learned and interested in the field.

(2) From state government, the following persons or their designees:

(a) the chairman of the board of the Department of Natural Resources;

(b) the director of the South Carolina Department of Parks, Recreation and Tourism;

(c) the chairman of the board of the Department of Archives and History;

(d) the chairman of the board of the State Museum Commission; and

(e) the curator or director of the South Carolina Confederate Relic Room and Military Museum.

~~Provided, however, of the initial appointees under this section, that of the six persons appointed under item (1) above, two shall serve for a term of two years, two for a term of four years, and two for a term of six years.~~”

SECTION 24. Section 51‑22‑30(A) of the 1976 Code, as added by Act 145 of 1995, is amended to read:

“(A) There is created a ~~fifteen member~~ seventeen-member board of directors, ~~thirteen~~ fifteen of which ~~shall~~must be appointed by the Governor. The Governor shall appoint two board members from each congressional district and one board member from the State at large, who shall serve as the chairman. ~~Six board members shall be appointed for two‑year terms, and seven board members shall be appointed for four‑year terms. Subsequent to the initial two‑year terms, all~~ All terms ~~shall be~~ are for four years~~,~~ and members shall serve until their successors are appointed and qualify. In addition, notwithstanding the provisions of Section 8‑13‑770, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, or their designees, shall serve as members of the board. The Governor must exercise due diligence in appointing a chairman and board members with backgrounds and experience in conservation, preservation, or recreation, or a combination ~~thereof~~ of those backgrounds.”

SECTION 25. Section 58-3-20 of the 1976 Code is amended to read:

“Section 58‑3‑20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. ~~For any term beginning after June 30, 2006, each~~  Each member must have:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face‑to‑face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; and

(2) a background of substantial duration and an expertise in at least one of the following:

(a) energy issues;

(b) telecommunications issues;

(c) consumer protection and advocacy issues;

(d) water and wastewater issues;

(e) finance, economics, and statistics;

(f) accounting;

(g) engineering; or

(h) law.

(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three‑fourths of the review committee vote to qualify ~~such~~ the candidate and provide written justification of their decision in the report as to the qualifications of the candidates.

(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of ~~any~~ a commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.

(D)(1) Beginning in 2004, the members of the Public Service Commission must be elected to staggered terms. In 2004, the members representing the second, fourth, and sixth congressional districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the second, fourth, and sixth congressional districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the first, third, and fifth congressional districts and the State at‑large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the first, third, and fifth congressional districts and the State at‑large must be elected to terms of four years and until their successors are elected and qualify. Notwithstanding the provisions of this section, members representing the first, third, and fifth congressional districts shall serve until the expiration of their terms, and in 2013, members representing the first, third, and fifth congressional districts must be elected for terms ending on June 30, 2016, and until their successors are elected and qualified

(2) In the event there are seven congressional districts, the member elected from the State at large shall serve until the expiration of his term, and in 2013, a member representing the seventh congressional district must be elected for a term ending on June 30, 2016, and until his successor is elected and qualified. Thereafter, the member representing the seventh congressional district must be elected to terms of four years and until his successor is elected and qualified.  Upon the election and qualification of the member representing the seventh congressional district, the at‑large member elected to satisfy the requirements of subsection (E) immediately shall cease to be a member of the commission.

(E) The General Assembly must provide for the election of the seven‑member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven‑member commission. In the event the congressional districts established by the General Assembly are under review by a court for compliance with statutory or constitutional requirements, an election scheduled pursuant to this section shall not be held until a final determination is made by the courts regarding the congressional districts. The inability to hold an election due to judicial review of the congressional districts does not constitute a vacancy on the commission and the commissioners serve until their successors are elected and qualify.

(F) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.”

