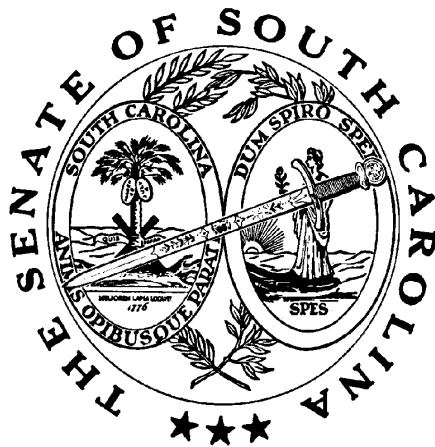


NO. 67

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, MAY 2, 2024

Thursday, May 2, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Psalm 46:1

We read that the Psalmist declares: "God is our refuge and strength, an ever-present help in trouble."

Join me, friends, as we bow in prayer: Today, Holy God, is officially the National Day of Prayer, a day first set aside by action of Congress in 1952. Yet of course, even long before that action, throughout our Nation's history prayer has been significant, not just in times of desperate troubles, but also during periods when we have given praise for the rich blessings that surround us all. Therefore, Lord, here in the Senate of South Carolina, may we always and unfailingly be individuals who turn to You and pray: praying together for this Nation we love, praying for the State of South Carolina, praying for all of our citizens, and praying for the meaningful and important work of this Senate. Bless and sustain us all, O Lord, for in Your loving name we pray. Amen.

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

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Loftis
Martin	Massey	Matthews
McLeod	Peeler	Reichenbach
Rice	Sabb	Senn

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Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator CROMER, at 11:08 A.M., Senator GROOMS was granted a leave of absence until 11:30 A.M.

Leave of Absence

On motion of Senator McELVEEN, at 4:18 P.M., Senator HARPOOTLIAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 4:18 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:18 P.M., Senator ALLEN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GOLDFINCH, at 4:21 P.M., Senators GAMBRELL and RANKIN were granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator CASH, when reduced to writing and made available to the Desk, would be printed in the Journal.

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

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Remarks to be Printed

On motion of Senator TEDDER, with unanimous consent, the remarks of Senator SABB, when reduced to writing and made available to the Desk, would be printed in the Journal.

Motion to Ratify Adopted

At 11:46 A.M., on motion of Senator MASSEY, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator STEPHENS, with unanimous consent, the remarks of Senator MATTHEWS, when reduced to writing and made available to the Desk, would be printed in the Journal.

Doctor of the Day

Senator GOLDFINCH introduced Dr. William Mills, MD of Spartanburg, S.C., Doctor of the Day.

RECALLED AND ADOPTED

S. 1293 -- Senators DAVIS, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG: A SENATE RESOLUTION TO RECOGNIZE MAY 12 THROUGH MAY 18, 2024, AS "POLICE WEEK IN SOUTH CAROLINA" AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY

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WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

OBJECTION

S. 1315 -- Senator Campsen: A CONCURRENT RESOLUTION TO ENCOURAGE THE STATE OF SOUTH CAROLINA TO TAKE ALL PRACTICAL STEPS TO INCREASE THE USE OF SUSTAINABLE AVIATION FUEL IN THE STATE, REGIONALLY, AND NATIONALLY.

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

Senator MATTHEWS objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1317 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE EIGHTIETH CELEBRATION OF APPALACHIAN SQUARE DANCES AT OCONEE STATE PARK.

sr-0722km-vc24.docx

The Senate Resolution was adopted.

S. 1318 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE HERITAGE CONDOMINIUMS UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND ROBERT T. "BOBBY" LYLES FOR HIS WORK AS LEAD ARCHITECT FOR THE PROJECT.

sr-0726km-vc24.docx

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The Senate Resolution was adopted.

S. 1319 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BRADEN WILSON, AN EIGHTH GRADE SOCIAL STUDIES TEACHER AT PALMETTO MIDDLE SCHOOL IN ANDERSON SCHOOL DISTRICT ONE, AND TO CONGRATULATE HER FOR BEING NAMED THE SOUTH CAROLINA TEACHER OF THE YEAR.

lc-0337ha-gm24.docx

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

S. 1320 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE MARINE CORPS LEAGUE DEPARTMENT OF SOUTH CAROLINA UPON THE OCCASION OF ITS ANNUAL CONVENTION AND COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0723km-vc24.docx

The Senate Resolution was adopted.

