**A** **JOINT RESOLUTION**

TO CREATE THE SOUTH CAROLINA UNBORN CHILDREN’S MONUMENT COMMISSION TO ERECT A MONUMENT ON THE STATE HOUSE GROUNDS AS A MEMORIAL TO SOUTH CAROLINA CHILDREN WHOSE LIVES ENDED BEFORE THEIR BIRTH AND TO PROVIDE FOR THE POWERS AND DUTIES OF THE COMMISSION AND TO REQUIRE PRIVATE FUNDING FOR THE ESTABLISHMENT OF THIS MONUMENT.

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

SECTION 1. (A) There is created the South Carolina Unborn Children’s Monument Commission to direct that a monument be erected on the State House grounds as a memorial to South Carolina children whose lives ended before their birth. The commission is empowered and directed to raise private funds and to receive gifts and grants to carry out the purpose for which it is created. The commission in this regard shall have the power to cause to be created a tax‑exempt nonprofit corporation the purpose of which shall be to receive and disburse funds for the South Carolina Unborn Children’s Monument. The staff of the State Budget and Control Board shall assist the commission with the preparation and maintenance of financial records for the purpose of ensuring proper accounting of the records. The financial records are public records for purposes of the Freedom of Information Act, except that the names of anonymous donors must not be disclosed.

(B) By January 1, 2010, the commission shall report the specific design and location of the monument to the State House Committee for its approval. After action by the committee approving the design and location, the State House Committee shall cause to be introduced a concurrent resolution serving as the instrument of approval. The State shall ensure proper maintenance of the monument as is done for other historical monuments on the State House grounds.

(C) Four members of the commission must be appointed by the President Pro Tempore of the Senate, four members must be appointed by the Speaker of the House of Representatives, and one member must be appointed by the Governor. Notwithstanding Section 8‑13‑770 of the 1976 Code, members of the General Assembly may be appointed to this commission. One of the members appointed by the President Pro Tempore must be a senator and one of the members appointed by the Speaker must be a member of the House of Representatives.

(D) The commission shall elect a chairman, vice chairman, and such other officers as it considers appropriate from among its membership. The senior senator of the commission shall call an organizational meeting for the purpose of electing officers and other matters that may arise. Commission members are not entitled to receive the subsistence, mileage, and per diem otherwise provided by law for members of state boards, committees, and commissions.

(E) The commission established pursuant to this section is dissolved on January 1, 2012, or upon the dedication of the monument, whichever occurs first.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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