**Tuesday, January 26, 2021**

**(Statewide Session)**

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Indicates New Matter

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

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

Isaiah 40:31

The prophet Isaiah writes:

“. . .but those who wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint.”

Please join me as we bow in prayer: O Lord, the issues that these Senators face continue to be formidable and challenging. We ask that You will grant them extraordinary wisdom and discernment as they and their staff members labor diligently on behalf of all of South Carolina’s citizens. Some may blithely ignore the reality of the pressures on these leaders, yet we know well that the full measure of the tasks before all of them require the sort of stamina and determination that’s often hard to come by in this day and time. So, indeed, bestow upon these servants Your richest blessings, that they might ultimately succeed in their tasks, all for the betterment of this State and her people. In Your loving and precious name we pray, O Lord. Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

**Statewide Appointments**

Initial Appointment, Director of Department of Health and Environmental Control, with the term to commence January 20, 2021, and to expire January 20, 2025

Director:

Edward D. Simmer, 501 Charles Street, #1257, Beaufort, SC 29902

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Lay Member:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Educator on the faculty of a college or university, specializing in the field of dietetics:

Elizabeth Weikle, 2138 Cavendale Drive, Rock Hill, SC 29732-8303

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2018, and to expire December 31, 2022

At-Large, Licensed Practical Nurse:

Tamara Day, 3439 Calks Ferry Road, Pelion, SC 29123-9389

Referred to the Committee on Medical Affairs.

**Doctor of the Day**

Senator McELVEEN introduced Dr. Christopher Yeakel of Elgin, S.C., Doctor of the Day.

**Leave of Absence**

At 1:34 P.M., Senator SABB requested a leave of absence for Senators JACKSON and KIMPSON for the day.

**CO-SPONSORS ADDED**

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

S. 133 Sen. Young

S. 141 Sen. Young

S. 271 Sens. Verdin and Setzler

S. 436 Sens. Talley and K. Johnson

S. 479 Sen. Kimpson

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 487 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT MICHAEL CLAYTOR AND LIEUTENANT THOMAS MILLER FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND THEM FOR THEIR HEROIC ACTIONS IN THE LINE OF DUTY.

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

S. 488 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE SERGEANT COREY COOK FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND HIM FOR HIS LEVEL-HEADED AND HEROIC ACTIONS IN THE LINE OF DUTY.

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

S. 489 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-10-108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX CREDITS AND ECONOMIC INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995; BY ADDING SECTION 40-68-145 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO REGULATE THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; AND TO AMEND SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE.

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

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

**SECOND READING BILL**

S. 478 -- Senator K. Johnson: A BILL TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT FOUR, TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator K. JOHNSON explained the Bill.

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT RULED OUT OF ORDER**

**AMENDED, DEBATE INTERRUPTED**

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, Hembree, Gambrell and Loftis: A BILL TO ENACT THE “SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT”; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44‑41‑460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44‑41‑330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN’S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

The Senate proceeded to a consideration of the Bill.

The question being second reading of the Bill.

Senator GROOMS spoke on the Bill.

The Committee on Medical Affairs proposed the following amendment (1R008.SP.DBV), which was ruled out of order:

Amend the bill, as and if amended, on page 4, by striking lines 39-40 and inserting:

/heartbeat.

(B) No abortion may be performed or induced pursuant to this article until the requirements contained in Article 3 of this chapter, the Woman’s Right to Know Act, have been satisfied.

(C) A person who violates subsection (A) is guilty of a felony /

Amend the bill further, as and if amended, on page 8, line 34, by adding appropriately numbered new SECTIONS to read:

/SECTION \_\_. Section 44-41-330(A)(2) of the 1976 Code is amended to read:

“(2) The woman must be presented by the physician who is to perform the abortion or by an allied health professional working in conjunction with the physician a written form containing the following statement: ‘You have the right to review printed materials prepared by the State of South Carolina which describe fetal development, list agencies which offer alternatives to abortion, including adoption and foster care, and describe medical assistance benefits which may be available for prenatal care, childbirth, and neonatal care. You have the right to view your ultrasound image.’ This form must be signed and dated by both the physician who is to perform the procedure and the pregnant woman upon whom the procedure is to be performed.”

