**South Carolina General Assembly**

118th Session, 2009-2010

**S. 229**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Bryant, Rose, Shoopman, Massey, Davis, Bright and McConnell

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Companion/Similar bill(s): 221, 3540

Introduced in the Senate on January 13, 2009

Currently residing in the Senate Committee on **Finance**

Summary: Truth in Spending Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/17/2008 Senate Prefiled

12/17/2008 Senate Referred to Committee on **Finance**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑188

1/13/2009 Senate Referred to Committee on **Finance** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑188

**VERSIONS OF THIS BILL**

[12/17/2008](file:///p:\pprever\2009-10\229_20081217.docx)

**A** **BILL**

TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF GOVERNMENT, BY ADDING ARTICLE 17, THE TRUTH IN SPENDING ACT, TO PROVIDE THAT THE COMPTROLLER GENERAL FOR EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, TO PROVIDE THAT THE COMPTROLLER GENERAL FOR EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO PUBLIC OFFICIALS AND EMPLOYEES FOR PUBLIC USE, AND TO PROVIDE THAT EACH LOCAL GOVERNMENTAL ENTITY MUST ANNUALLY POST ONLINE A LISTING OF ITS FULL TIME EMPLOYEES GROUPED BY CLASS ALONG WITH THE NUMBER OF FULL TIME POSITIONS IN EACH CLASS AND THE AVERAGE SALARY IN EACH CLASS.

Be it enacted by the General Assembly of the State of South Carolina:

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

“Article 17

Truth In Spending Act

Section 1‑1‑1100. For the purposes of this article:

(1) ‘Class’ means a group of positions sufficiently similar in the duties performed, degree of supervision exercised or received, minimum requirements of education or experience, and the knowledge, skills, and abilities required to perform the functions and duties of the position.

(2) ‘Detailed description of the expenditure’ means a description of an expenditure that enables the reader to distinguish that expenditure from other expenditures and is particular enough in its account of the expenditure that the reader is able to discern the purpose of the expenditure.

(3) ‘Local governmental entity’ means every county, municipal corporation, township, school district, special purpose district, drainage district, or other taxing or governmental unit organized under the laws of the State.

(4) ‘State agency’ means an agency, department, or institution of state government.

Section 1‑1‑1110. (A) The comptroller general shall maintain a transaction register for each state agency that includes a complete record of all funds expended over one hundred dollars, from whatever source for whatever purpose. The register must be prominently posted on the comptroller general’s internet website and made available for public viewing and downloading.

(1)(a) The register must include for each expenditure:

(i) the transaction amount;

(ii) the name of the payee; and

(iii) a statement providing a detailed description of the expenditure.

(b) The register must not include an entry for salary, wages, or other compensation paid to individual employees.

(c) The register must not include any information that can be used to identify an individual employee.

(d) The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure.

(2) The register must be searchable and updated at least once a month. Each monthly register must be maintained on the internet website for at least five years.

(B) The comptroller general shall also maintain for each state agency on its internet website a copy of each monthly statement for all of the credit cards maintained by each agency, including credit cards issued to its officers or employees for official use.

(1) The credit card number on each statement must be redacted prior to posting on the internet website.

(2) Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid. Each statement must be maintained on the website for at least five years.

Section 1‑1‑1120. (A) Each local governmental entity in the State shall maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source for whatever purpose. The register must be prominently posted on the entity’s internet website and made available for public viewing and downloading.

(1)(a) The register must include for each expenditure:

(i) the transaction amount;

(ii) the name of the payee; and

(iii) a statement providing a detailed description of the expenditure.

(b) The register must not include an entry for salary, wages, or other compensation paid to individual employees.

(c) The register must not include any information that can be used to identify an individual employee.

(d) The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure.

(2) The register must be searchable and updated at least once a month. Each monthly register must be maintained on the internet website for at least five years.

(B) Each local governmental entity shall also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use.

(1) The credit card number on each statement must be redacted prior to posting on the internet website.

(2) Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid. Each statement must be maintained on the website for at least five years.

Section 1‑1‑1130. (A) Each year, on or before February first, each local governmental entity in the State must post on its internet website a listing of all of its full time positions grouped by class. The listing must provide the number of full time employees, average compensation in each class, and the actual compensation for each position receiving annual compensation equal to or more than fifty thousand dollars per year. The posting required by this section must be maintained on the district’s internet website for five years.

(B) Each state agency shall post on its internet website the report that must be prepared pursuant to Section 1‑1‑970. Each report must be maintained on the internet website for five years.

Section 1‑1‑1140. (A) The comptroller general must establish and maintain a website to contain the information required by this article from a local governmental entity that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the local governmental entities and search for the information they are seeking.

(B) Local governmental entities that do not maintain an internet website must transmit all information required by this article to the comptroller general in a manner and at a time determined by the comptroller general to be included on the internet website required by this section.

Section 1‑1‑1150. The provisions of this article shall not be construed to require any law enforcement agency to report in detail expenditures which would jeopardize the necessary confidentiality of its operations, but all such agencies shall report the total amount of funds expended for payments to informants and for purchases of illegal substances in connection with criminal investigations.

Section 1‑1‑1160. The provisions contained in this article do not amend, suspend, supercede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.”

SECTION 2. This act takes effect January 1, 2010.

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