S. 1321 -- Senator Campsen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT/PARAMEDIC MATT DOMANOWSKI OF THE CITY OF BEAUFORT/TOWN OF PORT ROYAL FIRE DEPARTMENT FOR DECISIVELY AND COURAGEOUSLY TAKING ACTION THAT SAVED THE LIFE OF A GUNSHOT VICTIM ON NOVEMBER 1, 2023, AND TO EXPRESS THE DEEPEST GRATITUDE OF THE SOUTH CAROLINA SENATE FOR LIEUTENANT DOMANOWSKI'S SELFLESS SERVICE.

lc-0456hdb-rm24.docx

The Senate Resolution was adopted.

S. 1322 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BELTON-HONEA PATH HIGH SCHOOL FOR BEING NAMED A NATIONAL SCHOOL OF EXCELLENCE AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STAFF, AND STUDENTS FOR THEIR CONTRIBUTIONS TO THIS ACHIEVEMENT.

lc-0727wab-gm24.docx

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

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S. 1323 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS DEEP APPRECIATION FOR THE LATE SENATOR JOHN L. SCOTT, JR., AND HIS YEARS OF MEANINGFUL SUPPORT FOR STATE EMPLOYEES DURING HIS SERVICE TO THE STATE OF SOUTH CAROLINA IN THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IN THE SOUTH CAROLINA SENATE.

lc-0616cm-gm24.docx

The Senate Resolution was adopted.

S. 1324 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE THE MEMBERS OF THE STAFF OF PAWMETTO LIFELINE AND TO WISH THEM SUCCESS AS THEY BEGIN THE ANIMAL ADVOCACY ASSOCIATION OF SOUTH CAROLINA AND AS THEY CONTINUE TO PROVIDE SOUTH CAROLINA POLICE ACADEMY WITH ACCREDITED TRAINING FOR ANIMAL CONTROL OFFICERS AND LAW ENFORCEMENT OFFICERS ACROSS OUR GREAT STATE.

lc-0729wab-ar24.docx

The Senate Resolution was adopted.

S. 1325 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE JOURNAL FOR WINNING SEVERAL SOUTH CAROLINA PRESS ASSOCIATION AWARDS, INCLUDING THE TOP AWARD IN GENERAL EXCELLENCE.

sr-0702km-vc24.docx

The Senate Resolution was adopted.

S. 1326 -- Senator Garrett: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JOHN ROBERT COKER OF THE MCCORMICK COUNTY SHERIFF'S OFFICE FOR DECISIVELY AND COURAGEOUSLY TAKING ACTION THAT POTENTIALLY SAVED THE LIVES OF INNOCENT RESIDENTS WHILE PUTTING HIMSELF IN HARM'S WAY ON JUNE 18, 2023, AND TO EXPRESS THE DEEPEST GRATITUDE OF THE SOUTH CAROLINA SENATE FOR SERGEANT COKER'S SELFLESS SERVICE.

lc-0608sa-rm24.docx

The Senate Resolution was adopted.