SECTION \_\_. Chapter 7, Title 43 of the 1976 Code is amended by adding:

“ARTICLE 2

Prenatal Care, Delivery, Neonatal, and Post‑Natal Care

for Uninsured Women

Section 43-7-100. For the purposes of this article:

(1) ‘Department’ means the South Carolina Department of Health and Human Services.

(2) ‘Medicaid’ means the medical assistance program authorized by Title XIX of the Social Security Act and administered by the department.

(3) ‘Practitioner’ means a physician or other health care professional licensed under state law to practice his profession.

(4) ‘Private insurer’ means:

(a) a commercial insurance company offering health or casualty insurance to an individual or group, including an experienced‑rated contract or indemnity contract;

(b) a profit or nonprofit prepaid plan offering either a medical service or full or partial payment for the diagnosis or treatment of an injury, disease, or disability;

(c) an organization administering a health or casualty insurance plan for a professional association, union, fraternal group, employer‑employee benefit plan, or a similar organization offering these plans or services, including a self‑insured or self‑funded plan; or

(d) a group health plan, as defined in Section 607(1) of the Employee Retirement Income Security Act of 1974; a service benefit plan; or a health maintenance organization.

(5) ‘Uninsured’ means a woman who does not have health insurance through a private insurer, is not enrolled in a government-provided health insurance program, or is not a Medicaid program recipient.

Section 43-7-110. A practitioner who provides prenatal care; delivery, neonatal, or post‑natal care; or any other medically necessary services related to a pregnancy that are covered by Medicaid to an uninsured woman shall be reimbursed by the department for the costs of the care at the same rate that the practitioner would be reimbursed by Medicaid.

Section 43-7-115. The provisions of this article are applicable and available to persons legally in the United States currently residing in South Carolina.

Section 43-7-120. The department shall promulgate regulations concerning the reimbursement process pursuant to Section 43-7-110 and shall provide practitioners with reimbursement rates for reimbursable procedures pursuant to this article.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

**Point of Order**

Senator VERDIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The committee amendment was ruled out of order.

Senator SENN proposed the following amendment (1R005.SP.SS), which was tabled:

Amend the bill, as and if amended, on page 4, by striking line 23 and inserting:

/ Section 44‑41‑640. If a pregnancy has completed the first trimester after /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

The amendment was laid on the table.

Senator SENN proposed the following amendment (1R010.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 5, by striking lines 1 through 4 and inserting:

/ Section 44‑41‑660. (A) Section 44‑41‑650 does not apply to a physician who performs or induces an abortion if:

(1) the pregnancy was the result of rape;

(2) the pregnancy was the result of incest;

(3) the physician determines that a fetal anomaly, as defined in Section 44-41-430(5), exists; or

(4) the physician determines according to standard medical practice that a medical emergency exists that prevents compliance with the section. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator CASH spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

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

**Ayes 20; Nays 23; Abstain 1**

**AYES**

Adams Alexander Campsen

Cash Climer Corbin

Cromer Garrett Goldfinch

Grooms Gustafson Kimbrell

Loftis Martin Massey

Rice Shealy Talley

Verdin Young

**Total--20**

**NAYS**

Allen Bennett Davis

Fanning Gambrell Hembree

Hutto *Johnson, Kevin Johnson, Michael*

Leatherman Malloy Matthews

McElveen McLeod Peeler

Rankin Sabb Scott

Senn Setzler Stephens

Turner Williams

**Total--23**

**ABSTAIN**

Harpootlian

**Total--1**

The Senate refused to table the amendment.

**Statement by Senator CAMPSEN**

I voted against Senator SENN’s amendment that would add rape and incest exceptions to S.1 because I preferred and voted for Senator MASSEY’s subsequent amendment that would add rape and incest exceptions. I preferred Senator MASSEY’s amendment because it required medical professionals to report the crime to law enforcement.