SECTION 26. Section 58-31-20(A) of the 1976 Code is amended to read:

“(A) The Public Service Authority consists of a board of ~~eleven~~ twelve directors who reside in South Carolina and who ~~shall~~ have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58‑3‑530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom ~~shall~~must be chairman. Two of the directors ~~shall~~must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. ~~but must not~~ A director shall not serve as an employee or board member of an electric cooperative during ~~their~~ his term as a director. Each director shall serve for a term of seven years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, ~~must appoint~~ with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of seven years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. ~~No~~ A director ~~shall~~ may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties ~~hereunder~~, the actual expense to be advanced from the contingent fund of the Governor until ~~such~~the time ~~as~~ the Public Service Authority is in funds, at which time the contingent fund ~~shall~~must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board ~~shall~~must be paid from ~~such~~ these funds, and the compensation and expenses must be fixed by the advisory board ~~hereinafter~~ established in this section. Members of the board of directors may be removed for cause, ~~as established in~~ pursuant to Section 1‑3‑240(C), by the Governor of the State, the advisory board, or a majority thereof. ~~No~~ A member of the General Assembly of the State of South Carolina ~~shall be~~ is not eligible for appointment as director of the Public Service Authority during the term of his office. No more than two members from the same county ~~shall~~may serve as directors at any time.”

SECTION 27. Section 59‑26‑50(a) of the 1976 Code is amended to read:

“(a) There is ~~hereby~~ created as an agency of state government the South Carolina Educator Improvement Task Force composed of ~~twelve~~ thirteen members. The State Superintendent of Education with the advice and consent of the State Board of Education shall appoint six members, one of whom may be himself, one of whom ~~shall~~must be a public school teacher and one of whom ~~shall~~must be a public school administrator. The Governor shall appoint ~~six~~ seven members, one from each congressional district and not less than two of whom ~~shall~~must be employed at state institutions of higher education and not less than one of whom is a member of a local school board. ~~The Governor, as soon as possible after all appointments are made, shall designate one of the twelve members of the Task Force to serve as a temporary chairman of the Task Force. The temporary chairman shall serve in that capacity for a period not to exceed six months and a permanent chairman shall then be elected by the membership of the Task Force.~~ ~~Any~~ A vacancy ~~shall~~must be filled in the manner of the original appointment. The members shall receive ~~such~~ per diem, mileage and subsistence as ~~is~~ provided by law for members of state boards, committees and commissions to be paid from funds appropriated for the operation of the State Department of Education. Every consideration ~~shall~~must be given to insure appropriate racial balance in appointments.”

SECTION 28. Section 59‑53‑610 of the 1976 Code is amended to read:

“Section 59‑53‑610. There is created the Denmark Technical College Area Commission which shall serve as the governing body of Denmark Technical College. The commission is a body politic and corporate and consists of eight members who ~~shall~~must be appointed in the manner ~~hereinafter specified~~ pursuant to this section. Two members must be residents of Allendale County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Allendale County. Two members must be residents of Bamberg County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Bamberg County. Two members must be residents of Barnwell County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Barnwell County. Two members ~~shall~~must be appointed at large without regard to county of residence by the Governor upon the advice and consent of the Senate. In addition, the member of the State Board for Technical and Comprehensive Education from the ~~third~~ sixth congressional district is a member of the commission ex officio. The members of the commission ~~shall~~must be appointed for terms of four years each and until their successors are appointed and qualify, except that the two at-large members shall serve initial terms of one year each, the two members from Allendale County shall serve initial terms of two years each, the two members from Bamberg County shall serve initial terms of three years each, and the two members from Barnwell County shall serve initial terms of four years each.

~~Any~~ A vacancy ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. As soon as possible after the initial appointments have been made, the commission shall organize by electing one of its members as chairman, one as vice chairman, and one as secretary. The terms of the initial appointees are extended so that all terms expire on the first of July of the appropriate year.”

SECTION 29. Section 63‑11‑700(A) of the 1976 Code is amended to read:

“(A) There is created, as part of the Office of the Governor, the Division for Review of the Foster Care of Children. The division must be supported by a board consisting of seven members, all of whom must be past or present members of local review boards. There must be one member from each congressional district ~~and one member from the State at large~~, all appointed by the Governor with the advice and consent of the Senate.”