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REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 4086 -- Reps. Sandifer, Nutt, Chapman and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-59-35 SO AS TO PROVIDE THAT THE WORK OF CERTAIN LICENSEES OF THE RESIDENTIAL BUILDERS COMMISSION THAT COMPLIES WITH APPLICABLE REGULATIONS OF THE COMMISSION MUST BE DEEMED TO SATISFY CERTAIN IMPLIED WARRANTIES; BY ADDING SECTION 40-59-40 SO AS TO PROVIDE IMPLIED WARRANTIES INCLUDE ONLY THOSE PERFORMANCE STANDARDS VIOLATIONS IDENTIFIED BY A HOMEOWNER WITHIN TWELVE MONTHS AFTER SUBSTANTIAL COMPLETION; BY AMENDING SECTION 40-59-10, RELATING TO COMPOSITION OF THE COMMISSION, SO AS TO REVISE ITS COMPOSITION; BY AMENDING SECTION 40-59-20, RELATING TO DEFINITIONS APPLICABLE TO THE COMMISSION AND ITS LICENSEES, SO AS TO REVISE VARIOUS DEFINITIONS, INCLUDING THE RENAMING OF SPECIALTY CONTRACTORS AS RESIDENTIAL TRADE CONTRACTORS; BY AMENDING SECTION 40-59-25, RELATING TO ROOFING CONTRACT CANCELLATIONS FOR INSURANCE COVERAGE DENIALS, SO AS TO EXPAND THE APPLICABILITY OF THESE PROVISIONS; BY AMENDING SECTION 40-59-30, RELATING TO THE REQUIREMENT OF LICENSURE TO ENGAGE IN RESIDENTIAL BUILDING AND RESIDENTIAL SPECIALTY CONTRACTING, SO AS TO MAKE CONFORMING CHANGES AND PROVIDE PENALTIES FOR VIOLATIONS; BY AMENDING SECTION 40-59-50, RELATING TO THE ROSTER OF LICENSEES OF THE COMMISSION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-80, RELATING TO INVESTIGATIONS OF COMPLAINTS, SO AS TO PROVIDE LICENSEES OR REGISTRANTS MAY BE PRESENT FOR INSPECTIONS CONDUCTED PURSUANT TO AN INVESTIGATION, AND TO PROVIDE UNDERLYING COMPLAINTS THAT PROMPT AN INVESTIGATION MUST BE DISMISSED IF THE COMPLAINANT UNJUSTIFIABLY REFUSES TO COOPERATE WITH THIS REQUIREMENT; BY AMENDING SECTION 40-59-105, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, SO AS TO REVISE THE BASES FOR WHICH REFERRALS OF VIOLATIONS TO THE

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COMMISSION ARE MADE; BY AMENDING SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF A LICENSE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-140, RELATING TO DENIALS OF LICENSURE OR REGISTRATION BASED ON THE PAST CRIMINAL RECORD OF THE APPLICANT, SO AS TO MAKE THE DENIALS DISCRETIONARY WITH THE COMMISSION AND TO PROVIDE THAT ALL NEW APPLICANTS SHALL PROVIDE CERTAIN CRIMINAL BACKGROUND REPORTS; BY AMENDING SECTION 40-59-220, RELATING TO LICENSES AND CERTIFICATES OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES, TO REVISE CRITERIA FOR LICENSURE, AND TO REVISE REQUIREMENTS FOR HOMEOWNER CLAIMS FOR LOSS, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-230, RELATING TO LICENSURE RENEWALS AND CONTINUING EDUCATION REQUIREMENTS, SO AS TO MAKE THE EXAMINATION REQUIREMENT FOR CERTAIN INACTIVE LICENSEES DISCRETIONARY WITH THE COMMISSION, TO PROVIDE THE CONTINUING EDUCATION PROGRAMS MUST BE ADMINISTERED BY THE HOME BUILDERS ASSOCIATION OF SOUTH CAROLINA, AND TO PROVIDE A TIERED SYSTEM FOR RESIDENTIAL BUILDER LICENSES; BY AMENDING SECTION 40-59-240, RELATING TO THE CLASSIFICATIONS OF RESIDENTIAL SPECIALTY CONTRACTORS, SO AS TO MAKE CONFORMING CHANGES, TO REMOVE THE LIMITATION ON THE NUMBER OF CLASSIFICATIONS FOR WHICH THE COMMISSION MAY ISSUE REGISTRATIONS, AND TO INCREASE THE THRESHOLD COSTS OF AN UNDERTAKING THAT REQUIRES AN EXECUTED BOND WITH A SURETY IN AN AMOUNT APPROVED BY THE COMMISSION; BY AMENDING SECTION 40-59-250, RELATING TO CREDIT REPORTS REQUIRED FOR LICENSURE, SO AS TO MAKE CONFORMING CHANGES, AND TO MAKE PROOF OF NET WORTH AN AVAILABLE ALTERNATIVE TO A CREDIT REPORT; BY AMENDING SECTION 40-59-260, RELATING TO EXCEPTIONS FOR PROJECTS BY THE PROPERTY OWNER FOR PERSONAL USE, EXEMPTION DISCLOSURE STATEMENTS, AND CERTAIN NOTICES FILED WITH THE REGISTER OF DEEDS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-270, RELATING TO THE APPLICABILITY OF CHAPTER 49, TITLE 40, TO LICENSEES OF

