

NO. 48

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

THURSDAY, APRIL 3, 2025

Thursday, April 3, 2025
(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:

Philippians 4:1

In Philippians Paul tells us: "Rejoice in the Lord always. I will say it again: Rejoice!"

Please bow in prayer with me: Glorious, ever-loving God, we know full well that there are zillions of reasons for each one of us to rejoice, to thank You for Your marvelous gifts to us, reasons for us to sing Your praises. Indeed, here in South Carolina each of us and our fellow citizens are richly surrounded by so much that is good and glorious. Incredible natural resources, unlimited opportunities, so many marvelously talented women and men at every turn: we are blessed indeed. Therefore, O Lord, we implore You to continue guiding each of our Senators as they search out more and more meaningful ways to make wise and creative use of these very treasures -- for the ongoing benefit of all. So we pray in Your wondrous name, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Ott	Peeler	Rankin

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Reichenbach	Rice	Sabb
Stubbs	Sutton	Tedder
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

Doctor of the Day

Senator ZELL introduced Dr. Mayes Dubose of Sumter, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ELLIOTT, at 11:11 A.M., Senator NUTT was granted a leave of absence for today.

Leave of Absence

On motion of Senator WALKER, at 11:21 A.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 11:59 A.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator SUTTON, at 12:02 P.M., Senators OTT and TEDDER were granted a leave of absence until 12:17 P.M.

Leave of Absence

At 12:05 P.M., Senator CROMER requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 12:40 P.M., Senator KIMBRELL was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

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

S. 14	Sen. Graham
S. 47	Sen. Graham
S. 147	Sen. Graham
S. 288	Sen. Graham

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RECALLED, AMENDED AND ADOPTED

H. 4150 -- Reps. Wickensimer, Bannister, Beach, Burns, Collins, B.J. Cox, Dillard, Frank, Gilreath, Haddon, Huff, Jones, Morgan, Vaughan and Willis: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF INTERSTATE HIGHWAY 85 FROM MILE MARKER 41 TO MILE MARKER 42 IN GREENVILLE COUNTY "SGT. W.C. JUMPER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS 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 amendment.

Senator RICE proposed the following amendment (SR-4150.KM0002S), which was adopted:

Amend the concurrent resolution, as and if amended, by striking the second undesignated paragraph and inserting:

That the members of the South Carolina General Assembly, by this resolution, request the Department of Transportation name the section of Interstate Highway 85 between S. Old Piedmont Highway and Interstate Highway 185 in Greenville County "Sgt. W.C. Jumper Highway" and erect appropriate markers or signs at this location containing this designation.

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question then was the adoption of the Resolution.

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On motion of Senator GROOMS, the Resolution was adopted and ordered returned to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 537 -- Senators Zell, Goldfinch, Verdin, Bennett, Corbin, Hembree, Fernandez, Cash, Johnson, Garrett, Climer, Turner, Rice, Kennedy, Chaplin, Nutt, Stubbs and Blackmon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-29-250 SO AS TO PROHIBIT SCHOOL DISTRICTS FROM REQUIRING TEACHERS TO ASSIGN A MINIMUM GRADE OR SCORE THAT EXCEEDS THE STUDENT'S ACTUAL PERFORMANCE.

sedu-0007kg25.docx

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

S. 538 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO GENERAL EXEMPTION FROM TAXES, SO AS TO DEFINE FARM BUILDING AND STRUCTURES QUALIFYING FOR THE EXEMPTION TO BE BUILDINGS AND STRUCTURES LOCATED ON PROPERTY THAT RECEIVES THE AGRICULTURAL ASSESSMENT RATIO; AND BY AMENDING SECTION 12-43-220, RELATING TO TAX CLASSIFICATIONS SO AS TO ALLOW FOR A TAXPAYER TO APPLY FOR A REFUND OF PROPERTY TAXES OVERPAID BECAUSE THE PROPERTY WAS ELIGIBLE FOR THE AGRICULTURAL ASSESSMENT RATIO.

sr-0055cem25.docx

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

S. 539 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-13-20, 40-13-110, 40-13-230, AND 40-13-240, ALL RELATING TO THE LICENSURE OF COSMETOLOGISTS, SO AS TO ADD REFERENCES TO ADVANCED ESTHETICIANS.

lc-0143ph25.docx

Read the first time and referred to the Committee on Labor, Commerce and Industry.