SECTION 30. Section 63‑11‑920 of the 1976 Code is amended to read:

“Section 63‑11‑920. There is created the Board of Directors for the Children’s Trust Fund of South Carolina composed of seventeen members appointed by the Governor, ~~eleven~~ ten at large from the State from nominees of the Board of Directors of the Children’s Trust Fund, plus one from each of the state’s congressional districts. Members shall serve for terms of four years and until successors are appointed and qualify. Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term.

Members may be paid per diem, mileage, and subsistence as established by the board not to exceed the amounts provided by law for state boards, committees, and commissions. A complete report of the activities of the trust fund must be made annually to the General Assembly.”

SECTION 31. Section 63‑19‑610(A) of the 1976 Code is amended to read:

“(A) (1) There is created ~~under the~~ ~~Department of Juvenile Justice~~ the Board of Juvenile Parole. The parole board is composed of ~~ten~~ seven members appointed by the Governor with the advice and consent of the Senate. ~~Of these members, one must be appointed from each of the six congressional districts and four members must be appointed from the State at large.~~ In making these appointments, the Governor shall select members who are representative of the racial, gender, and geographical diversity of the State. If a vacancy occurs on the parole board when the Senate is not in session, the Governor may appoint a member to fill the vacancy and the appointee is a de facto member until the Senate acts upon the appointment.

(2) The Department of Juvenile Justice shall continue to provide to the Board of Juvenile Parole the budgetary, fiscal, personnel, and training information resources and other support considered necessary by the parole board to perform its mandated functions.”

SECTION 32. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections on the subject of agencies, boards, commissions, or committees that fall under the jurisdiction of the South Carolina General Assembly, and whose membership is determined by congressional district.

SECTION 33. Due to the congressional redistricting, any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires. Further, the inability to hold an election or to make an appointment due to judicial review of the congressional districts does not constitute a vacancy.

SECTION 34. This act becomes effective upon approval by the Governor.

Amend title to conform.

/s/Sen. Luke A. Rankin /s/Rep. James H. Harrison

/s/Sen. C. Bradley Hutto /s/Rep. James E. Smith, Jr.

/s/Sen. Paul G. Campbell, Jr. /s/Rep. Jenny Anderson Horne

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 18, 2012

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 1088 -- Senators McConnell, Ford and Knotts: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE STATE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE STATE ETHICS COMMISSION, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY, SECTION 1‑13‑40, SECTION 1‑31‑10, SECTION 8‑13‑310, SECTION 58‑3‑20, SECTION 58‑31‑20, SECTION 63‑11‑700, SECTION 63‑11‑920, AND SECTION 63‑19‑610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE FOR THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

Very respectfully,

Speaker of the House

Received as information.

**S. 1229--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

S. 1229 -- Senators O’Dell and Ford: A BILL TO AMEND SECTION 38‑47‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSES REQUIRED FOR ADJUSTERS, SO AS TO ADD EXEMPTIONS FROM LICENSURE; AND TO AMEND SECTION 38‑47‑20, RELATING TO RECIPROCAL AGREEMENTS FOR LICENSING NONRESIDENT ADJUSTERS, SO AS TO PROVIDE WHERE A NONRECIPROCAL AGREEMENT EXISTS BETWEEN THIS STATE AND ANOTHER STATE, AN APPLICANT FOR A NONRESIDENT ADJUSTER’S LICENSE WHO HOLDS A LICENSE IN ANOTHER STATE MAY RESIDE IN THE UNITED STATES OR CANADA WITHOUT LOSING THE BENEFITS OF THE RECIPROCAL AGREEMENT IF HE COMPLIES WITH OTHER APPLICABLE LICENSURE REQUIREMENTS.

The Report of the Committee of Conference was taken up for immediate consideration.