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THE CONTRACTOR'S LICENSING BOARD, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-300, RELATING TO CONSTRUCTION OF LOW-INCOME HOUSING USING VOLUNTEER LABOR BY CERTAIN ELEEMOSYNARY ORGANIZATIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-400, RELATING TO DEFINITIONS CONCERNING CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 40-59-410, RELATING TO RESIDENTIAL BUSINESS CERTIFICATES OF AUTHORIZATION, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-530, RELATING TO EXCEPTIONS FROM PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS; BY AMENDING SECTION 40-59-580, RELATING TO REMEDIES AVAILABLE TO THE COMMISSION FOR VIOLATIONS OF PROVISIONS CONCERNING THE LICENSURE OF HOME INSPECTORS, SO AS TO REMOVE CIVIL PENALTIES FROM THE AVAILABLE REMEDIES; BY AMENDING SECTION 40-59-600, RELATING TO CRIMINAL PENALTIES FOR PERSONS UNDERTAKING THE BUSINESS OF HOME INSPECTION WITHOUT LICENSURE OR EXEMPTION, SO AS TO REMOVE TIERED PENALTIES; BY AMENDING SECTION 40-59-820, RELATING TO DEFINITIONS IN THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT, SO AS TO REVISE VARIOUS DEFINITIONS; BY AMENDING SECTION 40-59-830, RELATING TO STAYS OF ACTIONS BROUGHT UNDER THE NOTICE AND OPPORTUNITY TO CURE THE CONSTRUCTION DWELLING DEFECTS ACT UNTIL THE CLAIMANT COMPLIES WITH THE PROVISIONS OF THE ACT, SO AS TO PROVIDE THE CLAIMANT'S UNJUSTIFIED FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE ACT UNDER CIRCUMSTANCES THAT MAKE COMPLIANCE WITH THE CERTAIN PROVISIONS OF CHAPTER 59, TITLE 40, IMPOSSIBLE SHALL REQUIRE THE COURT TO DISMISS THE ACTION WITH PREJUDICE; AND BY REPEALING SECTION 40-59-560 RELATING TO INSPECTION REPORTS AND FORMS.

Ordered for consideration tomorrow.

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Senator ALEXANDER from the Committee on Operations and Management polled out H. 5042 favorable:

H. 5042 -- Reps. B.L. Cox, J.L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M.M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G.M. Smith, Weeks, Wheeler, Williams, S. Jones, J. Moore, O'Neal, B. Newton, Neese, Lawson, Atkinson, Hayes, W. Newton, Bannister, Caskey, Hyde, J.E. Johnson, Hiott, Brittain, Hartnett, Mitchell, Yow, Gagnon, Carter, Guest, Gatch, Crawford, Ott, Rutherford, Leber, Hixon, Herbkersman, Anderson, Bailey, Elliott, Gilliam, Calhoon, Wooten, Forrest, Pedalino, Jordan, Bustos, Bamberg, Bernstein, Clyburn, Hosey, Henderson-Myers, Howard, Vaughan, Beach, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

**Poll of the Operations and Management Committee
Polled 8; Ayes 8; Nays 0; Not Voting 1**

AYES

Alexander	Peeler	Setzler
Hutto	Malloy	Massey
Shealy	Turner	

Total--8

NAYS

Total--0

NOT VOTING

Rankin

Total--1

Ordered for consideration tomorrow.

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Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

1st Congressional District, Registered Nurse:

Bridget A. Enos, 8049 Kittery Ave., North Charleston, SC 29420-8918 *VICE* Kelli Garber

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2023, and to expire June 9, 2026

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, #29650, Greer, SC 29650-3422

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2024, and to expire September 30, 2027

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 2, 2022, and to expire June 2, 2026

Speech-Language Pathologist:

Sarah Davis Emory, 621 Crystal Drive, Spartanburg, SC 29302-2716

Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 30, 2021, and to expire June 30, 2025

Speech-Language Pathologist:

Beth F. Montgomery, 14 Hillstone Court, Columbia, SC 29212-8646

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Received as information.