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S. 540 -- Senators Cash, Kimbrell, Kennedy, Leber, Reichenbach, Zell, Chaplin, Fernandez, Goldfinch, Blackmon, Adams, Corbin, Verdin, Gambrell, Garrett, Grooms, Rice, Campsen, Stubbs and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-20, RELATING TO DEFINITIONS, SO AS TO CLARIFY THAT RAISING A CHILD CONSISTENT WITH THE CHILD'S SEX DOES NOT CONSTITUTE CHILD ABUSE, NEGLECT, OR HARM.

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Senator CASH spoke on the Bill.

Read the first time and referred to the Committee on Family and Veterans' Services.

S. 541 -- Senator Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-20-30, RELATING TO DEFINITIONS PERTAINING TO INTELLECTUAL DISABILITY, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES, SO AS TO PROVIDE DEFINITIONS FOR HEAD INJURY AND SPINAL CORD INJURY; AND BY AMENDING SECTION 44-20-450, RELATING TO PROCEEDINGS FOR INVOLUNTARY ADMISSION, SO AS TO ADD HEAD INJURIES TO QUALIFYING DISABILITIES FOR PROCEEDINGS FOR INVOLUNTARY ADMISSION OF A PERSON.

smin-0082mw25.docx

Read the first time and referred to the Committee on Medical Affairs.

S. 542 -- Senator Davis: A SENATE RESOLUTION TO RECOGNIZE MAY 11 THROUGH MAY 17, 2025, AS "POLICE WEEK IN SOUTH CAROLINA" AND TO HONOR THE SERVICE AND SACRIFICE OF LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF DUTY WHILE PROTECTING OUR COMMUNITIES AND SAFEGUARDING DEMOCRACY.

lc-0214hdb-gm25.docx

The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 543 -- Senators Kimbrell and Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE OF

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INTERSTATE 26 AND HIGHWAY 11 AT EXIT 5 IN SPARTANBURG COUNTY "JOHN W. PARRIS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0283km-vc25.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 544 -- Senators Tedder, Adams, Alexander, Allen, Bennett, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Cromer, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Jackson, Johnson, Kennedy, Kimbrell, Leber, Martin, Massey, Matthews, Nutt, Ott, Peeler, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Turner, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO ENCOURAGE EACH INDIVIDUAL IN SOUTH CAROLINA TO BECOME BETTER INFORMED ABOUT AND AWARE OF KIDNEY DISEASE AND APOL1-MEDIATED KIDNEY DISEASE, TO ENCOURAGE PEOPLE FROM OR WITH ANCESTRY FROM WESTERN AND CENTRAL AFRICA TO CONSIDER GENETIC TESTING FOR APOL1 GENE MUTATIONS, AND TO DECLARE TUESDAY, APRIL 29, 2025, AS "APOL1-MEDIATED KIDNEY DISEASE AWARENESS DAY" IN THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

REPORT OF STANDING COMMITTEE

Senator PEELER from the Committee on Finance polled out S. 534 favorable:

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

**Poll of the Finance Committee
Polled 23; Ayes 22; Nays 1**

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AYES

Peeler	Alexander	Grooms
Verdin	Cromer	Jackson
Williams	Davis	Martin
Allen	Bennett	Corbin
Hembree	Turner	Gambrell
Goldfinch	Young	Matthews
Hutto	Sabb	Rice
Garrett		

TOTAL—22

NAYS

Climer

TOTAL--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 3, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS;

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AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow

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

READ THE THIRD TIME

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SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House:

S. 210 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

S. 269 -- Senators Turner, Elliott and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION

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59-19-275 SO AS TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO QUALIFICATIONS OF A LICENSEE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO QUALIFICATIONS OF APPLICANTS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM APPLICATIONS OF THIS CHAPTER, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

AMENDED, READ THE SECOND TIME

S. 171 -- Senators Gambrell and Garrett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170(E) THROUGH (F), RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170(N) THROUGH (S), RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (SR-171.CEM0004S), which was adopted:

