
**ACTS
AND
JOINT RESOLUTIONS
SOUTH CAROLINA
2015**

**REGULAR
SESSION**

**Pages 2-1134
Acts 1-131**

ACTS and JOINT RESOLUTIONS

**OF THE
GENERAL ASSEMBLY
OF THE
STATE of SOUTH CAROLINA**

2015 REGULAR SESSION

**First Part
of Eightieth Volume of Statutes at Large**

(The Acts and Joint Resolutions of 2016
Constitute the Second Part)

**Passed at the regular session which was begun
and held at the City of Columbia on the 13th
day of January, A.D., 2015, and was
adjourned on the 10th day of
July, A.D., 2015**

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JAMES H. HARRISON
CODE COMMISSIONER

Notice

The first regular session of the 121st South Carolina General Assembly has adjourned under the provisions of H. 4274, the Sine Die Resolution.

The following act was passed during the 2015 regular session of the General Assembly; however, it was vetoed by the Governor and action on this veto is pending by the General Assembly.

(R9, S534) AN ACT TO AMEND ACT 355 OF 2004, AS AMENDED, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT, SO AS TO PROVIDE THAT A PERCENTAGE OF THE SPECIAL ONE PERCENT SALES AND USE TAX IN CLARENDON COUNTY IMPOSED PURSUANT TO THE ACT MAY BE APPLIED TO SUPPORT SCHOOL OPERATING EXPENSES, AND TO PROVIDE THAT A TAX IMPOSED PURSUANT TO THE ACT MAY BE IMPOSED FOR NOT MORE THAN THIRTY YEARS.

In the parenthesis to the left of the permanent numbers are two numbers of which this is an example: (R276, S424). The first number is preceded by R in every instance, and the second number is either H or S. The R indicates the ratification number of the act or joint resolution; the H is the House number as a bill or joint resolution; and the S is the Senate number as a bill or joint resolution.

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ACTS

AND

JOINT RESOLUTIONS

OF THE

General Assembly

OF THE

State of South Carolina

NIKKI R. HALEY, Governor; HENRY D. MCMASTER, Lieutenant Governor and ex officio President of the Senate; HUGH K. LEATHERMAN, SR., President Pro Tempore of the Senate; JAMES H. LUCAS, Speaker of the House of Representatives; THOMAS E. POPE, Speaker Pro Tempore of the House of Representatives; JEFFREY S. GOSSETT, Clerk of the Senate; CHARLES F. REID, Clerk of the House of Representatives.

PART I

GENERAL AND PERMANENT LAWS

No. 1

(R1, S8)

AN ACT TO RATIFY AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO PROVIDE THAT UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM NOT COTERMINOUS WITH THE GOVERNOR, MAY BE REMOVED ONLY FOR CAUSE, AND THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE TERM, DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE; AND TO RATIFY AN AMENDMENT TO SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT GENERAL AND HIS STAFF OFFICERS, TO UPDATE REFERENCES TO HIS TITLE AND PROVIDE THAT THE ADJUTANT GENERAL'S MILITARY RANK IS MAJOR GENERAL AS OPPOSED TO BRIGADIER GENERAL, AND TO PROVIDE THAT UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, HE MUST BE APPOINTED BY THE GOVERNOR IN THE MANNER REQUIRED BY SECTION 7, ARTICLE VI.

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

Appointment of Adjutant General ratified

SECTION 1. A. The amendment to Section 7, Article VI of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 297 of 2014, having been submitted to the qualified electors at the General Election of 2014 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, is ratified and declared to be a part of

the Constitution so that Section 7, Article VI of the Constitution of this State be amended by adding the following new paragraph at the end:

“Beginning upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, the Adjutant General must be appointed by the Governor, upon the advice and consent of the Senate. The appointed Adjutant General shall serve for a term not coterminous with the Governor and may be removed only for cause. The General Assembly shall provide by law for the term, duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Adjutant General may be removed from office.”

Rank and appointment of Adjutant General ratified

B. The amendment to Section 4, Article XIII of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 297 of 2014, having been submitted to the qualified electors at the General Election of 2014 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, is ratified and declared to be a part of the Constitution so that Section 4, Article XIII of the Constitution of this State be amended to read:

“Section 4. There must be an Adjutant General. The position of Adjutant General is recognized as holding the rank of Major General, and the Adjutant General’s duties and compensation must be prescribed by law. The Governor, by and with the advice and consent of the Senate, shall appoint staff officers as the General Assembly may direct.

Beginning upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, the Adjutant General must be appointed by the Governor, with the advice and consent of the Senate, in the manner provided in Section 7, Article VI.”

Ratified the 5th day of March, 2015.

No. 2

(R3, S342)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-21-225 SO AS TO REQUIRE FILING OF AN ANNUAL ENTERPRISE RISK REPORT BY THE ULTIMATE CONTROLLING PERSON OF AN INSURANCE HOLDING COMPANY, AND TO PROVIDE SPECIFIC REQUIREMENTS FOR THE CONTENT OF THE REPORT; BY ADDING SECTION 38-21-285 SO AS TO ENABLE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEE TO PARTICIPATE IN CERTAIN SUPERVISORY COLLEGES, TO PROVIDE RELATED POWERS AND DUTIES, AND TO PROVIDE FOR THE PAYMENT OF RELATED EXPENSES; TO AMEND SECTION 38-21-10, AS AMENDED, RELATING TO DEFINITIONS IN THE INSURANCE HOLDING COMPANY REGULATORY ACT, SO AS TO DEFINE THE TERM "ENTERPRISE RISK"; TO AMEND SECTION 38-21-60, RELATING TO THE STATEMENT REQUIRED BY A PERSON SEEKING TO ACQUIRE CONTROL OF AN INSURER, SO AS TO IMPOSE CERTAIN NOTICE REQUIREMENTS; TO AMEND SECTION 38-21-70, RELATING TO THE CONTENTS OF A STATEMENT THAT MUST BE FILED BY A PERSON SEEKING TO ACQUIRE CONTROL OF AN INSURER, SO AS TO REVISE THE CONTENT REQUIREMENTS; TO AMEND SECTION 38-21-90, RELATING TO APPROVAL BY THE DIRECTOR OF THE ACQUISITION OF CONTROL OF AN INSURER, SO AS TO PROVIDE SPECIFIC REQUIREMENTS FOR PUBLIC HEARINGS WHERE APPROVAL OF MORE THAN ONE COMMISSIONER IS REQUIRED, AND TO DEFINE THE TERM "COMMISSIONER"; TO AMEND SECTION 38-21-110, RELATING TO VIOLATIONS OF CERTAIN PROVISIONS OF THE ACT, SO AS TO INCLUDE EFFECTUATION OF THE DIVESTITURE OF A DOMESTIC INSURER WITHOUT APPROVAL BY THE DIRECTOR OR HIS DESIGNEE; TO AMEND SECTION 38-21-125, RELATING TO ACQUISITIONS OF INSURERS EXEMPT FROM THE ACT, SO AS TO REMOVE CERTAIN ACQUISITIONS SUBJECT TO APPROVAL OR DISAPPROVAL BY THE DIRECTOR OR HIS DESIGNEE FROM THESE EXEMPTIONS; TO AMEND SECTION 38-21-130,

RELATING TO THE REGISTRATION OF MEMBERS OF INSURANCE HOLDING COMPANY SYSTEMS, SO AS TO MAKE A TECHNICAL CORRECTION TO AN INCORRECT REFERENCE; TO AMEND SECTION 38-21-140, RELATING TO REQUIRED STATEMENTS OF REGISTERING MEMBERS OF INSURANCE HOLDING COMPANY SYSTEMS, SO AS TO ADD CERTAIN FINANCIAL STATEMENTS AND A STATEMENT CONCERNING THE GOVERNANCE AND INTERNAL CONTROLS OF THE INSURER BY ITS BOARD, AMONG OTHER THINGS; TO AMEND SECTION 38-21-220, RELATING TO DISCLAIMERS OF AFFILIATION, SO AS TO DELETE LANGUAGE REGARDING CERTAIN REGISTRATION AND REPORTING REQUIREMENTS, AND TO PROVIDE THAT A DISCLAIMER MUST BE CONSIDERED GRANTED ABSENT CERTAIN NOTIFICATION BY THE DIRECTOR, AND TO PROVIDE RELIEF FOR A DENIAL; TO AMEND SECTION 38-21-230, RELATING TO FAILURE TO TIMELY FILE A REGISTRATION STATEMENT OR AMENDMENT TO A REGISTRATION STATEMENT, SO AS TO INCLUDE ENTERPRISE RISK FILING; TO AMEND SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS BETWEEN REGISTERED INSUREDS AND THEIR AFFILIATES, SO AS TO PROVIDE THAT AGREEMENTS FOR COST-SHARING SERVICES AND MANAGEMENT MUST INCLUDE PROVISIONS REQUIRED BY REGULATION, TO INCLUDE AMENDMENTS OR MODIFICATIONS OF CERTAIN AFFILIATE AGREEMENTS AMONG TRANSACTIONS INVOLVING DOMESTIC INSURERS AND ANY PERSON IN AN INSURANCE HOLDING COMPANY SYSTEM THAT REQUIRES CERTAIN NOTICE TO THE DEPARTMENT, AND TO PROVIDE REQUIREMENTS FOR THIS NOTICE, AMONG OTHER THINGS; TO AMEND SECTION 38-21-280, RELATING TO THE POWER OF THE DIRECTOR TO COMPEL PRODUCTION OF CERTAIN INFORMATION FROM INSURERS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REVISE THE REQUIREMENTS TO MAKE THE INFORMATION PRIVILEGED AND NOT SUBJECT TO DISCOVERY OR THE FREEDOM OF INFORMATION ACT, AND TO PROVIDE FOR USE OF THIS INFORMATION BY THE DIRECTOR OR HIS DESIGNEE, AMONG OTHER THINGS,

AND TO PROVIDE NEITHER THE DIRECTOR NOR HIS DESIGNEE MAY BE REQUIRED TO TESTIFY ABOUT THIS INFORMATION IN A PRIVATE CIVIL ACTION; TO AMEND SECTION 38-21-340, RELATING TO CRIMINAL PROSECUTIONS AND VIOLATIONS, SO AS TO PROVIDE THAT CERTAIN VIOLATIONS MAY SERVE AS AN INDEPENDENT BASIS FOR THE DIRECTOR TO DISAPPROVE DIVIDENDS OR DISTRIBUTIONS AND FOR PLACING THE INSURER UNDER AN ORDER OF SUPERVISION; AND TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 38 TO RISK RETENTION GROUPS LICENSED AS A CAPTIVE INSURANCE COMPANY, SO AS TO MAKE CONFORMING CHANGES.

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

Annual risk report

SECTION 1. Chapter 21, Title 38 of the 1976 Code is amended by adding:

“Section 38-21-225. The ultimate controlling person of an insurer subject to registration also shall file an annual enterprise risk report. The report must, to the best of the ultimate controlling person’s knowledge and belief, identify the material risks within the insurance holding company system that could pose enterprise risk to the insurer. The report must be filed with the lead state commissioner of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners.”

Director of the Department of Insurance, participation in supervisory colleges

SECTION 2. Chapter 21, Title 38 of the 1976 Code is amended by adding:

“Section 38-21-285. (A) With respect to an insurer registered under Sections 38-21-130 through 38-21-240 and pursuant to subsection (C), the director or his designee also may participate in a supervisory college for a domestic insurer that is part of an insurance holding company

system with international operations to determine compliance by the insurer with this chapter. The powers of the director or his designee with respect to supervisory colleges include, but are not limited to:

- (1) initiating the establishment of a supervisory college;
- (2) clarifying the membership and participation of other supervisors in the supervisory college;
- (3) clarifying the functions of the supervisory college and the role of other regulators, including the establishment of a group-wide supervisor;
- (4) coordinating the ongoing activities of the supervisory college, including planning meetings, supervisory activities, and processes for information sharing; and
- (5) establishing a crisis management plan.

(B) A registered insurer subject to this section must be liable for and shall pay the reasonable expenses, including reasonable travel expenses, for the participation of the director or his designee in a supervisory college pursuant to subsection (C). For purposes of this section, a supervisory college may be convened as either a temporary or permanent forum for communication and cooperation between the regulators charged with the supervision of the insurer or its affiliates, and the director or his designee may establish a regular assessment to the insurer for the payment of these expenses.