Reappointment, South Carolina State Board of Examiners in Speech Pathology and Audiology, with the term to commence June 1, 2022, and to expire June 1, 2026

Audiologist:

Jason P. Wigand, 310 Honey Tree Drive, Lexington, SC 29073-6401

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731 *VICE* Rebecca Wrenn

Received as information.

HOUSE CONCURRENCE

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY "SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

HOUSE CONCURRENCE

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY "SCHP PATROLMAN ALBERT T. SEALY JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

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HOUSE CONCURRENCE

S. 1311 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE LOUREATHA LAWSON PITTMAN AS HER TENURE AS THE PRESIDENT OF THE GETHSEMANE WOMAN AUXILIARY COMES TO A CLOSE, TO COMMEND HER FOR HER FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

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

RECOMMITTED

S. 303 -- Senators Shealy, McElveen, Gustafson, Talley, Davis, Adams, Kimbrell, Jackson, Rankin, Harpootlian, M. Johnson, Hutto, Sabb, Matthews, Fanning, Gambrell, Peeler, Goldfinch, McLeod and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 52-5-300 SO AS TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA; BY ADDING SECTION 52-5-310 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 52-5-320 SO AS TO ESTABLISH THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-330 SO AS TO ESTABLISH THE POWERS OF THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-340 SO AS TO PROVIDE ADMINISTRATIVE SUPPORT FOR THE SOUTH CAROLINA EQUINE COMMISSION; BY ADDING SECTION 52-5-350 SO AS TO PROVIDE GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-360 SO AS TO PROVIDE APPLICATION GUIDELINES FOR PARI-MUTUEL WAGERING; BY ADDING SECTION 52-5-370 SO AS TO PROVIDE FOR APPLICATION AND LICENSE FEES; BY ADDING SECTION 52-5-380 SO AS TO PROVIDE FOR THE EQUINE INDUSTRY DEVELOPMENT FUND; BY ADDING SECTION 52-5-390 AND SECTION 52-5-400 SO AS TO PROVIDE GUIDELINES AND PROTECTIONS FOR COMMITTEE MEMBERS; BY ADDING SECTION 52-5-410 SO AS TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT.

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On motion of Senator SHEALY, the Bill was recommitted to Committee on Family and Veterans' Services.

RECOMMITTED

S. 143 -- Senators Shealy, Goldfinch, Senn, McLeod, Hutto, Jackson, Devine and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 20-4-20, RELATING TO DEFINITIONS, SO AS TO DEFINE A HOUSEHOLD MEMBER AND TO DEFINE A DATING RELATIONSHIP; AND BY AMENDING SECTION 20-4-40, RELATING TO PETITION FOR ORDER OF PROTECTION, SO AS TO DESIGNATE PEOPLE WHO CAN APPLY FOR AN ORDER OF PROTECTION ON BEHALF OF A MINOR.

On motion of Senator SHEALY, the Bill was recommitted to Committee on Judiciary.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 4624 -- Reps. Hiott, G.M. Smith, McCravy, Davis, Vaughan, Trantham, Pope, Chapman, Taylor, Oremus, Hartnett, Leber, Long, Nutt, Haddon, Burns, Chumley, Murphy, Mitchell, Brewer, Robbins, Gatch, West, Gilliam, Cromer, Kilmartin, O'Neal, Yow, S. Jones, Landing, Ballentine, Sandifer, Crawford, Guest, Willis, Ligon, Forrest, Pace, W. Newton, Bradley, Erickson, Gibson, Blackwell and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO DEFINE GENDER, SEX, AND OTHER TERMS, TO PROHIBIT THE PROVISION OF GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE, TO PROVIDE EXCEPTIONS, TO PROHIBIT THE USE OF PUBLIC FUNDS FOR GENDER TRANSITION PROCEDURES, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 59-32-36 SO AS TO PROHIBIT PUBLIC SCHOOL STAFF AND OFFICIALS FROM WITHHOLDING KNOWLEDGE OF A MINOR'S PERCEPTION OF THEIR GENDER FROM THE MINOR'S PARENTS, AMONG OTHER THINGS.

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

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The Committee on Medical Affairs proposed the following amendment (SR-4624.JG0088S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-350 and inserting:

Section 44-42-350. The South Carolina Medicaid Program shall not reimburse or provide coverage for practices prohibited under the provisions of this chapter .