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Amend the bill, as and if amended, SECTION 1, by striking Section 39-75-210(A)(2) and (3) and inserting:

(2) damage exposing the reinforcing plies of the tire, including cuts, cracks, bulges, or punctures, ~~or scrapes~~;

(3) an improper repair that includes any repair to the tire in the ~~tread shoulder or belt edge area, a puncture that has not been both sealed with a patch on the inside and repaired with a cured rubber stem plugging that runs to the outside~~, a repair to the sidewall or bead area of the tire, or a puncture repair of damage that is larger than ~~one quarter~~ three-eighths of an inch in size;

Amend the bill further, SECTION 1, by striking Section 39-75-210(A)(6) and (7) and inserting:

(6) inner liner or bead damage, such as a blistered liner or inner cracks; or

(7) indication of internal separation, such as bulges, carcass-to-belt or belt-to-belt separation ~~or local areas of irregular tread wear indicating possible tread or belt separation~~.

Amend the bill further, SECTION 1, by striking Section 39-75-220(3) and inserting:

(3) tires intended solely for agricultural use or for off the road ~~industrial~~ use.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Johnson

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Kimbrell	Leber	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Walker	Williams
Young		

Total--37

NAYS

Total--0

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

S. 171--Ordered to a Third Reading

On motion of Senator GAMBRELL, S. 171 was ordered to receive a third reading on Friday, April 4, 2025.

Recorded Vote

Senator CORBIN desired to be recorded as voting against the third reading of the Bill.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

The Senate proceeded to the consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-12.BJ0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-31-205(A) and inserting:

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(A) The Public Service Authority shall have the power to jointly own, as tenants-in-common or through a limited liability company, with ~~investor-owned electric utilities, electrical generation and transmission facilities~~ Dominion Energy South Carolina, Inc., one or more natural gas-fired generation facilities, and related transmission facilities, to be constructed on a site at or near Dominion Energy South Carolina, Inc.'s former Canadys coal-fired generation station in Colleton County, the power to plan, finance, acquire, own, operate, and maintain an interest in such plants and facilities necessary or incidental to the generation and transmission of electric power, and the power to make plans and enter into such contracts as are necessary or convenient for the planning, financing, acquisition, construction, ownership, operation, and maintenance of such plants and facilities. However, the Public Service Authority shall own a percentage of such plants and facilities equal to the percentage of the money furnished or the value of property supplied by the Public Service Authority for the acquisition and construction of the plants and facilities. The Public Service Authority shall also own and control a like percentage of the electrical output thereof.

Re-number sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 25; Nays 18

AYES

Adams	Alexander	Allen
Bennett	Cromer	Devine
Elliott	Fernandez	Goldfinch
Graham	Grooms	Hembree
Jackson	Kennedy	Kimbrell
Leber	Ott	Rankin
Sabb	Sutton	Tedder
Verdin	Walker	Williams
Young		

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Total--25

NAYS

Blackmon	Campsen	Cash
Chaplin	Climer	Corbin
Davis	Gambrell	Garrett
Johnson	Martin	Massey
Peeler	Reichenbach	Rice
Stubbs	Turner	Zell

Total--18

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

READ THE SECOND TIME

S. 469 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ELECTRONIC HARVEST REPORTING OF BIG GAME - SC GAME CHECK, DESIGNATED AS REGULATION DOCUMENT NUMBER 5331, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Johnson

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Kennedy	Kimbrell	Leber
Martin	Massey	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

Total--39

NAYS

Total--0

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

S. 469--Ordered to a Third Reading

On motion of Senator CAMPSSEN, S. 469 was ordered to receive a third reading on Friday, April 4, 2025.

READ THE SECOND TIME

S. 470 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS; AND BEAR HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5332, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

The question being the second reading of the Resolution.

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

Ayes 41; Nays 0

AYES

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Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Corbin	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Ott	Peeler	Rankin
Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Walker	Williams
Young	Zell	

Total--41

NAYS

Total--0

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

S. 470--Ordered to a Third Reading

On motion of Senator CAMPSSEN, S. 470 was ordered to receive a third reading on Friday, April 4, 2025.