(C) In order to assess the business strategy, financial position, legal and regulatory position, risk exposure, risk management and governance processes, and as part of the examination of individual insurers in accordance with Section 38-21-280, the director or his designee may participate in a supervisory college with other regulators charged with supervision of the insurer or its affiliates, including other state, federal, and international regulatory agencies. The director or his designee may enter into agreements pursuant to Section 38-21-290(C) to provide the basis for cooperation between the director or his designee and the other regulatory agencies, and the activities of the supervisory college. Nothing in this section delegates the authority of the director or his designee to regulate or supervise the insurer or its affiliates within its jurisdiction to the supervisory college.”

“Enterprise risk” defined

SECTION 3. Section 38-21-10 of the 1976 Code is amended by adding an item at the end to read:

“() ‘Enterprise risk’ means an activity, circumstance, event, or series of events involving one or more affiliates of an insurer that, if not remedied promptly, likely is to have a material adverse effect upon the financial condition or liquidity of the insurer or its insurance holding company system as a whole, including, but not limited to, anything that would cause the insurer’s risk-based capital to fall into company action level as provided in Section 38-9-330 or would cause the insurer to be in hazardous financial condition as provided in Section 38-5-120.”

Statements required to seek control of insurer, notice

SECTION 4. Section 38-21-60 of the 1976 Code is amended to read:

“Section 38-21-60. (A) No person, other than the issuer, may make a tender offer for or a request or invitation for tenders of, or enter into any agreement to exchange securities for, seek to acquire or acquire, in the open market or otherwise, any voting security of a domestic insurer if, after the consummation of the agreement, the person would directly, indirectly, by conversion, or by exercise of any right to acquire, be in control of the insurer. No person may enter into an agreement to merge with or otherwise to acquire control of a domestic insurer unless, at the time the offer, request, or invitation is made or the agreement is entered into, or before the acquisition of the securities if no offer or agreement is involved, the person has filed with the department a statement containing the information required by this section and the offer, request, invitation, agreement, or acquisition has been approved by the director or his designee in the manner prescribed in this chapter.

(B) For purposes of this section, a controlling person of a domestic insurer seeking to divest its controlling interest in the domestic insurer in any manner shall file confidential notice of its proposed divestiture with the director or his designee, with a copy to the insurer, at least thirty days before the cessation of control. The director or his designee shall determine those instances in which a party seeking to divest a controlling interest in an insurer shall file for and obtain approval of the transaction by the department. The information must remain confidential until the conclusion of the transaction, unless the director or his designee determines that confidential treatment will interfere with enforcement of this section. If the statement referred to in subsection (A) otherwise is filed, the provisions of this subsection do not apply.

(C) With respect to a transaction subject to this section, the acquiring person also must file a preacquisition notification with the director or his designee. This notification must include the information set forth in

Section 38-21-125(C)(2). A person who fails to file this notification may be subject to penalties specified in Section 38-21-125(E)(3).

(D) For purposes of this section, a domestic insurer includes any other person controlling a domestic insurer unless the other person as determined by the director or his designee is either directly or through its affiliates primarily engaged in business other than the business of insurance. As used in this section, 'person' does not include any securities broker holding, in the usual and customary brokers' function, less than twenty percent of the voting securities of an insurance company or of any person which controls an insurance company."

Statements required to seek control of insurer, content

SECTION 5. Section 38-21-70 of the 1976 Code is amended to read:

"Section 38-21-70. (A) The statement to be filed with the department, as prescribed in Section 38-21-60, must be made under oath or affirmation and must contain the following information:

(1) The name and address of each person by whom or on whose behalf the merger or other acquisition of control referred to in Section 38-21-60 is to be effected, hereinafter called 'acquiring party'; and

(a) if the acquiring party is an individual, his principal occupation and all offices and positions held during the past five years and any conviction of crimes other than minor traffic violations during the past ten years; or

(b) if the acquiring party is not an individual, a report of the nature of its business operations during the past five years or for a lesser period as the acquiring party and any predecessors have been in existence; an informative description of the business intended to be done by the acquiring party and its subsidiaries; and a list of all individuals who are or who have been selected to become directors or executive officers of the acquiring party or who perform or will perform functions appropriate to these positions. The list must include for each of these individuals the information required by subitem (a).

(2) The source, nature, and amount of the consideration used or to be used in effecting the merger or other acquisition of control, a description of any transaction in which funds were or are to be obtained for this purpose, and the identity of persons furnishing the consideration. Where a source of the consideration is a loan made in the lender's ordinary course of business, the identity of the lender must remain confidential, if the person filing the statement so requests.

(3) Fully audited financial information concerning the earnings and financial condition for the preceding five fiscal years of an acquiring party or for a lesser period as the acquiring party and any of its predecessors have been in existence.

(4) Unaudited financial information of the earnings and financial condition of each acquiring party as of a date within ninety days before filing the statement.

(5) Any plans or proposals which an acquiring party may have to liquidate the insurer, to sell its assets or merge or consolidate it with any person, or to make any other material change in its business or corporate structure or management.

(6) The number of shares of a security referred to in Section 38-21-60 which each acquiring party proposes to acquire and the terms of the offer, request, invitation, agreement, or acquisition referred to in Section 38-21-60 and a statement as to the method by which the fairness of the proposal was arrived.

(7) The amount of each class of any security referred to in Section 38-21-60 which is beneficially owned or concerning which there is a right to acquire beneficial ownership by each acquiring party.

(8) A full description of any contract, arrangement, or understanding with respect to a security referred to in Section 38-21-60 in which an acquiring party is involved, including, but not limited to, transfer of the security, joint venture, loan or option arrangement, put or call, guarantee of loan, guarantee against loss or guarantee of division of loss or profit, or the giving or withholding of a proxy. The description must identify the persons with whom the contract, arrangement, or understanding has been entered.

(9) A description of the purchase of a security referred to in Section 38-21-60 during the twelve calendar months preceding the filing of the statement, by an acquiring party, including the date of purchase, name of the purchaser, and consideration paid or agreed to be paid.

(10) A description of a recommendation to purchase a security referred to in Section 38-21-60 made during the twelve calendar months preceding the filing of the statement by an acquiring party, or by anyone based upon interviews or at the suggestion of an acquiring party.

(11) Copies of all tender offers for, requests or invitations for tenders of, exchange offers for, and agreements to acquire or exchange any securities referred to in Section 38-21-60, if distributed, of additional soliciting material relating to them.

(12) The terms of an agreement, contract, or understanding made with any broker-dealer concerning solicitation of securities referred to in

Section 38-21-60 for tender, and the amount of a fee, commission, or other compensation to be paid the broker-dealer.

(13) An agreement by the person required to file the statement referred to in Section 38-21-60 that it will provide the annual report, specified in Section 38-21-225, for so long as control exists.

(14) An acknowledgement by the person required to file the statement referred to in Section 38-21-60 that the person and all subsidiaries within its control in the insurance holding company system will provide information to the director or his designee upon request as necessary to evaluate enterprise risk to the insurer.

(15) Any additional information the director may by regulation prescribe as necessary or appropriate for the protection of policyholders of the insurer or in the public interest.

(B) If the person required to file the statement referred to in Section 38-21-60 is a partnership, limited partnership, syndicate, or other group, the director or his designee may require that the information required in this section be given with respect to each partner of the partnership or limited partnership, each member of the syndicate or group, and each person who controls the partner or member. If this partner, member, or person is a corporation or the person required to file the statement referred to in Section 38-21-60 is a corporation, the director or his designee may require that the information required in this section be given with respect to the corporation, each officer and director of the corporation, and each person who is directly or indirectly the beneficial owner of more than ten percent of the outstanding voting securities of the corporation.

(C) If a material change occurs in the facts set forth in the statement filed with the department and sent to the insurer pursuant to this section, an amendment setting forth the change, together with copies of all documents and other material relevant to the change, must be filed with the department and sent to the insurer within two business days after the person learns of the change.”

Public hearings before acquisition approval, definition revised

SECTION 6. Section 38-21-90 of the 1976 Code is amended to read:

“Section 38-21-90. (A) The director or his designee shall approve a merger or other acquisition of control in Section 38-21-60 unless, after a public hearing, he finds that:

(1) After the change of control the domestic insurer referred to in Section 38-21-60 is not able to satisfy the requirements for the issuance

of a license to write the line or lines of insurance for which it is presently licensed.

(2) The effect of the merger or other acquisition of control would substantially lessen competition in insurance in this State or tend to create a monopoly. In applying the competitive standard in this item:

(a) The information requirements and standards of Section 38-21-125(C) and (D) apply.

(b) The merger or other acquisition must not be approved if the director or his designee finds that at least one of the situations in Section 38-21-125(D) exists.

(c) The director or his designee may condition the approval of the merger or other acquisition on the removal of the basis of disapproval within a specified period of time.

(3) The financial condition of the acquiring party might jeopardize the financial stability of the insurer or prejudice the interest of its policyholders.

(4) The plans or proposals which the acquiring party has to liquidate the insurer, sell its assets, or consolidate or merge it with a person or to make another material change in its business or corporate structure or management are unfair and unreasonable to policyholders of the insurer and not in the public interest.

(5) The competence, experience, and integrity of those persons who would control the operation of the insurer are such that it is not in the interest of policyholders of the insurer and of the public to permit the merger or other acquisition of control.

(6) The acquisition is likely to be hazardous or prejudicial to the insurance-buying public.

(B) The public hearing referred to in subsection (A) must be held within thirty days after the statement required by Section 38-21-60 is filed, and at least twenty days' notice must be given by the director or his designee to the person filing the statement, to the insurer, and to other persons designated by the director or his designee. The director or his designee shall make a determination within thirty days after the conclusion of the hearing. At the hearing, the person filing the statement, the insurer, a person to whom notice of hearing was sent, and other persons whose interests are affected may present evidence, examine and cross-examine witnesses, and offer oral and written arguments and are entitled to conduct discovery proceedings in the same manner allowed in the circuit courts of this State. Discovery proceedings must be concluded not later than three days before the public hearing.

(C)(1) If the proposed acquisition of control will require the approval of more than one commissioner, the public hearing provided in

subsections (A) and (B) may be held on a consolidated basis upon request of the person filing the statement referred to in Section 38-21-60 if he files the statement with the National Association of Insurance Commissioners (NAIC) within five days after making the request for a public hearing. The director or his designee may opt out of a consolidated hearing, but shall provide notice of its decision of the opt out to the applicant within ten days after receipt of the statement. A hearing conducted on a consolidated basis must be public and held within the United States before the commissioners of the states in which the insurers are domiciled. These commissioners shall hear and receive evidence. The director or his designee may attend the hearing in person or by means of telecommunication.

(2) For purposes of this subsection, 'commissioner' means the:

- (a) insurance commissioner, director, or other chief insurance official of a state, territory, or the District of Columbia;
- (b) deputy of a commissioner; and
- (c) insurance department of a state, territory, or District of Columbia, as appropriate.

(D) The director may retain at the acquiring person's expense attorneys, actuaries, accountants, and other experts not otherwise a part of the department's staff reasonably necessary to assist the director or his designee in reviewing the proposed acquisition of control."

Violations

SECTION 7. Section 38-21-110 of the 1976 Code is amended to read:

"Section 38-21-110. The following are violations of Sections 38-21-60 to 38-21-120:

- (1) the failure to file a statement, amendment, or other material required to be filed pursuant to Section 38-21-60 or 38-21-70; or
- (2) the effectuation or an attempt to effectuate an acquisition or control of, divestiture of, or merger with a domestic insurer, unless the director or his designee has given his approval."

