AMENDED

January 14, 2010

**S. 517**

Introduced by Senators Davis, Bright, Shoopman, Ryberg, Bryant, Mulvaney, Fair, Peeler and Rose

S. Printed 1/14/10--S.

Read the first time March 4, 2009.

**A** **JOINT RESOLUTION**

TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL NOT AUTHORIZE A STATE AGENCY, DEPARTMENT, OR ENTITY TO INCREASE OR IMPLEMENT A FEE, PENALTY, OR FINE IN THE STATE GENERAL APPROPRIATIONS ACT OR OTHER ACTS SUPPLEMENTAL TO THAT ACT; TO PROVIDE THAT ANY INCREASE OR IMPLEMENTATION OF A FEE OR FINE MAY ONLY BE AUTHORIZED BY AN ACT SEPARATE FROM AN APPROPRIATIONS ACT; TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, OR ENTITY MAY INCREASE OR IMPLEMENT BY REGULATION OR ADMINISTRATIVE ACTION A FEE, PENALTY, OR FINE; AND TO PROVIDE EXCEPTIONS FOR INTERNAL CHARGES BETWEEN STATE AGENCIES AND FOR FEES, INCLUDING TUITION, IMPOSED BY SCHOOLS AND COLLEGES ON STUDENTS; AND TO PROVIDE FOR THE EXPIRATION OF THIS JOINT RESOLUTION JULY 1, 2010, UNLESS REAUTHORIZED BY LAW

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

SECTION 1. (A) The General Assembly shall not authorize a state agency, department, or entity to increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction in the temporary or permanent provisions of the State General Appropriation Act or acts supplemental thereto, and any increase or implementation of any fee or fine may only be authorized by an act separate from an appropriations act.

(B) Notwithstanding any other provision of law, from the effective date of this joint resolution, no state agency, department, or entity may increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction by regulation or administrative action.

(C) The provisions of this section do not apply to internal charges between state agencies, departments, or entities or any fees or charges, including tuition, made by schools or colleges to students of the institution for instruction, activities, or materials provided or furnished to those students.

(D) The provisions of this section expire July 1, 2010 unless reauthorized by the General Assembly by law.

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