OBJECTION

S. 446 -- Senators Young and Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "ELECTRIC RATE STABILIZATION ACT"; AND BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58, SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION TO ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, PROVIDE PROTECTIONS FOR CUSTOMERS, AND AUTHORIZE AN ADDITIONAL ELECTRIC UTILITY POSITION FOR THE OFFICE OF REGULATORY STAFF.

Senator MARTIN objected to consideration of the Bill.

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CARRIED OVER

H. 3654 -- Reps. Calhoun, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

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

POINT OF ORDER

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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

MOTION ADOPTED

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At 12:16 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 3309--Reps. G.M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M.M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY ACT". (Abbreviated title)

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

Motion Adopted

On motion of Senator DAVIS, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 37

Senator DAVIS proposed the following amendment (LC-3309.HA0102S), which was adopted:

Amend the bill, as and if amended, SECTION 19, by striking Section 58-41-20(E)(2) and inserting:

(2) The commission is authorized to open a generic docket for the purposes of creating programs for the competitive procurement of energy and capacity from renewable energy facilities by an electrical utility within the utility's balancing authority area if the commission determines such action to be in the public interest.

Amend the bill, as and if amended, by striking SECTION 20 from the bill.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Motion Adopted

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On motion of Senator MASSEY, under Rule 26B, the Senate agreed to take up a further amendment on third reading.

Amendment No. 38A

Senator MASSEY proposed the following amendment (LC-3309.HA0104S), which was adopted:

Amend the bill, as and if amended, by striking SECTION 45 and inserting:

SECTION 45.A. Section 12-36-2120(65) of the S.C. Code is amended to read:

(65)(a) computer equipment, as defined in subitem (c) of this item, used in connection with a technology intensive facility as defined in Section 12-6-3360(M)(14)(b), where:

(i) the taxpayer invests at least three hundred million dollars in real or personal property or both comprising or located at the facility over a five-year period;

(ii) the taxpayer creates at least one hundred new full-time jobs at the facility during that five-year period, and the average cash compensation of at least one hundred of the new full-time jobs is one hundred fifty percent of the per capita income of the State according to the most recently published data available at the time the facility's construction starts; ~~and~~

(iii) at least sixty percent of the three hundred million dollars minimum investment consists of computer equipment; and

(iv) the taxpayer enters into a fee in lieu agreement on or before May 30, 2025, and any subsequent renewal of that agreement.

(b) computer equipment, as defined in subitem (c) of this item, used in connection with a manufacturing facility, where:

(i) the taxpayer invests at least seven hundred fifty million dollars in real or personal property or both comprising or located at the facility over a seven-year period; and

(ii) the taxpayer creates at least three thousand eight hundred full-time new jobs at the facility during that seven-year period.

As used in this subitem, "taxpayer" includes a person who bears a relationship to the taxpayer as described in Section 267(b) of the Internal Revenue Code.

(c) For the purposes of this item, "computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the

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primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research.

(d) These exemptions apply from the start of the investment in or construction of the technology intensive facility or the manufacturing facility. The taxpayer shall notify the Department of Revenue of its use of the exemption provided in this item on or before the first sales tax return filed with the department after the first such use. Upon receipt of the notification, the department shall issue an appropriate exemption certificate to the taxpayer to be used for qualifying purposes under this item. Within six months after the fifth anniversary of the taxpayer's first use of this exemption, the taxpayer shall notify the department in writing that it has or has not met the investment and job requirements of this item by the end of that five-year period. Once the department certifies that the taxpayer has met the investment and job requirements, all subsequent purchases of or investments in computer equipment, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption described above, regardless of when the taxpayer makes the investments.