Director approval of acquisition, exemptions

SECTION 8. Section 38-21-125(B)(2) of the 1976 Code is amended to read:

“(2) This section does not apply to:

(a) a purchase of securities solely for investment purposes so long as the securities are not used by voting or otherwise to cause or attempt to cause the substantial lessening of competition in an insurance market in this State. If a purchase of securities results in a presumption of control under Section 38-21-10(2), it is not solely for investment purposes unless the commissioner of the insurer’s state of domicile accepts a disclaimer of control or affirmatively finds that control does not exist, and the disclaimer action or affirmative finding is communicated by the domiciliary commissioner to the director or his designee;

(b) the acquisition of a person by another person when both persons are neither directly nor through affiliates primarily engaged in the business of insurance if preacquisition notification is filed with the department in accordance with subsection (C)(1) thirty days before the proposed effective date of the acquisition. However, preacquisition notification is not required for exclusion from this section if the acquisition would be excluded by other provisions of this subsection;

(c) the acquisition of already affiliated persons;

(d) an acquisition if, as an immediate result of the acquisition:

(i) in any market the combined market share of the involved insurers does not exceed five percent of total market;

(ii) there is not an increase in a market share, or in any market the combined market share of the involved insurers does not exceed twelve percent of the total market, and the market share does not increase by more than two percent of the total market. For the purpose of this subsubitem a market means direct written insurance premium in this State for a line of business as contained in the annual statement required to be filed by insurers licensed to do business in this State;

(e) an acquisition for which a preacquisition notification would be required pursuant to this section due solely to the resulting effect on the ocean marine insurance line of business;

(f) an acquisition of an insurer whose domiciliary commissioner affirmatively finds that:

(i) the insurer is in failing condition;

(ii) there is a lack of feasible alternatives to improving the condition;

(iii) the public benefits of improving the insurer’s condition through the acquisition exceed the public benefits that would arise from not lessening competition; and

(iv) the findings are communicated by the domiciliary commissioner to the director or his designee.”

Registration of insurance holding company systems members

SECTION 9. Section 38-21-130 of the 1976 Code is amended to read:

“Section 38-21-130. (A) An insurer authorized to do business in this State and who is a member of an insurance holding company system shall register with the department, except a foreign insurer subject to registration requirements and standards adopted by statute or regulation in the jurisdiction of its domicile which are substantially similar to those contained in this chapter.

(B) An insurer who is subject to registration under this chapter shall register within fifteen days after it becomes subject to registration, and annually thereafter by March first of each year for the previous calendar year, unless the director or his designee for good cause shown extends the time for registration, and then within the extended time. The director or his designee may require any authorized insurer which is a member of an insurance holding company system which is not subject to registration under this section to furnish a copy of the registration statement or other information filed by the insurance company with the insurance regulatory authority of its domiciliary jurisdiction.”

Financial statements

SECTION 10. Section 38-21-140 of the 1976 Code is amended to read:

“Section 38-21-140. Every insurer subject to registration shall file the registration statement with the director or his designee on a form and in a format prescribed by the director or his designee which must contain the following current information:

(1) capital structure, general financial condition, ownership, and management of the insurer and a person controlling the insurer;

(2) identity and relationship of every member of the insurance holding company system;

(3) the following agreements in force and transactions currently outstanding or which have occurred during the last calendar year between the insurer and its affiliates:

(a) loans, other investments, or purchases, sales, or exchanges of securities of the affiliates by the insurer or of the insurer by its affiliates;

(b) purchases, sales, or exchanges of assets;

(c) transactions not in the ordinary course of business;

(d) guarantees or undertakings for the benefit of an affiliate which result in an actual contingent exposure of the insurer's assets to liability, other than insurance contracts entered into in the ordinary course of the insurer's business;

(e) management agreements, service contracts, and cost-sharing arrangements;

(f) reinsurance agreements;

(g) dividends and other distributions to shareholders; and

(h) consolidated tax allocation agreements;

(4) pledge of the insurer's stock, including stock of a subsidiary or controlling affiliate, for a loan made to a member of the insurance holding company system;

(5) financial statements of or within an insurance holding company system, including all affiliates, if requested by the director or his designee including, but not limited to, annual audited financial statements filed with the Securities and Exchange Commission pursuant to the Securities Act of 1933, as amended, or the Securities Exchange Act of 1934, as amended, which may be satisfied by providing the director or his designee with the most recently filed parent corporation financial statements that have been filed with the Securities and Exchange Commission;

(6) other matters concerning transactions between registered insurers and affiliates included in registration forms adopted or approved by the director or his designee;

(7) statements that the insurer's board of directors is responsible for and oversees corporate governance and internal controls and that the insurer's officers or senior management have approved, implemented, and continue to maintain and monitor corporate governance and internal control procedures; and

(8) any other information required by the director or his designee by regulation.”

Disclaimers of affiliation

SECTION 11. Section 38-21-220 of the 1976 Code is amended to read:

“Section 38-21-220. A person may file with the department a disclaimer of affiliation with an authorized insurer or a disclaimer may be filed by an insurer or a member of an insurance holding company system. The disclaimer fully shall disclose all material relationships and bases for affiliation between the person and the insurer as well as the

basis for disclaiming this affiliation. A disclaimer of affiliation must be considered to have been granted unless the director or his designee, within thirty days following receipt of a complete disclaimer, notifies the filing party the disclaimer is disallowed. In the event of a disallowance, the disclaiming party may request an administrative hearing, which the department must grant. The disclaiming party must be relieved of its duty to register under Sections 38-21-130 through 38-21-240 if approval of the disclaimer is granted by the director or his designee, or if the disclaimer is considered approved.”

Failure to timely file registration statement

SECTION 12. Section 38-21-230 of the 1976 Code is amended to read:

“Section 38-21-230. The failure to file a registration statement or any summary of such registration or enterprise risk filing as required by this chapter within the time specified for filing constitutes a violation of these sections.”

Cost-sharing service and management agreements

SECTION 13. Section 38-21-250 of the 1976 Code is amended to read:

“Section 38-21-250. (A) Transactions within an insurance holding company system to which an insurer subject to registration is a party are subject to the following standards:

- (1) The terms must be fair and reasonable.
- (2) Agreements for cost-sharing services and management must include provisions required by regulation promulgated by the department.
- (3) Charges or fees for services performed must be reasonable.
- (4) Expenses incurred and payment received must be allocated to the insurer in conformity with customary insurance accounting practices consistently applied.
- (5) The books, accounts, and records of each party to all transactions must be so maintained as to clearly and accurately disclose the nature and details of the transactions including such accounting information as is necessary to support the reasonableness of the charges or fees to the respective parties.

(6) The insurer's surplus as regards policyholders following any dividends or distributions to shareholder affiliates must be reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs.

(B) The following transactions involving a domestic insurer and any person in its insurance holding company system, including amendments or modifications of affiliate agreements previously filed pursuant to this section, which are subject to any materiality standards contained in items (1) through (7) may not be entered into unless the insurer has notified the department in writing of its intention to enter into the transaction at least thirty days prior, or such shorter period as the director or his designee may permit, and the director or his designee has not disapproved it within such period. The notice for amendments or modifications must include the reasons for the charge and the financial impact on the domestic insurer. Informal notice must be reported within thirty days after termination of a previously filed agreement to the director or his designee for determination of the type of filing required, if any.

(1) Sales, purchases, exchanges, loans, or extensions of credit, guarantees, or investments if the transactions are equal to or exceed:

(a) with respect to nonlife insurers, the lesser of three percent of the insurer's admitted assets or twenty-five percent of surplus as regards policyholders;

(b) with respect to life insurers, three percent of the insurer's admitted assets, each as of the thirty-first day of December next preceding.

(2) Loans or extensions of credit to any person who is not an affiliate, where the insurer makes the loans or extensions of credit with the agreement or understanding that the proceeds of the transactions, in whole or in substantial part, are to be used to make loans or extensions of credit to purchase assets of, or make investments in, any affiliate of the insurer making the loans or extensions of credit as long as such transactions are equal to or exceed:

(a) with respect to nonlife insurers, the lesser of three percent of the insurer's admitted assets or twenty-five percent of surplus as regards policyholders;

(b) with respect to life insurers, three percent of the insurer's admitted assets, each as of the thirty-first day of December next preceding.

(3) Reinsurance agreements or modifications, including:

(a) all reinsurance pooling agreements; and

(b) agreements in which the reinsurance premium or a change in the insurer's liabilities, or the projected reinsurance premium or a change to the insurer's liabilities in any of the next three years, equals or exceeds five percent of the insurer's surplus as regards policyholders, as of the thirty-first day of December next preceding, including those agreements which may require as consideration the transfer of assets from an insurer to a nonaffiliate, if an agreement or understanding exists between the insurer and nonaffiliate that any portion of such assets will be transferred to one or more affiliates of the insurer.

(4) All management agreements, service contracts, tax allocation agreements, and all cost-sharing arrangements.

(5) Guarantees when made by a domestic insurer; provided, however, that a guarantee which is quantifiable as to amount is not subject to the notice requirements of this item unless it exceeds the lesser of one-half of one percent of the insurer's admitted assets or ten percent of surplus as regards policyholders as of the thirty-first day of December next preceding. Further, all guarantees which are not quantifiable as to amount are subject to the notice requirements of this item.

(6) Direct or indirect acquisitions or investments in a person that controls the insurer or in an affiliate of the insurer in an amount which, together with its present holdings in such investments, exceeds two and one-half percent of the insurer's surplus to policyholders. Direct or indirect acquisitions or investments in subsidiaries acquired pursuant to Sections 38-21-20 through 38-21-50, or authorized under any other section of this chapter, or in nonsubsidiary insurance affiliates that are subject to the provisions of this chapter, are exempt from this requirement.

(7) Any material transactions, specified by regulation of the department, which the director or his designee determines may adversely affect the interests of the insurer's policyholders. Nothing herein authorizes or permits any transactions which, in the case of an insurer, not a member of the same insurance holding company system, would be otherwise contrary to law.

(C) A domestic insurer may not enter into transactions, which are part of a plan or series of like transactions with persons within the insurance holding company system, if the purpose of those separate transactions is to avoid the statutory threshold amount and thus avoid the review that would occur otherwise. If the director or his designee determines that such separate transactions were entered into over any twelve-month period for such purpose, he may exercise his authority under Section 38-21-340.

(D) The director or his designee, in reviewing transactions pursuant to subsection (B), shall consider whether the transactions comply with the standards set forth in subsection (A) and whether they may adversely affect the interests of policyholders.

(E) The department must be notified within thirty days of any investment of the domestic insurer in any one corporation if the total investment in the corporation by the insurance holding company system exceeds ten percent of the corporation's voting securities."

Compulsory production of information

SECTION 14. Section 38-21-280 of the 1976 Code is amended to read:

"Section 38-21-280. (A) In addition to his powers relating to examinations or investigations of insurers, the director or his designee has the power to examine an insurer registered pursuant to Sections 38-21-130 through 38-21-240 and its affiliates to ascertain the financial condition of the insurer, including the enterprise risk to the insurer by the ultimate controlling party, or by an entity or combination of entities within the insurance holding company system, or by the insurance holding company system on a consolidated basis.

(B) The director or his designee may order an insurer registered under Sections 38-21-130 through 38-21-240 to produce records, books, or other information papers in the possession of the insurer or its affiliates as considered necessary to determine the legality of its conduct or compliance with this chapter.

(C) To determine the legality of its conduct or compliance with this chapter, the director or his designee may order any insurer registered under Sections 38-21-130 through 38-21-240 to produce information not in the possession of the insurer if the insurer can obtain access to such information pursuant to contractual relationships, statutory obligations, or other method. If the insurer cannot obtain the information requested by the director or his designee, the insurer shall provide the director or his designee a detailed explanation of the reason that the insurer cannot obtain the information and the identity of the holder of information. When it appears to the director or his designee that the detailed explanation is without merit, the director or his designee may require, after notice and hearing, the insurer to pay a penalty of one thousand dollars for each day's delay, or may suspend or revoke the insurer's license.

(D) The director may retain at the registered insurer's expense attorneys, actuaries, accountants, and other experts not otherwise a part of the department's staff reasonably necessary to assist in the conduct of the examination under subsection (A). A person so retained is under the direction and control of the director or his designee and must act in a purely advisory capacity.

(E) A registered insurer producing for examination records, books, and papers pursuant to this section is liable for and must pay the expense of the examination.