Amend the bill further, SECTION 2, by striking Section 59-32-36 and inserting:

(A) A nurse, counselor, teacher, principal, or other official or staff at a public school shall not knowingly:

Amend the bill further, SECTION 2, Section 59-32-36, by adding a subsection to read:

(B) The principal, vice principal, or counselor at a public school shall immediately notify in writing a minor's parent or legal guardian if the minor:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310;

(2) requests a school employee to address the minor by a name other than the minor's legal name or a derivative thereof; or

(3) requests a school employee to address a minor using a pronoun or title that does not align with the minor's sex.

Re-number sections to conform.

Amend title to conform.

Senator KIMBRELL spoke on the amendment.

Senator DEVINE spoke on the amendment.

Senator TEDDER spoke on the amendment.

Senator HUTTO spoke on the amendment.

The question then was the adoption of the committee amendment.

The committee amendment was adopted.

Amendment No. 1

Senator VERDIN proposed the following amendment (SR-4624.JG0095S), which was adopted:

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

SECTION X. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be

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

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator DAVIS proposed the following amendment (SMIN-4624.MW0100S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-42-310, by adding a subsection to read:

(10) “Reversible” means not permanent or irreversible as accepted by clinical practice guidelines.

Amend the bill further, SECTION 1, by striking Section 44-42-320 and inserting:

(F) Nothing in this section prohibits a physician or other healthcare professional with prescribing authority from prescribing any medications which is reversible.

Renumber sections to conform.

Amend title to conform.

On motion of Senator DAVIS, with unanimous consent, the amendment was withdrawn.

Amendment No. 6

Senator DAVIS proposed the following amendment (SR-4624.JG0110S), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 44-42-310, by adding a subsection to read:

(10) “Reversible” means not permanent or irreversible as accepted by clinical practice guidelines within the context of the patient’s relationship with his physician or healthcare professional.

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Amend the bill further, SECTION 1, Section 44-42-320, by adding a subsection to read:

(F) Nothing in this section prohibits a physician or other healthcare professional with prescribing authority from prescribing any medications which is reversible.

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator CASH spoke on the amendment.

Senator GUSTAFSON spoke on the amendment.

The question then was the adoption of the amendment.

Senator VERDIN moved to lay the amendment on the table.

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

Ayes 23; Nays 16

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Garrett
Goldfinch	Grooms	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Reichenbach	Rice	Turner
Verdin	Young	

Total--23

NAYS

Davis	Devine	Gustafson
Hutto	Jackson	Malloy
Matthews	McElveen	McLeod
Sabb	Senn	Setzler
Shealy	Stephens	Tedder
Williams		

Total--16

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The amendment was laid on the table.

Amendment No. 4A

Senator McLEOD proposed the following amendment (SR-4624.JG0109S), which was tabled:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-32-36(A) and inserting:

(A) A nurse, counselor, teacher, principal, or other official or staff at a public or private school shall not knowingly:

(1) encourage or coerce a minor to withhold from the minor’s parent or legal guardian the fact that the minor’s perception of his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

(2) withhold from a minor’s parent or legal guardian information related to the minor’s perception that his or her gender is inconsistent with his or her sex, as defined in Section 44-42-310.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Senator VERDIN moved to lay the amendment on the table.

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

Ayes 23; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Turner
Verdin	Young	

Total--23

NAYS

Allen	Devine	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	Malloy	Matthews

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McElveen	McLeod	Sabb
Senn	Setzler	Shealy
Stephens	Tedder	

Total--17

The amendment was laid on the table.

Amendment No. 5

Senator GUSTAFSON proposed the following amendment (SR-4624.JG0103S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-32-36(B)(1) and (2) and inserting:

(1) asserts to any school employee that the minor's gender is inconsistent with his or her sex, as defined in Section 44-42-310; or

Renumber sections to conform.

Amend title to conform.

Motion Failed

Pursuant to Rule 15A, Senator MASSEY moved that the entire matter of H. 4624 be brought to a close, that debate on amendments be limited to 5 minutes for proponents and 5 minutes for opponents, with the addition of one amendment by each the Minority leader and the Majority leader and that upon consideration of all amendments, the Senate would proceed to a vote on third reading of the Bill.

