

# MINUTES

## SENATE JUDICIARY COMMITTEE

**Tuesday, February 20, 2018**  
**11:00 a.m., Room 105, Gressette Building**

*Senators in attendance: Rankin, Hutto, Malloy, Massey, Massey, Johnson, Shealy, Turner, Young, Kimpson, Sabb, Bright Matthews, Gambrell, Climer, Fanning, Goldfinch, McLeod, Rice, Senn, Talley, Timmons, Cash*

---

### SUBCOMMITTEE REPORTS

---

- A) **S. 217 -- Senators Bryant, Rice, Cromer, Martin, Corbin, Verdin, Turner, Young, Timmons, Davis, Talley, Shealy, Grooms, Peeler, Goldfinch, Climer, Gambrell, Williams, Gregory, Cash and Hembree:** A BILL TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF THE GOVERNMENT GENERALLY, BY ADDING ARTICLE 5, TO ENACT THE PERSONHOOD ACT OF SOUTH CAROLINA, TO ESTABLISH THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING.

*On motion of Senator Cash, amendment .017 was adopted by 12-10. Proxy Senator Timmons. Senator Senn moved to recommit S. 217 to subcommittee. Senator Rice moved to table the motion. By vote of 11-11, the motion to table failed. Proxy Senator Timmons. By vote of 11-11, Senator Senn's motion to recommit S. 217 to subcommittee failed. Proxy Senator Timmons. On motion of Senator Malloy, the bill was reported out favorable with amendment 12-9. Proxy Senator Timmons. Senator Senn abstain.*

*In favor: Timmons, Talley, Rice, Goldfinch, Climer, Gambrell, Cash, Turner, Massey, Rankin, Shealy, Young*

*Opposed: Fanning, McLeod, Bright Matthews, Kimpson, McElveen, Malloy, Hutto, Johnson, Sabb*

- B) **H. 3318 -- Reps. Pitts, G.R. Smith, Long, Tallon and Toole:** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 23 SO AS TO ESTABLISH THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE STATE LAW ENFORCEMENT DIVISION; TO REPEAL SECTION 23-6-60 RELATING TO THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT ESTABLISHED WITHIN THE DEPARTMENT OF PUBLIC SAFETY; AND TO TRANSFER ALL THE ASSOCIATED EMPLOYEES, AUTHORIZED APPROPRIATIONS, ASSETS, AND LIABILITIES.

*The bill was not taken up.*

- C) **S. 541 -- Senator Shealy:** A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO THE CHILD PROTECTION AND PERMANENCY DEFINITIONS TO PROVIDE THAT A CHILD VICTIM OF SEX TRAFFICKING OR SEVERE FORMS OF TRAFFICKING IN PERSONS IS A VICTIM OF CHILD ABUSE OR NEGLECT.

*The bill was not taken up.*

- D) **H. 3865 -- Reps. Bernstein, Delleney, Ridgeway, King, Whipper, J.E. Smith and Knight:** A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA PREGNANCY ACCOMMODATIONS ACT”; TO AMEND SECTION 1-13-30, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA HUMAN AFFAIRS LAWS, SO AS TO REVISE THE TERMS “BECAUSE OF SEX” OR “ON THE BASIS OF SEX” USED IN THE CONTEXT OF EQUAL TREATMENT FOR WOMEN AFFECTED BY PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS; TO AMEND SECTION 1-13-80, AS AMENDED, RELATING TO UNLAWFUL EMPLOYMENT PRACTICES OF AN EMPLOYER, SO AS TO ADD CERTAIN OTHER UNLAWFUL EMPLOYMENT PRACTICES IN REGARD TO FAILURE TO PROVIDE REASONABLE ACCOMMODATIONS FOR AN APPLICANT FOR EMPLOYMENT OR EMPLOYEE WITH LIMITATIONS BECAUSE OF PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS, AND TO PROVIDE FOR NOTICE AND APPLICABILITY TO EMPLOYEES TO WHOM THE ABOVE PROVISIONS APPLY; AND TO PROVIDE NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF THIS ACT, THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION SHALL PROMULGATE REGULATIONS, WHICH SHALL IDENTIFY SOME REASONABLE ACCOMMODATIONS ADDRESSING KNOWN LIMITATIONS RELATED TO PREGNANCY, CHILDBIRTH, OR RELATED MEDICAL CONDITIONS THAT MUST BE PROVIDED TO A JOB APPLICANT OR EMPLOYEE, UNLESS THE EMPLOYER CAN DEMONSTRATE THAT DOING SO WOULD IMPOSE AN UNDUE HARDSHIP.

*Verbal amendment by Senator Malloy was adopted by verbal vote. On motion of Senator Hutto, the bill was reported out favorable with amendment.*

---

## AGENCY OVERSIGHT REVIEW REPORT

---

SECRETARY OF STATE