(F) If the insurer fails to comply with an order, the director or his designee has, in addition to powers prescribed in Section 38-21-340, the power to examine the affiliates to obtain this information. The director or his designee also shall have the power to issue subpoenas, to administer oaths, and to examine under oath any person for purposes of determining compliance with this section. Upon the failure or refusal of any person to obey a subpoena, the director or his designee may petition the Administrative Law Court, and upon proper showing, the court may enter an order compelling the witness to appear and testify or produce documentary evidence. Failure to obey the court order is punishable as contempt of court. Every person is obliged to attend as a witness at the place specified in the subpoena, when subpoenaed, anywhere in this State, and is entitled to the same fees and mileage, if claimed, as a witness commanded to appear in the Court of Common Pleas, which fees, mileage, and actual expense, if any, necessarily incurred in securing the attendance of witnesses, and their testimony, must be itemized and charged against and be paid by the company being examined.”

Confidential information

SECTION 15. Section 38-21-290 of the 1976 Code is amended to read:

“Section 38-21-290. (A) Documents, materials, or other information in the possession or control of the department that are obtained by or disclosed to the director or his designee or any other person in the course of an examination or investigation made pursuant to Section 38-21-280 and all information reported pursuant to Section 38-21-70(A)(13) and (14) and Sections 38-21-130 through 38-21-270 must be confidential by law and privileged, shall not be subject to disclosure, may not be subject to subpoena, and may not be disclosed under the Freedom of Information Act and may not be subject to discovery or admissible in evidence in any private civil action. However,

the director or his designee may use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of his official duties. The director or his designee otherwise shall not make the documents, materials, or other information public without obtaining the prior written consent of the insurer to which it pertains unless the director or his designee, after giving the insurer and its affiliates who would be affected by it, notice and opportunity to be heard, determines that the interest of policyholders, shareholders, or the public will be served by the publication of it, in which event the director or his designee may publish all or any part.

(B) Neither the director or his designee nor a person who received documents, materials, or other information while acting under the authority of the director or his designee or with whom such documents, materials, or other information are shared pursuant to this chapter may be permitted or required to testify in a private civil action concerning any confidential documents, materials, or information subject to subsection (A).

(C) In order to assist in the performance of the director or his designee's duties, the director or his designee:

(1) may share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subsection (A), with other state, federal, and international regulatory agencies, with the NAIC and its affiliates and subsidiaries, and with state, federal, and international law enforcement authorities, including members of any supervisory college described in Section 38-21-285, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the document, material, or other information, and has verified in writing the legal authority to maintain confidentiality;

(2) only may share confidential and privileged documents, material, or information reported pursuant to Section 38-21-225 with commissioners of states having statutes or regulations substantially similar to subsection (A) and who have agreed in writing not to disclose such information;

(3) may receive documents, materials, or information, including otherwise confidential and privileged documents, materials, or information from the NAIC and its affiliates and subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material, or information received with notice or the understanding that it is confidential or privileged under the laws of the

jurisdiction that is the source of the document, material, or information;
and

(4) shall enter into written agreements with the NAIC governing sharing and use of information provided pursuant to this chapter consistent with this subsection that shall:

(a) specify procedures and protocols regarding the confidentiality and security of information shared with the NAIC and its affiliates and subsidiaries pursuant to this chapter, including procedures and protocols for sharing by the NAIC with other state, federal, or international regulators;

(b) specify that ownership of information shared with the NAIC and its affiliates and subsidiaries pursuant to this chapter remains with the director or his designee and the NAIC's use of the information is subject to the direction of the director or his designee;

(c) require prompt notice to be given to an insurer whose confidential information in the possession of the NAIC pursuant to this chapter is subject to a request or subpoena to the NAIC for disclosure or production; and

(d) require the NAIC and its affiliates and subsidiaries to consent to intervention by an insurer in any judicial or administrative action in which the NAIC and its affiliates and subsidiaries may be required to disclose confidential information about the insurer shared with the NAIC and its affiliates and subsidiaries pursuant to this chapter.

(D) The sharing of information by the director or his designee pursuant to this chapter may not constitute a delegation of regulatory authority or rulemaking, and the director or his designee is solely responsible for the administration, execution, and enforcement of the provisions of this chapter.

(E) No waiver of any applicable privilege or claim of confidentiality in the documents, materials, or information shall occur as a result of disclosure to the director or his designee under this section or as a result of sharing as authorized in subsection (C).

(F) Documents, materials, or other information in the possession or control of the NAIC pursuant to this chapter shall be confidential by law and privileged, may not be disclosed under the Freedom of Information Act, may not be subject to subpoena, and may not be subject to discovery or admissible in evidence in a private civil action.”

Disapproval of dividends or distributions, suspensions

SECTION 16. Section 38-21-340 of the 1976 Code is amended to read:

“Section 38-21-340. (A) An insurer failing, without just cause, to file any registration statement or summary of it as required in this chapter is required, after notice and hearing, to pay a penalty of one thousand dollars for each day’s delay, to be recovered by the director or his designee, and the penalty so recovered must be paid into the general fund of the State. The maximum penalty under this section is thirty thousand dollars. The director or his designee may reduce the penalty if the insurer demonstrates to the director or his designee that the imposition of the penalty would constitute a financial hardship to the insurer.

(B) A director or officer of an insurance holding company system who knowingly violates, participates in, or assents to, or who knowingly permits any of the officers or agents of the insurer to engage in transactions or make investments which have not been properly reported or submitted pursuant to this chapter or which violate this chapter, shall pay, in their individual capacity, a civil forfeiture of not more than ten thousand dollars per violation, after notice and hearing before the director or his designee. In determining the amount of the civil forfeiture, the director or his designee shall take into account the appropriateness of the forfeiture with respect to the gravity of the violation, the history of previous violations, and other matters as justice may require.

(C) When it appears to the director or his designee that an insurer subject to this chapter or a director, officer, employee, or agent of it has engaged in a transaction or entered into a contract which is subject to Sections 38-21-250 through 38-21-270 and which would not have been approved had the approval been requested, the director or his designee may order the insurer to cease and desist immediately any further activity under that transaction or contract. After notice and hearing, the director or his designee may also order the insurer to void any such contracts and restore the status quo if such action is in the best interest of the policyholders, creditors, or the public.

(D) When it appears to the director or his designee that an insurer or a director, officer, employee, or agent of it has committed a wilfull violation of this chapter, the director or his designee may, in addition to other powers prescribed in this section, cause criminal proceedings to be instituted in the circuit court for the county in which the principal office of the insurer is located or, if the insurer has no such office in the State, then in the Circuit Court for Richland County against the insurer or the responsible director, officer, employee, or agent of it. An insurer which wilfully violates this chapter may be fined not more than fifty thousand dollars. An individual who wilfully violates this chapter is guilty of a misdemeanor and, upon conviction, must be fined an amount not to

exceed ten thousand dollars or be imprisoned for a term not to exceed two years, or both.

(E) An officer, director, or employee of an insurance holding company system who wilfully and knowingly subscribes to or makes or causes to be made any false statements or false reports or false filings with the intent to deceive the director or his designee in the performance of his duties under this chapter is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than two years, fined ten thousand dollars, or both. A fine imposed must be paid by the officer, director, or employee in his individual capacity.

(F) When it appears to the director or his designee that a person has committed a violation of Sections 38-21-60 through 38-21-120 and which prevents the full understanding of the enterprise risk to the insurer by affiliates or by the insurance holding company system, the violation may serve as an independent basis for disapproving dividends or distributions and for placing the insurer under an order of supervision in accordance with Chapter 26, Title 38.

(G) When it appears to the director or his designee that an insurer has committed a violation of this chapter, or that any person has committed a violation of this chapter which makes continued operation of the insurer contrary to the interests of policyholders or the public, the director or his designee may, after giving notice and an opportunity to be heard, determine to suspend, revoke, or refuse to renew the insurer's license or authority to do business in this State for a period as he finds is required for the protection of policyholders or the public. This determination must be accompanied by specific findings of fact and conclusions of law."

Captive insurance companies

SECTION 17. Section 38-90-160(C) of the 1976 Code is amended to read:

"(C) The provisions of Sections 38-5-120(A)(5), 38-5-120(B), 38-5-120(D)(1), 38-5-120(D)(2), 38-9-225, 38-9-230, 38-21-10, 38-21-30, 38-21-60, 38-21-70, 38-21-80, 38-21-90, 38-21-95, 38-21-100, 38-21-110, 38-21-120, 38-21-130, 38-21-140, 38-21-150, 38-21-160, 38-21-170, 38-21-220, 38-21-225, 38-21-230, 38-21-250, 38-21-270, 38-21-280, 38-21-285, 38-21-290, 38-21-310, 38-21-320, 38-21-330, 38-21-360, 38-55-75 and Chapters 44 and 46, Title 38 apply in full to a risk retention group licensed as a captive insurance company and, if a conflict occurs between those code sections and chapters

referenced in this subsection and this chapter (Chapter 90, Title 38), then the code sections and chapters referenced in this subsection control.”

Severability

SECTION 18. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 19. This act takes effect upon approval by the Governor or January 1, 2016, if later.

Ratified the 5th day of March, 2015.

Approved the 9th day of March, 2015.

No. 3

(R5, H3519)

AN ACT TO RATIFY AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, TO

PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE FOR ANY OTHER LAW NECESSARY TO ENSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

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

Constitutional amendment allowing certain raffles ratified

SECTION 1. The amendment to Article XVII of the Constitution of South Carolina, 1895, prepared under the terms of Joint Resolution 102 of 2013, having been submitted to the qualified electors at the General Election of 2014 as prescribed in Section 1, Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received on the amendment, is ratified and declared to be a part of the Constitution so that Section 7 of Article XVII is amended to read:

“Section 7. Only the State may conduct lotteries, and these lotteries must be conducted in the manner that the General Assembly provides by law. The revenue derived from the lotteries must be used first to pay all operating expenses and prizes for the lotteries. The remaining lottery revenues must be credited to a separate fund in the state treasury styled the ‘Education Lottery Account’, and the earnings on this account must be credited to it. Education Lottery Account proceeds may be used only for educational purposes as the General Assembly provides by law.

The game of bingo, when conducted by charitable, religious, or fraternal organizations exempt from federal income taxation or when conducted at recognized annual state and county fairs, is not considered a lottery prohibited by this section.

A raffle, if provided for by general law and conducted by a nonprofit organization for charitable, religious, fraternal, educational, or other eleemosynary purposes, is not a lottery prohibited by this section. The general law must define the type of nonprofit organization authorized to operate and conduct a raffle, provide standards for the operation and conduct of raffles, provide for the use of proceeds for religious, charitable, fraternal, educational, or other eleemosynary purposes, provide penalties for violations, and provide for other laws necessary to ensure the proper functioning, honesty, and integrity of the raffles. If a general law on the conduct and operation of a nonprofit raffle for charitable purposes, including the type of organization allowed to

conduct raffles, is not enacted, then the raffle is a lottery prohibited by this section.”

Ratified the 5th day of March, 2015.

No. 4

(R6, S177)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 19-5-520 SO AS TO ALLOW FOR CERTIFICATION, INSTEAD OF REQUIRING EXTRINSIC EVIDENCE, OF THE AUTHENTICITY OF CERTAIN DOMESTIC AND FOREIGN BUSINESS RECORDS OF REGULARLY CONDUCTED ACTIVITY FOR THE RECORDS TO BE ADMISSIBLE AND TO REQUIRE A CRIMINAL PENALTY FOR FALSE CERTIFICATION.

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

Admissibility of certified business records

SECTION 1. Article 9, Chapter 5, Title 19 of the 1976 Code is amended by adding:

“Section 19-5-520. In addition to those matters provided by Rule 902, South Carolina Rules of Evidence, extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

(A) The original or a copy of a domestic record that meets the requirements of Rule 803(6), South Carolina Rules of Evidence, as shown by a certification of the custodian or another qualified person that complies with a state statute or a court rule. Before the trial or hearing, the proponent shall give an adverse party reasonable written notice of the intent to offer the record and shall make the record and certification available for inspection so that the party has a fair opportunity to challenge the record.

(B) In a civil case, the original or a copy of a foreign record that is certified by the custodian or another qualified person and otherwise meets the requirements of subsection (A), modified as follows: the

certification, rather than complying with a state statute or court rule, must be signed in a manner that, if falsely made, would subject the maker to a criminal penalty in the jurisdiction where the certification is signed. The proponent also shall meet the notice requirements of subsection (A).”