Senator GROOMS move to carry over the amendment.

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

**Ayes 25; Nays 17**

**AYES**

Adams Alexander Bennett

Campsen Climer Corbin

Cromer Gambrell Garrett

Goldfinch Grooms Gustafson

Hembree *Johnson, Michael* Kimbrell

Loftis Martin Massey

Peeler Rice Shealy

Talley Turner Verdin

Young

**Total--25**

**NAYS**

Allen Davis Harpootlian

Hutto *Johnson, Kevin* Leatherman

Malloy Matthews McElveen

McLeod Rankin Sabb

Scott Senn Setzler

Stephens Williams

**Total--17**

The amendment was carried over.

Senator CASH proposed the following amendment (1R012.KMM.RJC), which was tabled:

Amend the bill, as and if amended, on page 4, by striking lines 11 through 21 and inserting:

/ Section 44‑41‑630. (A) A physician, certified technician, or agent of the physician who is competent in ultrasonography and who is not employed by or affiliated with the abortion physician or abortion clinic that is to perform or induce an abortion shall:

(1) perform an obstetric ultrasound on the pregnant woman, using whichever method the physician and pregnant woman agree is best under the circumstances;

(2) during the performance of the ultrasound, display the ultrasound images so that the pregnant woman may view the images; and

(3) record in the pregnant woman’s medical record the estimated gestational age of the fetus, the ultrasound method used to test for a fetal heartbeat, the date and time of the test, and the results of the test, including the presence or absence of a fetal heartbeat.

(B) Following the ultrasound, and upon the authorization of the pregnant woman, the written medical description referenced in item (A)(3) shall be provided to the abortion provider who is to perform or induce the abortion. /

Amend the bill further, as and if amended, on page 4, by striking lines 24 through 25 and inserting:

/fertilization, then the person performing the ultrasound shall tell the /

Amend the bill further, as and if amended, on page 5, by striking lines 17 through 20 and inserting:

/ Section 44‑41‑670. A physician who performs an abortion is not in violation of Section 44‑41‑650 if an ultrasound was performed in accordance with Section 44-41-630(A), the physician receives the report required pursuant to Section 44‑41‑630(B), the physician reviews the report, the report reflects that the ultrasound did not reveal a fetal heartbeat, and the physician performs the abortion within seventy-two hours of the date and time of the ultrasound test. /

Amend the bill further, as and if amended, on page 6, by striking lines 13 through 16 and inserting:

/ Section 44‑41‑700. A physician who performs an abortion is not in violation of Section 44‑41‑680 if an ultrasound was performed in accordance with Section 44-41-630(A), the physician receives the report required pursuant to Section 44‑41‑630(B), the physician reviews the report, the report reflects that the ultrasound did not reveal a fetal heartbeat, and the physician performs the abortion within seventy-two hours of the date and time of the ultrasound test. /

Amend the bill further, as and if amended, on page 8, by striking line 10 and inserting:

/ be performed. ~~If an ultrasound is performed~~ After an ultrasound is performed pursuant to Section 44‑41‑630, an abortion may not be /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator GROOMS spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senators MASSEY and DAVIS proposed the following amendment (1R011.KMM.ASM), which was adopted:

Amend the bill, as and if amended, on page 5, by striking lines 1 through 15 and inserting:

/ Section 44‑41‑660. (A) Section 44‑41‑650 does not apply to a physician who performs or induces an abortion if:

(1) the pregnancy is the result of rape;

(2) the pregnancy is the result of incest; or

(3) the physician determines according to standard medical practice that a medical emergency exists that prevents compliance with the section.

(B) A physician who performs or induces an abortion on a pregnant woman based on the exception in either subsection (A)(1) or (2) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made within twenty-four hours of performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information for the pregnant woman making the allegation. Prior to performing or inducing the abortion, the physician who performs or induces the abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman’s medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

(C) A physician who performs or induces an abortion on a pregnant woman based on the exception in subsection (A)(3) shall make written notations in the pregnant woman’s medical records of the following:

(1) the physician’s belief that a medical emergency necessitating the abortion existed; and

(2) the medical condition of the pregnant woman that assertedly prevented compliance with Section 44‑41‑650.