(e) The department may assess any tax due on property purchased tax free pursuant to this item but due the State if the taxpayer subsequently fails timely to meet the investment and job requirements of this item after being granted the exemption; for purposes of determining whether the taxpayer has timely satisfied the investment requirement, replacement computer equipment counts toward the investment requirement to the extent that the value of the replacement computer equipment exceeds the cost of the computer equipment so replaced, but, provided the taxpayer otherwise qualifies for the exemption, the full value of the replacement computer equipment is exempt from sales and use tax. The running of the periods of limitation within which the department may assess taxes provided pursuant to Section 12-54-85 is suspended during the time period beginning with the taxpayer's first use of this exemption and ending with the later of the fifth anniversary of first use or notice to the department that the taxpayer either has met or has not met the investment and job requirements of this item;

B. Section 12-36-2120(66) of the S.C. Code is amended to read:

(66) electricity used by a technology intensive facility as defined in Section 12-6-3360(M)(14)(b) and qualifying, on or before May 30, 2025, for the sales tax exemption provided pursuant to item (65) of this section, and the equipment and raw materials including, without limitation, fuel used by such qualifying facility to generate, transform, transmit,

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distribute, or manage electricity for use in such a facility. The running of the periods of limitation within which the department may assess taxes pursuant to Section 12-54-85 is suspended during the same time period it is suspended in item (65)(d) of this section;

C. Section 12-36-2120(79) of the S.C. Code is amended to read:

(79)(A)(1) original or replacement computers, computer equipment, and computer hardware and software purchases used within a datacenter; and

(2) electricity used by a datacenter and eligible business property to be located and used at the datacenter. This subsubitem does not apply to sales of electricity for any other purpose, and such sales are subject to the tax, including, but not limited to, electricity used in administrative offices, supervisory offices, parking lots, storage warehouses, maintenance shops, safety control, comfort air conditioning, elevators used in carrying personnel, cafeterias, canteens, first aid rooms, supply rooms, water coolers, drink boxes, unit heaters and waste house lights.

(B) As used in this section:

(1) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(2) "Computer equipment" means original or replacement servers, routers, switches, power units, network devices, hard drives, processors, memory modules, motherboards, racks, other computer hardware and components, cabling, cooling apparatus, and related or ancillary equipment, machinery, and components, the primary purpose of which is to store, retrieve, aggregate, search, organize, process, analyze, or transfer data or any combination of these, or to support related computer engineering or computer science research. This also includes equipment cooling systems for managing the performance of the datacenter property, including mechanical and electrical equipment, hardware for distributed and mainframe computers and servers, data storage devices, network connectivity equipment, and peripheral components and systems.

(3) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(4) "Concurrently maintainable" means capable of having any capacity component or distribution element serviced or repaired on a planned basis without interrupting or impeding the performance of the computer equipment.

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(5) “Datacenter” means a new or existing facility at a single location in South Carolina:

(i) that provides infrastructure for hosting or data processing services and that has power and cooling systems that are created and maintained to be concurrently maintainable and to include redundant capacity components and multiple distribution paths serving the computer equipment at the facility. Although the facility must have multiple distribution paths serving the computer equipment, a single distribution path may serve the computer equipment at any one time;

(ii)(a) where a taxpayer invests at least fifty million dollars in real or personal property or both over a five year period; or

(b) where one or more taxpayers invests a minimum aggregate capital investment of at least seventy-five million dollars in real or personal property or both over a five year period;

(iii) where a taxpayer creates and maintains at least twenty-five full-time jobs at the facility with an average cash compensation level of one hundred fifty percent of the per capita income of the State or of the county in which the facility is located, whichever is lower, according to the most recently published data available at the time the facility is certified by the Department of Commerce;

(iv) where the jobs created pursuant to subitem (B)(5)(iii) are maintained for three consecutive years after a facility with the minimum capital investment and number of jobs has been certified by the Department of Commerce; and

(v) which is certified by the Department of Commerce pursuant to subitem (D)(1) under such policies and procedures as promulgated by the Department of Commerce.

(6) “Eligible business property” means property used for the generation, transformation, transmission, distribution, or management of electricity, including exterior substations and other business personal property used for these purposes.

(7) “Multiple distribution paths” means a series of distribution paths configured to ensure that failure on one distribution path does not interrupt or impede other distribution paths.

(8) “Redundant capacity components” means components beyond those required to support the computer equipment.

(C)(1) To qualify for the exemption allowed by this item, a taxpayer, and the facility in the case of a seventy-five million dollar investment made by more than one taxpayer, shall, on or before May 30, 2025, notify the Department of Revenue and Department of Commerce, in writing, of its intention to claim the exemption. For purposes of

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meeting the requirements of subitems (B)(5)(ii) and (B)(5)(iii), capital investment and job creation begin accruing once the taxpayer notifies each department. Also, the five-year period begins upon notification.