Senator HAYES spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Reese Ryberg Scott

Sheheen Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

**S. 1229--Conference Report**

The General Assembly, Columbia, S.C., June 18, 2012

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1229 ‑‑ Senators O’Dell and Ford: A BILL TO AMEND SECTION 38‑47‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSES REQUIRED FOR ADJUSTERS, SO AS TO PROVIDE SPECIFIC EXEMPTIONS FROM LICENSURE, TO DEFINE TERMS, AND TO PROVIDE AN ADJUSTER LICENSED UNDER THIS CHAPTER MUST REVIEW DENIAL OF A CLAIM CONTESTED BY AN INSURED.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 38‑47‑10 of the 1976 Code is amended to read:

“Section 38‑47‑10. (A) ~~Every~~ An individual commonly called an adjuster, adjusting losses for an insurer licensed to do business in this State, must be licensed by the director or his designee. These individuals shall apply for a license on a form prescribed by the director or his designee. The director or his designee shall satisfy himself that each applicant for an adjuster’s license is an individual of good moral character, has sufficient knowledge of the insurance business and his duties as an adjuster, has not violated the insurance laws of the State, and is a fit and proper individual for the position. No license may be issued to a nonresident adjuster who resides in a state refusing to license South Carolina adjusters.

(B) The following individuals are exempt from licensure as an adjuster:

(1) ~~Agents~~ A producer licensed under Chapter 43 ~~are~~ is not required to comply with this section.

(2) An individual who, for portable electronics insurance, collects claim information from, or furnishes claim information to, insureds or claimants and who conducts data entry, including entering data into an automated claims adjudication system, provided that no more than twenty‑five such persons are under the supervision of a licensed adjuster or a licensed producer who is otherwise exempt from licensure pursuant to paragraph (1).

(C) For purposes of this section, ‘automated claims adjudication system’ means a preprogrammed computer system designed for the collection, data entry, calculation, and final resolution of portable electronics insurance claims that:

(1) only may be used by a licensed adjuster, licensed producer, or supervised individuals operating pursuant to this paragraph;

(2) must comply with all claims payment requirements of the insurance code; and

(3) must be certified as compliant with this section by a licensed independent adjuster who is an officer of the entity or an affiliate of the entity that employs an individual operating pursuant to this section.

(D) If the insured’s claim is denied and the insured contests the denial, an individual licensed under this section must review the denial with the insured.”

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

Amend title to conform.

/s/ Sen. Nikki G. Setzler  /s/Rep. Bill Sandifer

/s/ Sen.William H. O’Dell /s/Rep. Joan B. Brady

/s/ Sen. Robert W. Hayes, Jr. /s/Rep. Jimmy C. Bales

On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**Motion Adopted**

On motion of Senator COURSON, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 2:00 P.M. tomorrow.

**MOTION ADOPTED**

On motion of Senators ALEXANDER, ANDERSON, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, COURSON, CROMER, DAVIS, ELLIOTT, FAIR, FORD, GREGORY, GROOMS, HAYES, HUTTO, JACKSON, KNOTTS, LAND, LEATHERMAN, LEVENTIS, LOURIE, MALLOY, SHANE MARTIN, MASSEY, MATTHEWS, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, RANKIN, REESE, ROSE, RYBERG, SCOTT, SETZLER, SHEHEEN, SHOOPMAN, THOMAS, VERDIN and WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Edgar M. Martin, Sr. of Easley, S.C., beloved father of our colleague and friend, Senator Larry Martin. Mr. Martin was the devoted husband of 61 years to Lois Brown Martin. He was a wonderful father to three sons, Mike, Charlie and Larry and one daughter, Debbie. He doted on 12 grandchildren and 8 great-grandchildren. He was retired from Charlie Martin Septic Tanks, was a member of the Ridge View Baptist Church and was a U.S. Navy Veteran.

and

**MOTION ADOPTED**

On motion of Senator HAYES, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William S. Stephenson, Sr. of Rock Hill, S.C.

**ADJOURNMENT**

At 2:29 P.M., on motion of Senator COURSON, the Senate adjourned under the provisions of H. 5377, the *Sine Die* Resolution, to meet tomorrow at 2:00 P.M.

\* \* \*