The question then was the adoption of the motion.

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

Ayes 21; Nays 18

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Garrett	Goldfinch	Grooms
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Young

Total--21

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NAYS

Allen	Bennett	Davis
Devine	Gustafson	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McElveen
McLeod	Sabb	Setzler
Stephens	Tedder	Williams

Total--18

Having failed to receive the necessary vote, the motion failed.

Senator GUSTAFSON spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Motion Adopted

Pursuant to Rule 15A, Senator MASSEY moved that the entire matter of H. 4624 be brought to a close, that debate on amendments be limited to 5 minutes for proponents and 5 minutes for opponents, that amendments be limited to four for the proponents, controlled by Senator VERDIN, and four for opponents, controlled by Senator HUTTO, and further that one amendment from Senator HUTTO and one amendment from Senator MASSEY be permitted and that upon completion of the amendments, the Senate move immediately to a vote on third reading of the Bill.

Motion Adopted

Senator HUTTO asked unanimous consent to proceed to Amendment No. 15.

There was no objection.

Amendment No. 15

Senator CASH proposed the following amendment (SR-4624.JG0106S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-320(D) and inserting:

(D) Subject to the provisions in subsection (A) and (B), nothing in this section prohibits a licensed health provider from offering mental health services within the scope of his practice.

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Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Amendment No. 7

Senator HUTTO proposed the following amendment (SMIN-4624.MW0080S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-360(C) and inserting:

(C) A person shall be required to bring a claim for a violation of Section 44-42-320 no later than three years after the day the cause of action accrues. A minor may bring an action before reaching eighteen years of age through a parent or guardian and may bring an action in the minor's own name upon reaching eighteen years of age at any time from that point until six years after.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 9

Senator MATTHEWS proposed the following amendment (SMIN-4624.MW0112S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-320(E) and inserting:

(E) A physician who knowingly performs genital gender reassignment surgery in violation of this chapter is guilty of assault and battery in the second degree as provided for in Section 16-3-600(D).

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

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The question then was the adoption of the amendment.

The amendment failed and was not adopted.

Amendment No. 10

Senator DAVIS proposed the following amendment (SR-4624.JG0111S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 44-42-330(1) and inserting:

(1) appropriate medical services to a person for precocious puberty, prostate cancer, breast cancer, endometriosis, or other procedure unrelated to gender transition, or to a person who was born with a medically verifiable disorder of sexual development including, but not limited to, a person with external biological sexual characteristics that are ambiguous including, but not limited to, people who were born with forty-six XX chromosomes with virilization or forty-six XY chromosomes with under virilization or having both ovarian and testicular tissue;

Re-number sections to conform.

Amend title to conform.

Senator DAVIS spoke in favor of the amendment.

Senator CASH spoke in favor of the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 11

Senator DEVINE proposed the following amendment (SMIN-4624.MW0113S), which was not adopted:

Amend the bill, as and if amended, SECTION 1, by adding:

Section 44-42-370. Any treatment for harm to a persons mental health caused by this act shall be covered by Medicaid.

Re-number sections to conform.

Amend title to conform.

Senator DEVINE spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

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The amendment failed and was not adopted.

Amendment No. 12

Senator DEVINE proposed the following amendment (SMIN-4624.AA0114S), which was not adopted:

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

SECTION X. A. As used in this section, "conversion therapy" means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

B. No provider in this state whose services include counseling or any professional licensed in this state shall engage in conversion therapy with a person under 18 years of age. Any conversion therapy efforts with a person under 18 years of age shall constitute unprofessional conduct and shall be grounds for disciplinary action by the appropriate regulatory authority.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE spoke in favor of the amendment.

Senator CASH spoke in opposition of the amendment.

The question then was the adoption of the amendment.

The amendment failed and was not adopted.

The question then was third reading of the Bill.

Point of Quorum

At 6:09 P.M., Senator HUTTO made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

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

Ayes 28; Nays 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Turner	Verdin	Williams
Young		

Total--28

NAYS

Allen	Devine	Harpootlian
Hutto	Jackson	Matthews
McLeod	Tedder	

Total--8

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

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

ADJOURNMENT

At 6:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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