**South Carolina General Assembly**

119th Session, 2011-2012

**S. 137**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen and Rose

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Companion/Similar bill(s): 68, 1045

Introduced in the Senate on January 11, 2011

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

Summary: S.C. Zero-Base Budget Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/1/2010 Senate Prefiled

12/1/2010 Senate Referred to Committee on **Finance**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 67](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Finance** ([Senate Journal‑page 67](file:///h:\sj%20archive\2011\01-11-11.docx))

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p:\pprever\2011-12\137_20101201.docx)

**A** **BILL**

TO ENACT THE “SOUTH CAROLINA ZERO‑BASE BUDGET ACT” BY AMENDING SECTION 2‑1‑180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY SINE DIE ADJOURNMENT DATE OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT AFTER CONVENING OF THE ANNUAL SESSION OF THE GENERAL ASSEMBLY, THE GENERAL ASSEMBLY SHALL MEET IN LOCAL SESSION ONLY FOR A PERIOD OF THIRTY CALENDAR DAYS IN ODD‑NUMBERED YEARS FOR THE PURPOSE OF DEVELOPING IN COMMITTEE A BIENNIAL STATE GENERAL APPROPRIATIONS ACT, TO PROVIDE THAT THE GENERAL ASSEMBLY IN EVEN‑NUMBERED YEARS SHALL ADJOURN SINE DIE NOT LATER THAN FIVE O’CLOCK P.M. ON THE FIRST THURSDAY IN MAY, TO PROVIDE THAT IN ANY ODD‑NUMBERED YEAR BEGINNING IN 2013 IN WHICH THE BIENNIAL GENERAL APPROPRIATIONS ACT IS GIVEN THIRD READING BEFORE MARCH THIRTY‑FIRST BY THE HOUSE OF REPRESENTATIVES, THE DATE OF SINE DIE ADJOURNMENT FOR THAT YEAR IS SHORTENED BY ONE STATEWIDE DAY FOR EACH STATEWIDE DAY BEFORE MARCH THIRTY‑FIRST THAT THE ACT IS GIVEN THIRD READING BY THE HOUSE OF REPRESENTATIVES; AND TO AMEND SECTION 2‑7‑60, RELATING TO THE ANNUAL GENERAL APPROPRIATIONS ACT, SO AS TO PROVIDE THAT BEGINNING WITH ITS 2013 SESSION FOR THE ENSUING TWO FISCAL YEARS, THE GENERAL ASSEMBLY SHALL ENACT A BIENNIAL STATE GENERAL APPROPRIATIONS ACT, AND TO REQUIRE THE GOVERNOR AND THE GENERAL ASSEMBLY INCLUDING ITS APPROPRIATE COMMITTEES TO USE A “ZERO‑BASE” BUDGET PROCESS IN THE PREPARATION OF THE BIENNIAL STATE GENERAL APPROPRIATIONS ACT, AND TO PROVIDE FOR CERTAIN CRITERIA WHICH MUST BE USED IN THIS ZERO‑BASE BUDGET PROCESS.

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

SECTION 1. This act may be cited as the “South Carolina Zero‑Base Budget Act”.

SECTION 2. Section 2‑1‑180 of the 1976 Code is amended to read:

“Section 2‑1‑180. (A) After the convening of the annual session of the General Assembly on the second Tuesday in January of each year as provided in Section 9, Article III of the Constitution of this State, the General Assembly shall meet in local session only for a period of thirty calendar days in odd‑numbered years for the purpose of developing in committee the biennial state general appropriations act and for the consideration in committee of other legislative matters. However, either or both houses may meet in statewide session during this thirty‑day period upon a two‑thirds vote of that particular body.

(B) Except as otherwise provided in this section, the regular annual session of the General Assembly shall adjourn sine die each year not later than ~~5:00~~ five o’clock p.m. on the first Thursday in June in odd‑numbered years and not later than five o’clock p.m. on the first Thursday in May in even‑numbered years. In any year that the House of Representatives fails to give third reading to the annual general ~~appropriation~~ appropriations bill by March thirty‑first in odd‑numbered years, the date of sine die adjournment is extended by one statewide day for each statewide day after March thirty‑first that the House of Representatives fails to give the bill third reading. In any odd‑numbered year beginning in 2013 in which the biennial general appropriations act is given third reading before March thirty‑first by the House of Representatives, the date of sine die adjournment for that year is shortened by one statewide day for each statewide day before March thirty‑first that the act is given third reading by the House of Representatives. The session also may ~~also~~ be extended by concurrent resolution adopted by a two‑thirds vote of both the Senate and House of Representatives. During the time between ~~5:00~~ five o’clock p.m. on the first Thursday in June or the first Thursday in May as applicable and the extended sine die adjournment date, as set forth ~~herein~~ in this section, no legislation or other business may be considered except the general ~~appropriation~~ appropriations bill and any matters approved for consideration by a concurrent resolution adopted by two‑thirds vote in both houses.”

SECTION 3. Section 2‑7‑60 of the 1976 Code is amended to read:

“Section 2‑7‑60. (A) The General Assembly shall annually provide for all expenditures in the general appropriations act and the appropriations made for any department, institution, board, or commission ~~shall~~ must be in a definite sum for each purpose or activity with ~~such~~ that itemization under the activity as may be ~~deemed~~ considered necessary by the General Assembly.

(B) Beginning with its 2013 session for the ensuing two fiscal years and in each session every two years after 2013 for the two fiscal years next ensuing, the General Assembly shall enact a biennial state general appropriations act in a form and under conditions as it considers appropriate. On July 1, 2013, and thereafter, the term ‘annual state general appropriations act’ or any similar variations of this term as contained in any provision of law must be construed to mean the biennial state general appropriations act.

(C) The Governor and the General Assembly including its appropriate committees shall use a ‘zero‑base’ budget process applying the Malcolm Baldridge award criteria standards or its substantial equivalent in the preparation of the biennial state general appropriations act beginning in 2013.

(D) Nothing in this section prevents the General Assembly from enacting a supplemental appropriations bill or a capital reserve fund appropriations bill in the manner authorized by law in even‑numbered years.”

SECTION 4. This act takes effect upon approval by the Governor and first applies for appropriations for the biennium beginning July 1, 2013.

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