(D) For at least seven years from the date that notations are made pursuant to subsection (B) or (C), the relevant physician shall maintain in his own records a copy of the notations. /

Amend the bill further, as and if amended, on page 8, line 34, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Section 44-41-60 of the 1976 Code is amended to read:

“Section 44-41-60. Any abortion performed in this State must be reported by the performing physician on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of the patient and physician may not be reported on the form or otherwise disclosed to the state registrar. The form must indicate from whom consent was obtained, ~~or~~ circumstances waiving consent, and, if an exception was exercised pursuant to Section 44‑41‑660, which exception the physician relied upon in performing or inducing the abortion.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

**Recorded Vote**

Senators MARTIN, CASH, GOLDFINCH, VERDIN, CORBIN and RICE desired to be recorded as voting against the adoption of the amendment.

Senator HUTTO proposed the following amendment (1CBH1), which was tabled:

Amend the bill, as and if amended, page 9, by striking SECTION 8 and inserting the following: /

SECTION 8. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (1CBH2), which was tabled:

Amend the bill, as and if amended, page 4, by striking Section 44-41-650 (A) as contained in SECTION 3 and inserting the following:

/ Section 44-41-650(A). No person shall perform, induce, or attempt to perform or induce an abortion on a pregnant woman. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator GROOMS moved to lay the amendment on the table.

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

**Ayes 34; Nays 6**

**AYES**

Adams Alexander Bennett

Campsen Climer Corbin

Cromer Davis Gambrell

Garrett Goldfinch Grooms

Gustafson Harpootlian Hembree

Hutto *Johnson, Kevin Johnson, Michael*

Kimbrell Leatherman Loftis

Martin Massey Peeler

Rankin Rice Scott

Senn Setzler Shealy

Talley Turner Williams

Young

**Total--34**

**NAYS**

Allen Fanning Matthews

McLeod Sabb Stephens

**Total--6**

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (1CBH4), which was tabled:

Amend the bill, as and if amended, page 3, by striking Section 44-41-610 (8) as contained in SECTION 3 and inserting the following:

/ (8) ‘Medical emergency’ means a condition that, by any reasonable medical judgment, so complicates the medical condition of a pregnant woman that it necessitates the abortion of her pregnancy to avert her death without first determining whether there is a detectable fetal heartbeat or for which the delay necessary to determine whether there is a detectable fetal heartbeat will create serious risk of a substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition must not be considered a medical emergency if based on a claim or diagnosis that a woman will engage in conduct that she intends to result in her death or in a substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (1CBH3):

Amend the bill, as and if amended, page 4, by striking Section 44-41-650 (B) as contained in SECTION 3 and inserting the following:

/ Section 44‑41‑650 (B). A person who violates subsection is guilty of a civil fine and, upon conviction, must be fined up to ten thousand dollars. /

Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON spoke on the amendment.

