CONFERENCE COMMITTEE REPORT ADOPTED -- NOT PRINTED

June 19, 2013

**H. 3711**

Introduced by Ways and Means Committee

S. Printed 6/5/13--H.

Read the first time March 5, 2013.

**A** **JOINT RESOLUTION**

TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2012‑2013, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11-11-320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2012-2013 the following amounts:

(1) F03-Budget and Control Board

Consumer Protection and

Statewide Cyber Security

Improvements $ 10,000,000

(2) H63-Department of Education

School Bus Lease and Purchase $ 10,500,000

(3) F03-Budget and Control Board

Division of Information

Security $ 4,840,508

(4) F03-Budget and Control Board

Statehouse Dehumidification

and Heating $ 60,000

(5) H09-The Citadel

Cadet Accountability System $ 1,500,000

(6) H15-University of Charleston

Computer Science Program $ 100,000

(7) H15-University of Charleston

Science Center $ 2,000,000

(8) H17-Coastal Carolina University

Science Center $ 1,500,000

(9) H21-Lander University

National Center for

Montessori Education $ 750,000

(10) H47-Winthrop University

Withers/WTS Building Roof

Replacement Maintenance

and Repairs $ 750,000

(11) H59-State Board for Technical

and Comprehensive Education

CATT Program/Ready SC $ 7,538,694

(12) H59-State Board for Technical

and Comprehensive Education

Manufacturing Skills Standards

Council Initiative $ 2,500,000

(13) H59-State Board for Technical

and Comprehensive Education

Central Carolina Technical

College-Advanced

Manufacturing Technology

Training Center $ 3,500,000

(14) J20-Department of Alcohol and

Other Drug Abuse Services

Keystone Alcohol and Drug

Abuse Capital Improvement

Rock Hill $ 750,000

(15) J20-Department of Alcohol and

Other Drug Abuse Services

McCord Center Fire Safety

-Alcohol and Drug Abuse $ 250,000

(16) J20-Department of Alcohol and

Other Drug Abuse Services

Circle Park Florence County

-Alcohol and Drug Abuse $ 150,000

(17) L04-Department of Social Services

Child Support Enforcement

System Development $ 212,221

(18) P12-Forestry Commission

Firefighting Equipment $ 2,000,000

(19) P20-Clemson University-PSA

Advanced Plant Technology Lab $ 3,000,000

(20) P32-Department of Commerce

Deal Closing Fund $ 3,322,234

(21) P32-Department of Commerce

Business Incubator Program $ 1,000,000

(22) R44-Department of Revenue

Repayment of Loan Authorized

by the Budget and Control

Board on 12/12/12 $ 20,170,000

(23) N20-Law Enforcement Training

Council (Criminal Justice

Academy) HVAC System $ 1,682,032

(24) A17-Legislative Printing and

Information Technology Systems

Data Center and Server Room $ 950,000

(25) K05-Department of Public Safety

Deferred Maintenance

-Roof Replacement $ 300,000

(26) N20-Law Enforcement Training

Council (Criminal Justice

Academy) Replace Water

Supply Lines Oldest Dorms $ 147,492

(27) R44-Department of Revenue

Implement Tax Processing

System Improvements $ 7,533,374

(28) H18-Francis Marion University

Health Sciences Building

(2 to 1 Match) $ 1,750,000

(29) H59-State Board for Technical

and Comprehensive Education

Aiken Technical-Academic

Building in Support of

STEM and Engineering $ 640,000

(30) H59-State Board for Technical

and Comprehensive Education

Denmark Technical-Plant

Funding for Science Building $ 435,750

(31) H59-State Board for Technical

and Comprehensive Education

Greenville Technical

-Enterprise Campus

Development $ 435,750

(32) H59-State Board for Technical

and Comprehensive Education

Horry-Georgetown Technical

-Culinary Arts Academic

Building (1 to 1 Match) $ 435,750

(33) H59-State Board for Technical

and Comprehensive Education

Midlands Technical-Quickjobs

Program-Equipment $ 500,000

(34) H59-State Board for Technical

and Comprehensive Education

Piedmont-Phase II

-Laurens Advanced

Manufacturing Center $ 909,000

(35) H59-State Board for Technical

and Comprehensive Education

Technical College of

Lowcountry-Transitioning

Military Support and

Training $ 318,000

(36) H59-State Board for Technical

and Comprehensive Education

Tri-County Technical

-Oconee Workforce and

Economic Development

Center (1 to 1 Match) $ 750,000

(37) H59-State Board for Technical

and Comprehensive Education

Trident Technical

-Infrastructure/Roads/Ramps

and Information Technology $ 435,750

(38) H59-State Board for Technical

and Comprehensive Education

York Technical-Main Campus

Road-Health and Safety

Traffic Flow $ 640,000

(39) H73-Vocational Rehabilitation

Palmetto Center-Rebuild Facility

-Fire and Life Safety Issues $ 3,000,000

(40) P16-Department of Agriculture

Pee Dee Farmers Market

-Replace Refrigeration Capacity $ 75,000

(41) P16-Department of Agriculture

Farmers Market $ 7,060,000

(42) P28-Department of Parks,

Recreation, and Tourism

Lake Greenwood Campground

