**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑15‑66 SO AS TO REQUIRE THE LEGISLATIVE AUDIT COUNCIL TO CONDUCT A MANAGEMENT PERFORMANCE AUDIT OF THE OFFICE OF INDIGENT DEFENSE BEGINNING IN DECEMBER 2017 AND EVERY THREE YEARS THEREAFTER INCLUDING A REVIEW OF THE APPLICATION AND APPROVAL PROCESS FOR INDIGENT DEFENSE REPRESENTATION, BUDGETS, EXPENDITURES, AND RECEIPTS OF THE CIRCUIT PUBLIC DEFENDER OFFICES; AND TO AMEND SECTION 17‑3‑330, RELATING TO THE DUTIES OF THE OFFICE OF INDIGENT DEFENSE, SO AS TO REQUIRE INFORMATION ON BUDGETS, EXPENDITURES, AND RECEIPTS OF THE PUBLIC DEFENDER OFFICES TO BE INCLUDED IN THE ANNUAL REPORT TO THE GENERAL ASSEMBLY.

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

SECTION 1. Chapter 15, Title 2 of the 1976 Code is amended by adding:

“Section 2‑15‑66. (A) Beginning in December 2017 and every three years thereafter, the Legislative Audit Council shall conduct a management performance audit of the South Carolina Office of Indigent Defense. The cost of this audit is an operating expense of the office. The office shall pay directly to the Legislative Audit Council the cost of the audit.

(B) Nothing in this section limits, abridges, or otherwise affects the provisions of Section 2‑15‑60.

(C) As part of the audit required by the provisions of this section, the Legislative Audit Council shall conduct a comprehensive study and evaluation of all aspects of the indigent defense system in South Carolina including, but not limited to, a detailed review of the:

(1) application and approval process for indigent defense representation to ensure that indigent defense funds are properly approved and distributed by each county; and

(2) budgets, expenditures, and receipts of the circuit public defender offices.”

SECTION 2. Section 17‑3‑330(A)(5) of the 1976 Code is amended to read:

“(5) report annually to the General Assembly on the indigent defense system. This report shall include information regarding budgets, expenditures, and receipts of the circuit public defender offices. A client’s name shall not be disclosed in the report.”

SECTION 3. This act takes effect upon approval by the Governor.

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