**Remarks by Senator KEVIN JOHNSON**

I intend to be brief on this Bill. I don't stand here as being pro-life or anti-abortion. I stand here as being pro-choice, and I'm one of the ones that believe that you can be against abortion and still be pro-choice. I think that most everybody in here is pro-choice. It's just that some of us favor choice when you only have one option. I have sat through many meetings -- committee meetings and full subcommittee meetings -- and one thing that I notice is that everybody that came before us to testify made a choice. Some chose to have an abortion and some chose not to have an abortion, and I think everybody that came before us to make that choice made it based on their own personal situation. Everybody's situation is unique and different. I've heard today, especially today, so many remarks about saving lives and I think Senator GROOMS said that he wants to save as many lives as possible, and that's where I stand. I want to save lives, also, but I do not want to save lives at the expense of telling a woman what she can or cannot do with her own body. When I first got to the General Assembly about 11 years ago, I heard over and over again, especially from my Republican friends, that government should not be involved too much in people's lives. Personal decisions. I do not know what could be more personal than trying to tell a woman what she can and cannot do with her body. I keep hearing, over and over again, about how the whole purpose here is to save lives. I even heard somebody imply that we have some colleagues who are against abortion and they are pro-life; however, they are for the death penalty. You know you cannot have it both ways. I stand this morning and I may be back. One thing I want to emphasize to the Body is that if you really want to save lives, I have two Bills. One I file every year, which is Medicaid expansion. I think the research is there and the data is there. When people have access to quality affordable health care, that saves a lot of lives. Probably more lives than we lose through the abortion process. I find it ironic and it confuses me that a lot of people who are now saying that they want to maximize the number of lives they save have never supported Medicaid expansion. I don't think my Bill ever gets a hearing, but it's clear while going through this pandemic that if people have access to quality health care, we can save lives. The other Bill I filed this year is a face mask mandate. I filed it with the intent on saving lives and again, a lot of my colleagues who want to save lives will not support mandated face masks although there is research that shows that wearing masks saves lives. I just want us to be true to our word. If we want to save lives, those are two methods that are less controversial than telling a lady what she can or cannot do as far as saving lives. I would hope that we would be sincere about that and I would hope my Bill on Medicaid expansion and my Bill on mandating face masks will get a hearing and get the support of all of us here who want to save lives. I have some concerns with the Bill that is before us. I personally think there are a lot more important things that we should be prioritizing right now as it relates to the pandemic and education. We have teachers who are leaving the field where we already have a teacher shortage.

I hear from my constituents and they are emphasizing and putting priority on a lot more than they are this abortion Bill. I just hope that we are sincere about saving lives because there is more than one way to save a life. I ask for committee hearings and subcommittee hearings on the face mask mandate Bill and on the Medicaid Expansion Bill. I ask all of those who are really serious about saving lives to support those Bills. Thank you.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

Senator McLEOD spoke on the amendment.

**Remarks by Senator McLEOD**

Ladies and gentlemen of the Senate, I’m not here to talk about the science, data, fiscal impact, financial hardships or fetal anomalies. We’ve heard our share of that over the years and again today. I’m not even here to reiterate what we’ve heard from the overwhelming number of doctors that we call our heroes and sheroes one day, but vilify and demonize the next. I’m here to ask one simple question that only our actions can answer.

I stand before you today because I’m pro-life and I refuse to let anyone else redefine or repurpose my position for me. Contrary to what many of you might think, I’m not pro-abortion. But I am a woman who has given birth -- twice -- and miraculously, I didn’t need 140 men who serve in the South Carolina General Assembly to make that decision for me.

If you believe life begins at the moment a fetal heartbeat is detected, you should also agree that the challenges of life are exacerbated for the pregnant woman or girl and the fetus, in that very same moment.

I was in law school and my husband was in graduate school when I was pregnant with my firstborn. Financially and otherwise, times were tough. However, our families were a strong support system for us. Some women and girls do not have families or support systems. Some are raped. Others are barely surviving their own tragic circumstances or choices. And some are babies themselves -- betrayed, traumatized and violated by familial predators.

With every pregnancy comes a host of possible complications -- like the ones that left Jodie Roberts of Lexington in a vegetative state last year after having her second child, or the COVID-19 complications that left Ashley Bennett of Lexington dead, just days after giving birth to her tenth child. And since God, in His infinite wisdom, entrusted only us to carry and birth his most magnificent creation, He must think we’re smart enough and strong enough to make those life-altering decisions without government’s help, interference or oversight.

But here we are AGAIN -- this time during an epic public health crisis -- making a “Fetal Heartbeat Bill” our number one priority when COVID-19 has already killed many more living, breathing human beings across South Carolina than abortions have. Yet, we’ve done NOTHING to fight for or protect over 6,500 lives that have been lost.

Obviously, waging war on the women of this State and forcing them into vicious cycles of poverty for generations is the goal of our male dominated legislature. That’s why this General Assembly balked at my Viagra Bill in 2016 and my Pro-Birth Accountability Act in 2020 because some of us would rather hold everyone BUT the biological father accountable.