Time effective

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

Ratified the 25th day of March, 2015.

Approved the 27th day of March, 2015.

No. 5

(R7, S397)

AN ACT TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2014 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

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

Internal Revenue Code conformity

SECTION 1. Section 12-6-40(A)(1)(a) and (c) of the 1976 Code, as last amended by Act 126 of 2014, is further amended to read:

“(a) Except as otherwise provided, ‘Internal Revenue Code’ means the Internal Revenue Code of 1986, as amended through December 31, 2014, and includes the effective date provisions contained in it.

(c) If Internal Revenue Code sections adopted by this State which expired or portions thereof expired on December 31, 2014, are extended, but otherwise not amended, by congressional enactment during 2015, these sections or portions thereof also are extended for South Carolina income tax purposes in the same manner that they are extended for federal income tax purposes.”

Time effective

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

Ratified the 25th day of March, 2015.

Approved the 27th day of March, 2015.

No. 6

(R8, S411)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-200 SO AS TO DESIGNATE THE MONTH OF OCTOBER OF EVERY YEAR AS “ITALIAN AMERICAN HERITAGE MONTH” IN SOUTH CAROLINA.

Whereas, since our nation’s inception and throughout our history, more than five million brave men, women, and children from Italy made the journey to America looking for freedom and opportunity; and

Whereas, today there are more than twenty-six million Americans of Italian descent living in the United States, which makes them the fifth largest ethnic group in the country; and

Whereas, as South Carolinians, we find it important to recognize the determinations and achievements of Italians in our State during the month of October; and

Whereas, Italian Americans have helped shape and develop our nation and play a vital role in the political, social, and economic system of our State. Now, therefore,

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

Italian American Heritage Month designated

SECTION 1. Chapter 3, Title 53 of the 1976 Code is amended by adding:

“Section 53-3-200. The month of October of every year is designated ‘Italian American Heritage Month’ in South Carolina in order to recognize Italian Americans for their many contributions to our State and nation.”

Time effective

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

Ratified the 25th day of March, 2015.

Approved the 27th day of March, 2015.

No. 7

(R16, S196)

AN ACT TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM AND LEGISLATIVE FINDINGS AND APPLICABILITY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-3-2010, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE DEFINITION OF “SEX TRAFFICKING”; BY ADDING SECTION 16-3-2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN

TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE LANGUAGE FOR THE POSTING, AND PROVIDE FOR A FINE FOR THE FAILURE TO POST THE INFORMATION AS REQUIRED; TO AMEND SECTION 16-3-2050, RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE; AND TO AMEND SECTION 8-30-10, RELATING TO RECORDING AND REPORTING ALLEGATIONS OF FEDERAL IMMIGRATION LAW VIOLATIONS, SECTION 16-1-60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SECTION 17-25-45, AS AMENDED, RELATING TO CRIMES DEFINED AS MOST SERIOUS AND SERIOUS FOR PURPOSES OF TWO STRIKES AND THREE STRIKES PROVISIONS, SECTIONS 23-3-430, 23-3-490, AND 23-3-540, ALL AS AMENDED, RELATING TO THE SEX OFFENDER REGISTRY, AND SECTION 44-53-370, AS AMENDED, RELATING TO THE ILLEGAL POSSESSION, MANUFACTURE, AND DISTRIBUTION OF CERTAIN CONTROLLED SUBSTANCES, ALL SO AS TO CORRECT CODE SECTION REFERENCES TO TRAFFICKING IN PERSONS OFFENSES TO REFLECT THE CODE SECTION OF 16-3-2020.

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

State Grand Jury applicability, inclusion of trafficking in persons

SECTION 1. Section 14-7-1610(A) and (H) of the 1976 Code, as last amended by Act 82 of 2007, is further amended to read:

“(A) It is the intent of the General Assembly to enhance the grand jury system and to improve the ability of the State to detect and eliminate criminal activity. The General Assembly recognizes the great importance of having the federal authorities available for certain investigations. The General Assembly finds that crimes involving narcotics, dangerous drugs, or controlled substances, trafficking in persons, as well as crimes involving obscenity, often transpire or have significance in more than one county of this State. When this occurs, these crimes are most effectively detected and investigated by a grand jury system with the authority to cross county lines.

(H) Accordingly, the General Assembly concludes that a state grand jury should be allowed to investigate certain crimes related to narcotics, dangerous drugs, or controlled substances, criminal gang activity, trafficking in persons, and obscenity and also should be allowed to investigate crimes involving public corruption, election laws, and environmental offenses.”

State Grand Jury jurisdiction, inclusion of trafficking in persons

SECTION 2. Section 14-7-1630(A) of the 1976 Code, as last amended by Act 280 of 2008, is further amended to read:

“(A) The jurisdiction of a state grand jury impaneled pursuant to this article extends throughout the State. The subject matter jurisdiction of a state grand jury in all cases is limited to the following offenses:

(1) a crime involving narcotics, dangerous drugs, or controlled substances, or a crime arising out of or in connection with a crime involving narcotics, dangerous drugs, or controlled substances, including, but not limited to, money laundering as specified in Section 44-53-475, obstruction of justice, perjury or subornation of perjury, or any attempt, aiding, abetting, solicitation, or conspiracy to commit one of the aforementioned crimes, if the crime is of a multi-county nature or has transpired or is transpiring or has significance in more than one county of this State;

(2) a crime involving criminal gang activity or a pattern of criminal gang activity pursuant to Article 3, Chapter 8, Title 16;

(3) a crime, statutory, common law or other, involving public corruption as defined in Section 14-7-1615, a crime, statutory, common law or other, arising out of or in connection with a crime involving public corruption as defined in Section 14-7-1615, and any attempt, aiding, abetting, solicitation, or conspiracy to commit a crime, statutory, common law or other, involving public corruption as defined in Section 14-7-1615;

(4) a crime involving the election laws, including, but not limited to, those named offenses specified in Title 7, or a common law crime involving the election laws if not superseded, or a crime arising out of or in connection with the election laws, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a crime involving the election laws;

(5) a crime involving computer crimes, pursuant to Chapter 16, Title 16, or a conspiracy or solicitation to commit a crime involving computer crimes;

(6) a crime involving terrorism, or a conspiracy or solicitation to commit a crime involving terrorism. Terrorism includes an activity that:

(a) involves an act dangerous to human life that is a violation of the criminal laws of this State;

(b) appears to be intended to:

(i) intimidate or coerce a civilian population;

(ii) influence the policy of a government by intimidation or coercion; or

(iii) affect the conduct of a government by mass destruction, assassination, or kidnapping; and

(c) occurs primarily within the territorial jurisdiction of this State;

(7) a crime involving a violation of Chapter 1, Title 35 of the Uniform Securities Act, or a crime related to securities fraud or a violation of the securities laws;

(8) a crime involving obscenity, including, but not limited to, a crime as provided in Article 3, Chapter 15, Title 16, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a crime involving obscenity;

(9) a crime involving the knowing and wilful making of, aiding and abetting in the making of, or soliciting or conspiring to make a false, fictitious, or fraudulent statement or representation in an affidavit regarding an alien's lawful presence in the United States, as defined by law, if the number of violations exceeds twenty or if the public benefit received by a person from a violation or combination of violations exceeds twenty thousand dollars;

(10) a crime involving financial identity fraud or identity fraud involving the false, fictitious, or fraudulent creation or use of documents used in an immigration matter as defined in Section 16-13-525, if the number of violations exceeds twenty, or if the value of the ascertainable loss of money or property suffered by a person or persons from a violation or combination of violations exceeds twenty thousand dollars;

(11) a crime involving the knowing and wilful making of, aiding or abetting in the making of, or soliciting or conspiring to make a false, fictitious, or fraudulent statement or representation in a document prepared or executed as part of the provision of immigration assistance services in an immigration matter, as defined by law, if the number of violations exceeds twenty, or if a benefit received by a person from a violation or combination of violations exceeds twenty thousand dollars;

(12) a knowing and wilful crime involving actual and substantial harm to the water, ambient air, soil or land, or both soil and land. This crime includes a knowing and wilful violation of the Pollution Control

Act, the Atomic Energy and Radiation Control Act, the State Underground Petroleum Environmental Response Bank Act, the State Safe Drinking Water Act, the Hazardous Waste Management Act, the Infectious Waste Management Act, the Solid Waste Policy and Management Act, the Erosion and Sediment Control Act, the South Carolina Mining Act, and the Coastal Zone Management Act, or a knowing and wilful crime arising out of or in connection with environmental laws, or any attempt, aiding, abetting, solicitation, or conspiracy to commit a knowing and wilful crime involving the environment if the anticipated actual damages, including, but not limited to, the cost of remediation, is two million dollars or more, as certified by an independent environmental engineer who must be contracted by the Department of Health and Environmental Control. If the knowing and wilful crime is a violation of federal law, a conviction or an acquittal pursuant to federal law for the same act is a bar to the impaneling of a state grand jury pursuant to this section; and

(13) a crime involving or relating to the offense of trafficking in persons, as defined in Section 16-3-2020, when a victim is trafficked in more than one county or a trafficker commits the offense of trafficking in persons in more than one county.”

Trafficking in persons, definition of “sex trafficking” revised

SECTION 3. Section 16-3-2010(7) of the 1976 Code, as added by Act 258 of 2012, is amended to read:

“(7) ‘Sex trafficking’ means the recruitment, harboring, transportation, provision, or obtaining of a person for one of the following when it is induced by force, fraud, or coercion or the person performing the act is under the age of eighteen years and anything of value is given, promised to, or received, directly or indirectly, by another person:

- (a) criminal sexual conduct pursuant to Section 16-3-651;
- (b) criminal sexual conduct in the first degree pursuant to Section 16-3-652;
- (c) criminal sexual conduct in the second degree pursuant to Section 16-3-653;
- (d) criminal sexual conduct in the third degree pursuant to Section 16-3-654;
- (e) criminal sexual conduct with a minor pursuant to Section 16-3-655;

- (f) engaging a child for sexual performance pursuant to Section 16-3-810;
- (g) producing, directing, or promoting sexual performance by a child pursuant to Section 16-3-820;
- (h) sexual battery pursuant to Section 16-3-651;
- (i) sexual conduct pursuant to Section 16-3-800; or
- (j) sexual performance pursuant to Section 16-3-800.”

Trafficking in persons, posting of information regarding the National Human Trafficking Resource Center Hotline in certain establishments, fine for failure to post required notice

SECTION 4. Article 19, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16-3-2100. (A) The following establishments are required to post the information contained in subsection (B) regarding the National Human Trafficking Resource Center Hotline:

- (1) an establishment which has been declared a nuisance for prostitution pursuant to Chapter 43, Title 15;
- (2) an adult business, including a nightclub, bar, restaurant, or another similar establishment in which a person appears in a state of sexually explicit nudity, as defined in Section 16-15-375, or seminudity, as defined in Section 57-25-120;
- (3) businesses and establishments that offer massage or bodywork services by any person who is not licensed under Chapter 30, Title 40;
- (4) emergency rooms within any hospital;
- (5) urgent care centers;
- (6) any hotel, motel, room, or accommodation furnished to transients for which fees are charged in this State;
- (7) all agricultural labor contractors and agricultural labor transporters as defined pursuant to Section 41-27-120; and
- (8) all airports, train stations, bus stations, rest areas, and truck stops.

(B) The information must be posted in each public restroom for the business or establishment and a prominent location conspicuous to the public at the entrance of the establishment where posters and notices are customarily posted on a poster no smaller than eight and one-half by eleven inches in size and must state in both English and Spanish on the same poster information relevant to the hotline, including the following or language substantially similar:

‘If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farm work, or any other activity, call the National Human Trafficking Resource Center Hotline at 1-888-373-7888 to access help and services. Victims of human trafficking are protected under federal law and the laws of South Carolina. The hotline is:

- (1) available twenty-four hours a day, seven days a week;
- (2) operated by a nonprofit, nongovernmental organization;
- (3) anonymous and confidential;
- (4) accessible in one hundred seventy languages;
- (5) able to provide help, referral to services, training, and general information.’