Electrical $ 800,000

(43) P28-Department of Parks,

Recreation, and Tourism

State Park Sewer Repairs

-Santee and Table Rock $ 550,000

(44) P28-Department of Parks,

Recreation, and Tourism

Kings Mountain Bridge

Replacement $ 250,000

(45) P28-Department of Parks,

Recreation, and Tourism

Asbestos Abatement and

Mold Removal $ 200,000

$ 112,656,555

SECTION 2. (A) For the current fiscal year, of the funds appropriated to the Budget and Control Board for Statewide Cyber Security and Consumer Protection, the state shall provide at a minimum, one additional year of identity theft protection and identity theft resolution services to each eligible person, as defined in subsection (D), whose personal financial information was compromised as a result of the Department of Revenue Security Breach of 2012. These services must be free of charge and available on or before October 25, 2013. Any funds remaining shall be utilized by the Budget and Control Board to implement state agency cyber security improvements as recommended by Deloitte and Touche.

(B) The Budget and Control Board shall procure services pursuant to subsection (A) in the most cost efficient manner possible. Following the selection of a vendor, the contract shall be executed by the vendor and the Department of Revenue. The Budget and Control Board, with assistance from the Department of Revenue, shall issue a report to the General Assembly by February 1, 2014, containing findings and recommendations concerning the ongoing risk of identity theft to eligible persons, the services the contract or contracts provided, and the need, if any, for extending the period for the contracted services, including the levels of service required beyond the additional one year coverage period. No service provided pursuant to subsection (A) may be procured for a cost if the same service is available to eligible persons for free under state or federal law.

(C) In order to ensure that every eligible person obtains identity theft protection and identity theft resolution services pursuant to subsection (A), to the extent allowed by federal or state law, including Section 30-2-320, the Department of Revenue, working with the contracted vendor, shall develop and implement a policy to make enrollment as simple as possible for each eligible person. The policy may include automatic enrollment, provided that there is an opt-out mechanism for otherwise eligible persons, and enrollment authorization on a tax return filed in this State. By March 15, 2014, the Department of Revenue shall issue a report to the Governor and the General Assembly detailing the number of eligible persons that enrolled and the number of people eligible to enroll in the identity theft protection and identity theft resolution services program procured pursuant to subsection (A). The report also must detail efforts made to encourage enrollment in the programs.

(D) Identity Theft Protection as used herein means a product and/or service designed to prevent an incident of identity fraud or identity theft or otherwise protect the privacy of a person's personal identifying information, as defined in Section 16-13-510 (D), by precluding a third party from gaining unauthorized acquisition of another's personal identifying information to obtain financial resources or other products, benefits, or services.

Identity Theft Resolution Services as used herein means products and services designed to assist persons whose personal identifying information, as defined in Section 16-13-510 (D), was obtained by a third party, whereby minimizing the effects of the identity fraud or identity theft incident and restoring the person's identity to pre-theft status.

Eligible Person used herein means a taxpayer that filed a return with the Department of Revenue for any taxable year after 1997 and before 2013, whether by paper or electronic transmission, or any person whose personally identifiable information was contained on the return of another eligible person, including minor dependents.

(E) Nothing in this section creates a private right of action.

SECTION 3. The $250,000 appropriated in SECTION 1 to J20-Department of Alcohol and Other Drug Abuse Services for McCord Center Fire Safety-Alcohol and Drug Abuse are for the McCord Alcohol and Drug Abuse Treatment Facility operated by the Tri-County Commission on Alcohol and Drug Abuse, and is for the installation of fire safety and suppression equipment only.

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2012‑2013 fiscal year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code.

/s/Sen. Hugh K. Leatherman, Sr. /s/Rep. W. Brian White

/s/Sen. Harvey S. Peeler, Jr. /s/Rep. J. Gary Simrill

/s/Sen. Nikki G. Setzler /s/Rep. Michael A. Anthony

On Part of the Senate. On Part of the House.

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