COMMITTEE REPORT

May 30, 2012

**S. 1183**

Introduced by Senators Setzler, Rose, Land, Anderson, Bryant, Grooms, S. Martin, Knotts, Courson, Bright, Elliott, Peeler, Ryberg, Verdin, Shoopman, Leventis, Sheheen, Massey, Thomas and Cromer

S. Printed 5/30/12--S.

Read the first time February 7, 2012.

**THE COMMITTEE ON FINANCE**

To whom was referred a Bill (S. 1183) to amend the Code of Laws of South Carolina, 1976, by adding Section 11-11-270 so as to provide that all other funds collected by an agency must, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

HUGH K. LEATHERMAN, SR. for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑11‑270 SO AS TO PROVIDE THAT ALL OTHER FUNDS COLLECTED BY AN AGENCY MUST BE DEPOSITED IN THE GENERAL FUND AND MUST BE CONSIDERED GENERAL FUNDS, TO PROVIDE FOR DEFINITIONS, AND TO SPECIFY THE APPLICABILITY OF THIS SECTION.

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

SECTION 1. Article 1, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11‑11‑270. (A) For purposes of this section:

(1) ‘Agency’ means any state office, department, institution, board, commission, council, committee, or other entity of the executive, judicial, or legislative branch.

(2) ‘Other funds’ means any funds determined to be earmarked funds in the 2012‑2013 General Appropriations Act, except, funds constitutionally required to be expended for a specific purpose, tuition, and funds dedicated towards debt service.

(B) Notwithstanding any other provision of law, all other funds collected by an agency must be deposited into the general fund, and must be considered general funds and appropriated in a manner and amount determined by the General Assembly. However, for purposes of any calculation or limitation based on general fund revenue collections, this section shall not apply, and these revenues must not be considered general fund revenue.

(C) This section applies to the general appropriations act for fiscal year 2013‑2014, and each annual appropriations act thereafter. This section shall apply at all stages of the budget process, including, but not limited to, the Governor’s executive budget, as passed by committee, as passed by each house, and as ratified.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