(C) The Department of Revenue, the State Law Enforcement Division, and the Department of Transportation, as appropriate depending on the regulatory control or authority the respective department exercises over the establishment, are directed to provide each establishment with the notice required to be posted by this section. The departments shall post on the departments’ websites a sample of the notice required to be posted which must be accessible for download. The business must download and post the notice in not less than sixteen point font.

(D) The Department of Revenue, the State Law Enforcement Division, or the Department of Transportation, as appropriate, is authorized to issue a written warning to an establishment which fails to post the required notice provided in this section and may assess a fine of not more than fifty dollars for each subsequent violation. Each day that the establishment remains in violation of this section is considered a separate and distinct violation and the establishment may be fined accordingly.

(E) The South Carolina Human Trafficking Task Force, Department of Revenue, and Department of Transportation are directed to collaborate on the design of the required notice to be posted and may partner to develop materials, and shall have the design finalized no later than one hundred twenty days after the effective date of this section. Establishments required to post the notice must be in compliance no later than six months after the effective date of this action.

(F) This section does not apply to establishments providing entertainment in theatres, concert halls, art centers, museums, or similar establishments that are devoted primarily to the arts or theatrical performances when the performances presented are expressing matters of serious literary, artistic, scientific, or political value.’’

Interagency Task Force for the Prevention of Trafficking in Persons, membership revised

SECTION 5. Section 16-3-2050(B) and (C) of the 1976 Code, as added by Act 258 of 2012, is amended to read:

“(B) The task force shall consist of, at a minimum, representatives from:

- (1) the Office of the Attorney General, who must be chair;
- (2) the South Carolina Department of Labor, Licensing and Regulation;
- (3) the South Carolina Police Chiefs Association;
- (4) the South Carolina Sheriffs’ Association;
- (5) the State Law Enforcement Division;
- (6) the Department of Health and Environmental Control Board;
- (7) the State Office of Victim Assistance;
- (8) the South Carolina Commission on Prosecution Coordination;
- (9) the Department of Social Services;
- (10) a representative from the Office of the Governor;
- (11) a representative from the Department of Employment and Workforce; and

(12) two persons appointed by the Attorney General from nongovernmental organizations, especially those specializing in trafficking in persons, those representing diverse communities disproportionately affected by trafficking, agencies devoted to child services and runaway services, and academic researchers dedicated to the subject of trafficking in persons.

(C) The Attorney General shall invite representatives of the United States Department of Labor, the United States Attorneys’ offices, and federal law enforcement agencies’ offices within the State, including the Federal Bureau of Investigations and the United States Immigration and Customs Enforcement office, to be members of the task force.”

Conforming changes

SECTION 6. A. Section 8-30-10(A) of the 1976 Code, as added by Act 280 of 2008, is amended to read:

“(A) The Executive Director of the State Commission for Minority Affairs, or a designee, shall establish and maintain a twenty-four hour toll free telephone number and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws

or related provisions of South Carolina law by any non-United States citizen or immigrant, and allegations of violations of any federal immigration laws or related provisions in South Carolina law against any non-United States citizen or immigrant. Such violations shall include, but are not limited to, E-Verify or other federal work authorization program violations, violations of Chapter 83, Title 40 of this code relating to immigration assistance services, or any regulations enacted governing the operation of immigration assistance services, false or fraudulent statements made or documents filed in relation to an immigration matter, as defined by Section 40-83-20, violation of human trafficking laws, as defined in Section 16-3-2020, landlord tenant law violations, or violations of any law pertaining to the provision or receipt of public assistance benefits or public services.”

B. Section 16-1-60 of the 1976 Code, as last amended by Act 255 of 2012, is further amended to read:

“Section 16-1-60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16-3-10); attempted murder (Section 16-3-29); assault and battery by mob, first degree, resulting in death (Section 16-3-210(B)), criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653); criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656); assault and battery with intent to kill (Section 16-3-620); assault and battery of a high and aggravated nature (Section 16-3-600(B)); kidnapping (Section 16-3-910); trafficking in persons (Section 16-3-2020); voluntary manslaughter (Section 16-3-50); armed robbery (Section 16-11-330(A)); attempted armed robbery (Section 16-11-330(B)); carjacking (Section 16-3-1075); drug trafficking as defined in Section 44-53-370(e) or trafficking cocaine base as defined in Section 44-53-375(C); manufacturing or trafficking methamphetamine as defined in Section 44-53-375; arson in the first degree (Section 16-11-110(A)); arson in the second degree (Section 16-11-110(B)); burglary in the first degree (Section 16-11-311); burglary in the second degree (Section 16-11-312(B)); engaging a child for a sexual performance (Section 16-3-810); homicide by child abuse (Section 16-3-85(A)(1)); aiding and abetting homicide by child abuse (Section 16-3-85(A)(2)); inflicting great bodily injury upon a child (Section 16-3-95(A)); allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B)); criminal domestic violence of a high and aggravated nature (Section 16-25-65);

abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43-35-85(E)); taking of a hostage by an inmate (Section 24-13-450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10-11-325(B)(1)); spousal sexual battery (Section 16-3-615); producing, directing, or promoting sexual performance by a child (Section 16-3-820); sexual exploitation of a minor first degree (Section 16-15-395); sexual exploitation of a minor second degree (Section 16-15-405); promoting prostitution of a minor (Section 16-15-415); participating in prostitution of a minor (Section 16-15-425); aggravated voyeurism (Section 16-17-470(C)); detonating a destructive device resulting in death with malice (Section 16-23-720(A)(1)); detonating a destructive device resulting in death without malice (Section 16-23-720(A)(2)); boating under the influence resulting in death (Section 50-21-113(A)(2)); vessel operator's failure to render assistance resulting in death (Section 50-21-130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55-1-30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2)); interference with traffic-control devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3)); hit and run resulting in death (Section 56-5-1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57-7-20(D)); obstruction of a railroad resulting in death (Section 58-17-4090); accessory before the fact to commit any of the above offenses (Section 16-1-40); and attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses."

C. Section 17-25-45(C)(1) of the 1976 Code is amended to read:

“(1) ‘Most serious offense’ means:

16-1-40	Accessory, for any offense enumerated in this
item	
16-1-80	Attempt, for any offense enumerated in this
item	
16-3-10	Murder
16-3-29	Attempted Murder
16-3-50	Voluntary manslaughter
16-3-85(A)(1)	Homicide by child abuse

- 16-3-85(A)(2) Aiding and abetting homicide by child abuse
 16-3-210 Lynching, First degree
 16-3-210(B) Assault and battery by mob, First degree
 16-3-620 Assault and battery with intent to kill
 16-3-652 Criminal sexual conduct, First degree
 16-3-653 Criminal sexual conduct, Second degree
 16-3-655 Criminal sexual conduct with minors, except
 where evidence presented at the criminal proceeding and the court, after
 the conviction, makes a specific finding on the record that the conviction
 obtained for this offense resulted from consensual sexual conduct where
 the victim was younger than the actor, as contained in Section
 16-3-655(3)
 16-3-656 Assault with intent to commit criminal sexual
 conduct, First and Second degree
 16-3-910 Kidnapping
 16-3-920 Conspiracy to commit kidnapping
- 16-3-1075 Carjacking
 16-3-2020 Trafficking in persons
 16-11-110(A) Arson, First degree
 16-11-311 Burglary, First degree
 16-11-330(A) Armed robbery
 16-11-330(B) Attempted armed robbery
 16-11-540 Damaging or destroying building, vehicle, or
 other property by means of explosive incendiary, death results
 24-13-450 Taking of a hostage by an inmate
 25-7-30 Giving information respecting national or state
 defense to foreign contacts during war
 25-7-40 Gathering information for an enemy
 43-35-85(F) Abuse or neglect of a vulnerable adult resulting
 in death
 55-1-30(3) Unlawful removing or damaging of airport
 facility or equipment when death results
 56-5-1030(B)(3) Interference with traffic-control devices or
 railroad signs or signals prohibited when death results from violation
 58-17-4090 Obstruction of railroad, death results.”

D. Section 23-3-430(C)(17) of the 1976 Code, as last amended by Act 289 of 2010, is further amended to read:

“(17) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense;”

E. Section 23-3-490(D)(1)(h) of the 1976 Code, as last amended by Act 289 of 2010, is further amended to read:

“(h) trafficking in persons (Section 16-3-2020) except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense.”

F. Section 23-3-540(G)(1)(i) of the 1976 Code, as last amended by Act 255 of 2012, is further amended to read:

“(i) trafficking in persons (Section 16-3-2020) of a person under eighteen years of age except when the court makes a finding on the record that the offense did not include a criminal sexual offense or an attempted criminal sexual offense; or”

G. Section 44-53-370(f)(2) of the 1976 Code, as last amended by Act 289 of 2010, is further amended to read:

“(2) trafficking in persons, Section 16-3-2020;”

Savings clause

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Time effective

SECTION 8. This act takes effect upon approval by the Governor.

Ratified the 1st day of April, 2015.

Approved the 2nd day of April, 2015.

No. 8

(R18, H3035)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 48 SO AS TO ENACT THE “TAKE PALMETTO PRIDE WHERE YOU LIVE ACT”, TO CREATE THE TAKE PALMETTO PRIDE WHERE YOU LIVE ACT COMMISSION UNDER THE AUSPICES OF, AND STAFFED BY, THE DEPARTMENT OF NATURAL RESOURCES AND TO PROVIDE FOR ITS MEMBERS, POWERS, AND DUTIES; TO PROVIDE THAT THE COMMISSION SHALL DEVELOP A STRATEGIC STATE PLAN FOR LITTER REMOVAL, REDUCTION AND PREVENTION, AND LITTER LAW ENFORCEMENT THROUGH THE COORDINATION AND COOPERATION OF STATE AGENCIES, LOCAL GOVERNMENTS, PRIVATE PROFIT AND NONPROFIT ORGANIZATIONS, BUSINESS, AND INDUSTRY TO PROVIDE FOR THE COMPONENTS OF THE PLAN; TO AMEND SECTION 24-23-115, RELATING TO PUBLIC SERVICE WORK AS A CONDITION OF PROBATION OR SUSPENSION OF A SENTENCE, SO AS TO DEFINE “PUBLIC SERVICE WORK” AS PARTICIPATING IN A LITTER REMOVAL PROGRAM OR ANOTHER LITTER PROGRAM UNDER THE COMMISSION UNLESS THE COURT FINDS THAT PARTICIPATION IN SUCH A PROGRAM IS NOT APPROPRIATE FOR THE OFFENDER; AND TO REPEAL CHAPTER 67, TITLE 44 RELATING TO THE “LITTER CONTROL ACT OF 1978” UNDER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Whereas, South Carolina has historically spent tens of millions of dollars to remove litter from our highways and roadsides and if the State were to stay on that course to deal with litter, it would be likely to spend an ever-increasing amount of resources; and

Whereas, additionally, over the years, many groups, organizations, and agencies have used numerous methods to create and sustain a clean environment in which to live, work, and play; despite their best efforts, litter continues to occur and in great volume in our State; and

Whereas, litter results in significant social, environmental, and economic costs. It is aesthetically displeasing, presents a range of threats to human and ecologic health, impedes the attraction of new business to the State, and affects the quality of life for the citizens of South Carolina; and

Whereas, litter increases the risk of fire, personal injury, the spread of disease, pollutes waterways, and threatens wildlife. The impacts are real, the issue is genuine, and litter is increasingly being recognized as an important problem in South Carolina; and

Whereas, in an effort to improve the quality of life, the public health and environment, and the economy, this legislation proposes to establish a permanent commission to address the issues of litter removal, reduction and prevention, under the Department of Natural Resources with the responsibility to develop a balanced, comprehensive strategy to effectively address this statewide issue through the coordination and cooperation of state agencies, local governments, and private profit and nonprofit organizations in this State. Now, therefore,

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

Citation of act

SECTION 1. This act may be cited as the "Take Palmetto Pride in Where You Live Act".

