**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑101‑365 SO AS TO PROVIDE THAT BEGINNING WITH THE 2012 FALL TERM, PUBLIC INSTITUTIONS OF HIGHER LEARNING MUST CHARGE TUITION FEES FOR COURSES TAUGHT ONLINE AT A PER CREDIT HOUR CHARGE AT LEAST TWENTY‑FIVE PERCENT BELOW THE PER CREDIT HOUR CHARGE FOR THE SAME OR SIMILAR COURSES TAUGHT TO STUDENTS IN A CLASSROOM BY A PROFESSOR OR INSTRUCTOR WHO IS PHYSICALLY PRESENT.

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

SECTION 1. Article 1, Chapter 101, Title 59 of the 1976 Code is amended by adding:

“Section 59‑101‑365. Beginning with the 2012 fall term, public institutions of higher learning, as defined in Section 59‑103‑5, must charge tuition fees for courses taught online at a per credit hour charge at least twenty‑five percent below the per credit hour charge for the same or similar courses taught to students in a classroom by a professor or instructor who is physically present; provided, that instruction to students in a classroom by a professor or instructor who appears on television or through other types of electronic means is not subject to the provisions of this section. The Commission on Higher Education for four‑year or graduate institutions and the State Board for Technical and Comprehensive Education for technical colleges shall administer the provisions and ensure compliance with this section and shall notify the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Governor of any repeat violations of this section by particular institutions.”

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

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