In this Bible toting State, I’m always amazed at the level of vitriol I receive from those who claim to believe in the same God that I do. In fact, my faith in God has always been the guiding force in my life. It seems their God is a god of hate and judgment and vengeance. They sow seeds of division and call those of us who only see their hypocrisy, “baby killers.”

But unlike them, I don’t worship other gods or participate in their political idolatry. And I’m certainly not a hypocrite who boasts pro-life and pro-death stances simultaneously, since the two are mutually and Biblically exclusive.

Scripture says, “Greater love hath no man than this; that a man lay down his life for his friends.” Yet, the very people who say there’s nothing more important than life in the womb are the same ones who refuse to protect life beyond the womb by simply wearing a facemask.

Whether it’s a statewide mask mandate, COVID-19 vaccinations or guns, proponents of this Bill rebuke all government mandates and refuse to let government trample on your rights and freedoms. Yet, it’s you who now summons the same government to trample all over ours.

The God I serve says that He came so that all of us may have “life and have it abundantly.” But how can we have an abundant life when our misogynistic government denies us healthcare equity, pay equity, medical autonomy and the same freedoms and liberties it demands for our male counterparts? We rail against women and girls who contemplate abortion the minute a fetal heartbeat is detected. Yet, we enact public policy like this that aborts the lives, dreams, hopes, opportunities and futures of women and girls across South Carolina.

Pro-life means we, as government leaders, don’t pass laws that make it harder for people to live. We show concern, compassion and empathy for the living by giving them the resources and support, like the ability to earn wages they can actually live on, access to quality, affordable healthcare and a quality education regardless of where they live. We speak up when any lives are in jeopardy.

We don’t insist that “All Lives Matter” when it’s obvious that black lives don’t. We don’t parade black preachers, black parishioners and black parents around the halls, meeting rooms and offices of this building to give credence to our rhetoric that abortion is rooted in racism, but go eerily silent when unarmed black men and women are asphyxiated and shot down like wild animals in broad daylight or murdered in the presumed safety and sanctity of their own homes. Where’s the OUTRAGE?

When funding is slashed year after year for the very programs, services and support that women, children, and struggling families, need to survive? Where are your letters, phone calls and emails insisting that that funding be reinstated and replenished like we do for employers to keep from raising their unemployment insurance taxes?

It’s time we get our priorities in order. People across South Carolina are DYING because of a deadly virus -- a global pandemic -- and we can’t even get them vaccinated because we’re focused only on abortion. We haven’t even had confirmation hearings for the candidate whose vying to be the next Director of DHEC. Why? Because we’re fixated on abortion. We’re forcing teachers back into schools without adequate protections, pay or vaccinations as they leave the classroom and the profession in droves. Why? Because we’re obsessed with our politics instead of protecting our people.

S. 1 is an unconstitutional Bill that will saddle SC taxpayers with staggering legal fees and court costs for the foreseeable future. It’s a Bill that criminalizes the very doctors and nurses who are risking their lives on the front lines of this raging pandemic to save ours.

Isaiah, Chapter 1, gives us a glimpse of God’s wrath when we govern in His Name, but refuse to be governed by His Principles.

I would argue that we’re experiencing His wrath now and have been since last March. Even today, you’ve said, “We’re not here to choose which babies have a fetal heartbeat and are deserving of our protection.” And yet, that’s exactly what we do. We act as self-righteous, self-appointed ambassadors of God to collectively pick and choose who’s worthy to live and die every single day we serve in this Body and we do it boldly in the name of God.

My question, and unfortunately, it’s a rhetorical one -- is simply, WHOSE LIVES MATTER? We can save our empty words. God and the people of SC will judge us by our actions.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

**Motion to Ratify Adopted**

At 2:54 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John D. Prince, Jr. of Sumter, S.C. John was a graduate of Clemson University. He worked for the South Carolina Department of Natural Resources for 21 years and then began a career with the Sumter County Sheriff’s Department where he retired as a Sergeant. John loved the outdoors, fishing and Clemson football. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 2:59 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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