Take Palmetto Pride in Where You Live

SECTION 2. Title 48 of the 1976 Code is amended by adding:

“CHAPTER 54

Take Palmetto Pride in Where You Live

Section 48-54-10. (A) There is established the Take Palmetto Pride in Where You Live Commission under the auspices of, and staffed by,

the Department of Natural Resources. The commission shall serve as the lead agency for statewide litter removal, litter reduction and prevention, and litter law enforcement through facilitating communication, cooperation and coordination of the efforts and resources of state agencies, local governments, the private profit and nonprofit sectors, business, and industry.

(B) The commission is comprised of:

- (1) the Director of the Department of Natural Resources, or his designee, who shall serve as the chairperson of the commission;
- (2) the Director of the Department of Transportation, or his designee, who shall serve as the vice chairperson of the commission;
- (3) the Director of the Department of Corrections or his designee;
- (4) the Director of the Department of Probation, Parole and Pardon Services, or his designee;
- (5) the Director of the Department of Public Safety, or his designee;
- (6) the Director of Court Administration, or his designee;
- (7) the Director of Palmetto Pride, or his designee;
- (8) the Director of Keep America Beautiful South Carolina, or his designee;
- (9) the Executive Director of the Municipal Association of South Carolina, or his designee;
- (10) the Executive Director of the South Carolina Association of Counties, or his designee;
- (11) the Executive Director of the South Carolina Sheriff's Association, or his designee; and
- (12) the President of the South Carolina Trucking Association, or his designee.

(C) The members of the commission shall serve ex officio and payment of any mileage, per diem, or subsistence is the responsibility of the department or organization the member represents.

(D) The commission must be staffed by the Department of Natural Resources and shall meet at least twice a year and at any time upon the call of the chair.

(E) In carrying out its responsibilities pursuant to this chapter, the commission may convene ad hoc committees as it considers necessary and utilize the assistance and expertise of other agencies, organizations, and resources to improve litter removal, reduction and prevention, and litter law enforcement in this State.

(F) All agencies of the State and local governments shall cooperate with the commission in carrying out its responsibilities pursuant to this chapter.

Section 48-54-20. The commission shall survey the incidence of litter violations and the primary type and locations of litter in this State; the system, frequency, method, and personnel used in the removal of litter; the existence and sponsorship of litter reduction and prevention programs and campaigns; and the incidence of litter law enforcement and prosecution in this State. The commission also shall evaluate ongoing public and private programs and campaigns addressing these litter issues including the value, effectiveness, and duplication of these programs and campaigns. This data must be utilized in developing the Strategic State Plan for Litter, as provided for in Section 48-54-30, and as a baseline for measuring the effectiveness of programs and campaigns undertaken pursuant to this plan.

Section 48-54-30. (A) To provide effective, statewide litter removal, reduction and prevention, and litter law enforcement, the commission shall develop a Strategic State Plan for Litter, which must be balanced and comprehensive, but flexible and dynamic in order to be revised and expanded to encompass new innovations, methods, and resources.

(B)(1) The plan must address the overall goal of reducing litter through developing coordinated, cost-effective, and efficient methods of litter removal, litter reduction and prevention, and litter law enforcement.

(2) To perform litter removal activities, the plan must:

(a) identify and prioritize sites for litter removal and determine ways to expand the pool of individuals performing litter removal;

(b) identify and coordinate state agencies, local governments, and private profit and nonprofit organizations that will engage in litter removal and identify their roles and responsibilities in the performance of litter removal including the responsibility of removal of animal carcasses;

(c) facilitate the development of policies and procedures to be utilized by state agencies, local governments, and private profit and nonprofit organizations for litter removal including, but not limited to, scheduling and coordinating litter removal, providing transportation and supervision of individuals performing litter removal, and determining methods and systems for the litter removal process, including the pickup of collected, removed litter; and

(d) develop and facilitate the use of interagency agreements or memoranda of agreements under which state agencies, local governments, and private profit and nonprofit organizations can

coordinate and cooperate in fulfilling their litter removal obligations under the plan.

(3) To carry out litter reduction and prevention, the plan must:

(a) identify and evaluate existing public education and awareness programs and campaigns for continuation, modification, or consolidation;

(b) publicize and promote participation in litter reduction and prevention programs and campaigns; facilitate the communication, coordination, and cooperation among state agencies, local governments, private profit and nonprofit organizations, business, and industry participating in litter reduction and prevention programs and campaigns; and

(c) conduct research on the development of new and innovative public awareness and education programs including the development of litter programs for schools and community organizations and the development of public awareness through media outlets and other public means.

(4) To increase the enforcement of litter law violations, the plan must:

(a) educate law enforcement and the judiciary about the detrimental impact of litter in this State and the role and importance of enforcing litter laws;

(b) publicize and promote existing methods of effective reporting of litter law violations;

(c) conduct research and evaluate how other states and jurisdictions have increased enforcement of litter laws.

(5) The plan must include the awarding of meaningful recognition and effective incentives to promote and encourage participation in appropriate litter removal, reduction and prevention, and litter law enforcement programs and campaigns.

Section 48-54-40. (A) Biennially, the commission shall review and evaluate its Strategic State Plan for Litter to identify areas of progress and improvement in attaining the overall goal of reducing litter in this State and barriers to achieving this goal. Accordingly, the commission shall revise the plan to incorporate its findings.

(B) The commission biennially, following its review and evaluation of its Strategic State Plan for Litter, shall submit a report in writing to the General Assembly before November sixteenth in even numbered years, beginning in 2016. The report must include, but is not limited to, the extent programs and campaigns for litter removal, reduction and prevention, and litter law enforcement have made progress in reaching

the overall goal of litter reduction in this State; the extent the commission has been successful in facilitating the coordination and cooperation among state agencies, local governments, and private profit and nonprofit organizations in the development and implementation of programs and campaigns undertaken pursuant to the Strategic State Plan for Litter; whether the incidence of litter violations have decreased and whether the enforcement of litter laws and prosecutions have increased; measurements of the effectiveness of litter removal, reduction and prevention, and litter law enforcement programs and campaigns; new programs implemented; and recommendations for legislative changes needed to assist the commission in achieving the overall goal of litter reduction and in carrying out its duties and responsibilities under this chapter.”

Public service work defined

SECTION 3. Section 24-23-115 of the 1976 Code is amended by adding a new paragraph at the end to read:

“For purposes of this section, ‘public service work’ includes participating in a litter removal program on or along the roadways of this State or participating in another program for the removal, reduction, or prevention of littering, as provided for in Chapter 54, Title 48, unless a court of competent jurisdiction determines that participation in such a program is not appropriate for the offender.”

Repeal

SECTION 4. Chapter 67, Title 44 of the 1976 Code is repealed.

Time effective

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 1st day of April, 2015.

Approved the 2nd day of April, 2015.

No. 9

(R21, S358)

AN ACT TO AMEND SECTION 56-5-70, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF VEHICULAR REQUIREMENTS DURING A DECLARED STATE OF EMERGENCY, SO AS TO PROVIDE FOR AN EXTENSION OF THE TIME PERIOD FOR UP TO ONE HUNDRED TWENTY DAYS RELATING TO SUSPENSIONS OF REGISTRATION, PERMITTING, LENGTH, WIDTH, WEIGHT, AND LOAD ON NONINTERSTATE ROUTES FOR CERTAIN VEHICLES, AND TO MAKE SUSPENSIONS OF TIME OF SERVICE REQUIREMENTS FOR THIRTY DAYS UNLESS EXTENDED BY FEDERAL REGULATION FOR BOTH INTERSTATE AND NONINTERSTATE ROUTES FOR CERTAIN VEHICLES.

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

State of emergency

SECTION 1. Section 56-5-70(A) of the 1976 Code, as last amended by Act 250 of 2010, is further amended to read:

“(A)(1) Notwithstanding any provision of this chapter or any other provision of law, during a state of emergency declared by the Governor and in the course of responding to the state of emergency:

(a) requirements relating to registration, permitting, length, width, weight, and load are suspended for commercial and utility vehicles traveling on noninterstate routes for up to one hundred twenty days, provided the vehicles do not exceed a gross weight of ninety thousand pounds and do not exceed a width of twelve feet;

(b) requirements relating to time of service suspensions for commercial and utility vehicles traveling on interstate and noninterstate routes are suspended for up to thirty days, unless extended for additional periods in accordance with 49 C.F.R. 390-399.

(2) All vehicles operated upon the public highways of this State under the authority of this section must:

- (a) be operated in a safe manner;
- (b) maintain required limits of insurance; and

(c) be clearly identified as a utility vehicle or provide appropriate documentation indicating it is a commercial vehicle responding to the emergency.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 10

(R22, S376)

AN ACT TO AMEND SECTION 55-1-80, RELATING TO COUNTY AVIATION COMMISSIONS, SO AS TO ALLOW FOR INCREASED MEMBERSHIP ON CERTAIN COUNTY AVIATION COMMISSIONS, TO PROVIDE FOR THE APPOINTMENT OF THE NEW MEMBERS, TO PROVIDE THAT MAYORS OF CERTAIN MUNICIPALITIES SHALL SERVE EX OFFICIO ON CERTAIN AVIATION COMMISSIONS OR AUTHORITIES, AND TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MULTICOUNTY AVIATION COMMISSION OR AUTHORITY; AND TO REPEAL ACT 130 OF 2007 RELATING TO THE INCREASE OF CHARLESTON COUNTY AVIATION AUTHORITY BY TWO MEMBERS.

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

County aviation commissions and authorities

SECTION 1. Section 55-1-80 of the 1976 Code is amended to read:

“Section 55-1-80. (A) Any county aviation commission or like authority may be increased by two members, one of whom must be appointed by the House of Representatives’ delegation of the county and one of whom must be appointed by the Senatorial delegation of the

county. The additional members shall serve terms of the same length as other members of the commission or like authority.

(B) Any county governing body who has the authority to appoint members to the aviation commission or like authority may add two members for terms as provided in this section.

(C) In counties that have two municipalities with a population in excess of fifty thousand persons according to the latest official United States Census, and the county has an aviation commission or like authority, then the mayors of such municipalities having a population in excess of the fifty thousand persons shall serve, ex officio, as members of the commission or authority.

(D) The provisions of this section do not apply in the case of any multicounty aviation commission or authority.”

Repeal

SECTION 2. Act 130 of 2007 is repealed.

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 11

(R23, S391)

AN ACT TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO PROVIDE THAT ACTIVE DUTY MILITARY PERSONNEL MAY BE CHARGED LESS THAN THE UNDERGRADUATE TUITION RATE FOR SOUTH CAROLINA RESIDENTS FOR COURSES THAT ARE PRESENTED ON A DISTANCE BASIS, REGARDLESS OF RESIDENCY, AND TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS

UNDER WHICH CERTAIN VETERANS RECEIVING SPECIFIED FEDERAL EDUCATIONAL BENEFITS AND ENROLLED IN A STATE INSTITUTION AND PERSONS RELATED TO THE VETERAN RECEIVING SPECIFIED FEDERAL EDUCATIONAL BENEFITS AND ENROLLED IN A STATE INSTITUTION ARE ENTITLED TO RECEIVE IN-STATE TUITION RATES WITHOUT REGARD TO THE LENGTH OF TIME THE INDIVIDUAL HAS RESIDED IN THE STATE.

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

Tuition rates for active duty personnel and for certain veterans and their relations

SECTION 1. Section 59-112-50(B) of the 1976 Code, as last amended by Act 133 of 2012, is further amended to read:

“(B)(1) Active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency.

(2) For purposes of this section, ‘active duty military personnel’ includes, but is not limited to, active duty guardsmen and active duty reservists.

(C)(1) Notwithstanding any other provision of law, a covered individual enrolled in a public institution of higher education and receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code are entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this State.

(2) For purposes of this subsection, a covered individual is defined as:

(a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or

(b) a person who is entitled to and receiving assistance under Section 3311(b)(9) or 3319, Title 38 of the United States Code by virtue of the person’s relationship to the veteran described in subitem (a).

(3) A covered individual must live in this State while enrolled at the in-state institution.

(4) At the conclusion of the applicable three year period in subsection (C)(2)(a), a covered individual shall remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution or transfers to another in-state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in-state institution. In the event of a transfer, the in-state institution receiving the covered individual shall verify the covered individual's eligibility for in-state rates with the covered individual's prior in-state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in-state institution."