(2) Once the taxpayer meets the requirements of subitem (B)(5), or at the end of the five-year period, the taxpayer shall notify the Department of Revenue, in writing, whether it has or has not met the requirements of subitem (B)(5). The taxpayer shall provide the proof the department determines necessary to determine that the requirements have been met.

(D)(1) Upon notifying each department of its intention to claim the exemption pursuant to subitem (C)(1), and upon certification by the Department of Commerce, the taxpayer may claim the exemption on eligible purchases at any time during the period provided in Section 12-54-85(F), including the time period prior to subitem (B)(5)(iv) being satisfied.

(2) For purposes of this section, the running of the periods of limitations for assessment of taxes provided in Section 12-54-85 is suspended for:

(i) the time period beginning with notice to each department pursuant to subitem (C)(1) and ending with notice to the Department of Revenue pursuant to subitem (C)(2); and

(ii) during the three year job maintenance requirement pursuant to subitem (B)(5)(iv).

(E) Any subsequent purchase of or investment in computer equipment, computer hardware and software, and computers, including to replace originally deployed computer equipment or to implement future expansions, likewise shall qualify for the exemption provided in this subitem, regardless of when the taxpayer makes the investments.

(F)(1) If a taxpayer receives the exemption for purchases but fails to meet the requirements of subitem (B)(5) at the end of the five-year period, the department may assess any state or local sales or use tax due on items purchased.

(2) If a taxpayer meets the requirements of subitem (B)(5), but subsequently fails to maintain the number of full-time jobs with the required compensation level at the facility, as previously required pursuant to subitem (B)(5)(iii), the taxpayer is:

(i) not allowed the exemption for items described in subitem (A)(1) until the taxpayer meets the previous qualifying jobs requirements pursuant to subitem (B)(5)(iii); and

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(ii) allowed the exemption for electricity pursuant to subitem (A)(2), but the exemption only applies to a percentage of the sale price, calculated by dividing the number of qualifying jobs by twenty-five.

(G) This subitem only applies to a datacenter that is certified by the Department of Commerce pursuant to subitem (D)(1) prior to ~~January 1, 2032~~ May 30, 2030. However, this item shall continue to apply to a taxpayer that is certified by ~~December 31, 2031~~ May 29, 2030, for an additional ten year period. Upon the end of the ten year period, this subitem is repealed;

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then was third reading of the Bill.

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

Ayes 38; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Blackmon	Campsen
Cash	Chaplin	Climer
Davis	Devine	Elliott
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Leber	Ott
Peeler	Rankin	Reichenbach
Rice	Sabb	Stubbs
Sutton	Tedder	Turner
Verdin	Walker	Williams
Young	Zell	

Total--38

NAYS

Corbin	Martin	Massey
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Total--3

There being no further amendments, the Bill, as amended, 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 that when the Senate stands adjourned on Thursday, April 3, that it will adjourn to meet Friday, April 4, 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; and, further, that when the Senate stands adjourned on Friday, April 4, the Senate would stand adjourned subject to the times and limitations set forth under the provisions of Rule 1B to meet on Tuesday, April 8, Wednesday, April 9, and Thursday, April 10, and Friday, April 11 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, And further, the Senate would meet in regular statewide session Tuesday, April 15, at 12:00 Noon.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator DEVINE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms.

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Henrietta Carter Pope of Columbia, S.C. Henrietta graduated from Boylan Haven-Mather Academy in Camden before graduating from Shaw University with a degree in elementary and health education. She also earned a master's degree from South Carolina State College. Henrietta taught health education and coached the women's basketball team at Benedict College. She later taught special education at Jackson Elementary School and served for twenty-three years as an educator at W.A. Perry Middle School in Richland School District One. Henrietta was a member of Second Calvary Baptist Church where she served as a Deacon for sixty-two years. She established a scholarship to assist high school students pursuing a higher education degree at a South Carolina college or university. Henrietta was a golden life member of Delta Sigma Theta, Inc. and lived in the Greenview Community for sixty-two years and served as secretary of the Greenview Community Club. Henrietta was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 12:46 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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