Time effective

SECTION 2. This act takes effect on July 1, 2015.

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 12

(R24, S578)

AN ACT TO AMEND SECTION 48-39-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR A VIOLATION OF THE CHAPTER ON COASTAL TIDELANDS AND WETLANDS, SO AS TO PROVIDE A THREE-YEAR STATUTE OF LIMITATIONS ON ENFORCEMENT VIOLATIONS RELATING TO MINOR DEVELOPMENT ACTIVITIES EXCEPT IN INSTANCES WHERE THE ALLEGED VIOLATOR KNOWINGLY OR INTENTIONALLY WITHHELD INFORMATION RELATING TO THE ALLEGED VIOLATION, TO DESCRIBE ACTS OF CONCEALMENT, AND TO APPLY THIS ACT TO ALL FUTURE ENFORCEMENT ACTIONS AND ENFORCEMENT ACTIONS PENDING AS OF JANUARY 1, 2015.

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

Providing a statute of limitations on enforcement violations

SECTION 1. Section 48-39-170(C) of the 1976 Code is amended to read:

“(C) Any person who is determined to be in violation of any provision of this chapter by the department shall be liable for, and may be assessed by the department for, a civil penalty of not less than one hundred dollars nor more than one thousand dollars per day of violation. Whenever the department determines that any person is in violation of any permit, regulation, standard, or requirement under this chapter, the department may issue an order requiring such person to comply with such permit, regulation, standard, or requirement, including an order requiring restoration when deemed environmentally appropriate by the department; in addition, the department may bring a civil enforcement action under this section as well as seeking an appropriate injunctive relief under Section 48-39-160. The department shall be required to assert violations of any provision of this chapter relating to minor development activities within three years of the date of the violation, except if the department’s failure to assert the alleged violation resulted from a knowing or intentional attempt to withhold or conceal information relating to the alleged violation by the person against whom the violation is alleged. Failure to make application for, and subsequently receive, the required permit, permit modification, or permit amendment before commencing these activities shall be deemed to be an act of concealment. The provisions of this section apply to all enforcement actions pending as of January 1, 2015, and all future enforcement actions.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 13

(R25, S588)

AN ACT TO AMEND SECTION 7-7-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD FIVE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Aiken County voting precincts revised

SECTION 1. Section 7-7-40 of the 1976 Code, as last amended by Act 130 of 2014, is further amended to read:

“Section 7-7-40. (A) In Aiken County there are the following voting precincts:

- Aiken No. 1
- Aiken No. 2
- Aiken No. 3
- Aiken No. 4
- Aiken No. 5
- Aiken No. 6
- Aiken No. 47
- Anderson Pond No. 69
- Ascauga Lake
- Ascauga Lake No. 84
- Bath
- Beech Island
- Belvedere No. 9
- Belvedere No. 44
- Belvedere No. 62
- Belvedere No. 74
- Breezy Hill
- Carolina Heights
- Cedar Creek No. 64
- China Springs
- Clearwater

College Acres
Couchton
Eureka
Fox Creek No. 58
Fox Creek No. 73
Gem Lakes No. 60
Gem Lakes No. 77
Gloverville
Graniteville
Hammond
Hammond No. 81
New Holland
Hitchcock No. 66
Hollow Creek
Jackson
Langley
Levels No. 52
Levels No. 72
Levels No. 83
Lynwood
Midland Valley No. 51
Midland Valley No. 71
Millbrook
Misty Lakes
Monetta
Montmorenci No. 22
Montmorenci No. 78
New Ellenton
North Augusta No. 25
North Augusta No. 26
North Augusta No. 27
North Augusta No. 28
North Augusta No. 29
North Augusta No. 54
North Augusta No. 55
North Augusta No. 67
North Augusta No. 68
North Augusta No. 80
Oak Grove
Perry
Redds Branch
Salley

Sandstone No. 70
Sandstone No. 79
Shaws Fork
Shiloh
Silver Bluff
Six Points No. 35
Six Points No. 46
Sleepy Hollow No. 65
South Aiken No. 75
South Aiken No. 76
Tabernacle
Talatha
Pine Forest
Vaucluse
Wagener
Ward
Warrenville
White Pond
Willow Springs
Windsor
Windsor No. 82

(B) Precinct lines defining the precincts provided in subsection (A) of this section are as shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-03-15 and as shown on certified copies of the official map provided by the office to the State Election Commission and the Board of Voter Registration and Elections of Aiken County.

(C) Polling places for the precincts provided in subsection (A) of this section must be established by the Board of Voter Registration and Elections of Aiken County with the approval of a majority of the county legislative delegation.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 14

(R27, S673)

AN ACT TO AMEND SECTION 4-9-82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO SPECIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO A TRANSACTION THAT INCLUDES THE HOSPITAL PUBLIC SERVICE DISTRICT'S ENTRY INTO A LEASE OF ANY OR ALL OF ITS REAL PROPERTY ASSOCIATED WITH THE DELIVERY OF HOSPITAL SERVICES REGARDLESS OF THE LENGTH OF THE TERM OF THE REAL PROPERTY LEASE OR WHETHER OR NOT THE TRANSACTION ALSO INCLUDES THE SALE OR LEASE OF OTHER ASSETS OF THE DISTRICT, AND TO PROVIDE APPLICATION LIMITATIONS.

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

Transfer of assets by a hospital public service district, exception for leases

SECTION 1. Section 4-9-82 of the 1976 Code, as last amended by Act 94 of 1999, is further amended by adding an appropriately lettered subsection at the end to read:

“() Notwithstanding any other provision of law, the provisions of this section do not apply to any transaction that includes the hospital public service district's entry into a lease of any or all of its real property associated with the delivery of hospital services regardless of:

- (1) the length of the term of the real property lease; or
- (2) whether or not the transaction also includes the sale or lease of other assets of the district.”

Applicability limitations

SECTION 2. Section 4-9-82(C) of the 1976 Code, as added by Act 94 of 1999, is amended to read:

“(C) Provided, however, that the requirements of subsection (B) do not apply to a transfer by a hospital public service district that owns or

controls less than one hundred forty-five licensed or otherwise authorized acute care hospital beds and is located entirely within a county with a population of less than forty thousand persons, and the:

(1) transfer is to a not-for-profit entity whose governing board is appointed by the Governor, upon the recommendation of the legislative delegation from the county where the hospital public service district is located, and which otherwise is in compliance with subsection (A); or

(2) transfer is to an entity created pursuant to the provisions of Chapter 31, Title 33, or the provisions of Chapter 35, Title 33, or the provisions of Articles 15 and 16, Chapter 7, Title 44, and whose governing board is appointed by the Governor, upon recommendation of the legislative delegation from the county where the hospital public service district is located; or

(3) transfer is to another governmental entity.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 15

(R29, H3323)

AN ACT TO AMEND CHAPTER 23, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE “SOUTH CAROLINA NOXIOUS WEED ACT” SO AS TO DELETE THE TERM “COMMISSIONER” AND REPLACE IT WITH THE TERM “COMMISSION”, TO REVISE THE DEFINITION OF THE TERMS “COMMISSION”, “AUTHORIZED INSPECTOR”, AND “NOXIOUS WEED”, TO PROVIDE A DEFINITION FOR THE TERM “DIRECTOR”, TO MAKE TECHNICAL CHANGES, AND TO DELETE THE TERM “SOUTH CAROLINA DEPARTMENT OF AGRICULTURE” AND REPLACE IT WITH THE TERM “DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY”, AND TO ESTABLISH THE POWERS AND DUTIES OF THE STATE

**CROP PEST COMMISSION AND THE DIRECTOR OF THE
REGULATORY AND PUBLIC SERVICE PROGRAMS,
CLEMSON UNIVERSITY.**

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

Noxious Weed Act

SECTION 1. Chapter 23, Title 46 of the 1976 Code is amended to read:

“CHAPTER 23

Noxious Weeds

Section 46-23-10. This chapter may be cited as the ‘South Carolina Noxious Weed Act’.

Section 46-23-20. As used in this chapter:

(a) ‘Commission’ means the State Crop Pest Commission of South Carolina or any other person to whom authority may be delegated to act in its stead.

(b) ‘Authorized inspector’ means an employee of the Division of Regulatory and Public Service Programs, Clemson University or an employee of a cooperating agency specifically authorized to enforce the provisions of the federal Noxious Weed Act.

(c) ‘Noxious weed’ means any living stage of any plant including seed or reproductive parts thereof or parasitic plants or parts thereof which is determined by the State Crop Pest Commission to be directly or indirectly injurious to public health, crops, livestock, or agriculture including, but not limited to, waterways and irrigation canals.

(d) ‘Move’ means to ship, offer for shipment, offer for entry, import, receive for transportation or transport by a common carrier or carry, transport, move or allow to be moved by any means.

(e) ‘Director’ means the Director of the Division of Regulatory and Public Service Programs, Clemson University.

Section 46-23-30. (a) The commission may, when it deems it necessary as an emergency measure in order to prevent the introduction into or the dissemination within South Carolina of any noxious weed new to or not theretofore widely prevalent or distributed within and throughout the State, seize, quarantine, treat, destroy, apply other remedial measures to, export, return to shipping point, or otherwise

dispose of in such a manner as it deems appropriate, any noxious weed or any product or article of any character whatsoever or any means of conveyance which it has reason to believe contains or is contaminated with any noxious weed, offered for movement, moving, or has moved into or through the State or intrastate. Provided, that no such noxious weed, product, article, or means of conveyance shall be destroyed, exported, or returned to the shipping point or so ordered to be destroyed, exported, or returned to the shipping point, unless in the opinion of the commission, there is no less drastic action which would be adequate to prevent the introduction or dissemination of noxious weeds.

(b) The commission may order the owner or person in possession of any new or not theretofore widely prevalent noxious weed, or any product, article, or means of conveyance, or his agent to treat, apply other remedial measures to, destroy, export, return to shipping point, or make other disposition of such noxious weed, product, article, or means of conveyance without cost to the State or agency cooperating with the State in such a manner as the commission deems appropriate. The commission may apply to a court of competent jurisdiction in which such person resides or transacts business or in which the noxious weed, product, article, or means of conveyance is found for enforcement of such order by injunction, mandatory or otherwise. Process in any such case may be served in any judicial district wherein the defendant resides or transacts business or may be found, and subpoena for witnesses who are required to attend a court in any judicial district in such a case shall have force and effect in any other judicial district.

(c) The owner of any noxious weed, product, article, or means of conveyance, destroyed or otherwise disposed of by the commission under this section, may bring an action against the State within one year after such destruction or disposal, and recover just compensation for the destruction or disposal of such noxious weed, product, article, or means of conveyance (not including compensation for loss due to delays incident to determining eligibility for movement into or through South Carolina or for intrastate movement) if the owner establishes that such action was not warranted under this section. Any judgment rendered in favor of such owner shall be paid out of the money appropriated for noxious weed control.

(d) The commission may promulgate such emergency regulations as it deems necessary to prevent the introduction into or the dissemination within the State of noxious weeds.

Section 46-23-40. (a) The commission is authorized and directed to quarantine any county, or any portion thereof, when it deems that such

quarantine is necessary to prevent the spread of any noxious weed. Before such quarantine is established, the commission shall give due notice of hearing under such regulations as it may prescribe. At such hearing, any interested party may appear and be heard, either in person or by attorney.

(b) The commission is directed to give notice of quarantine or amendments thereto through publication in the county newspaper.

(c) No persons shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined county or any quarantined portion thereof, into or through any other county, any noxious weed or any other product, article, or means of conveyance of any character whatsoever except as specified in the regulations issued by the commission.

(d) The commission shall make and promulgate rules and regulations governing the inspection, disinfection, certification, and methods and manner of movement of noxious weeds and any carriers thereof specified in the notice of the quarantine.

Section 46-23-50. The commission is authorized to carry out operations or measures necessary to detect, eradicate, suppress, control, or prevent the spread of noxious weeds new to or not heretofore widely prevalent or distributed within and throughout the State. The commission is authorized to promulgate rules and regulations to accomplish the purposes of this chapter.

Section 46-23-60. Any authorized inspector shall have authority to stop and inspect without a warrant any person or means of conveyance moving into the State and any noxious weed, and any product or article of any character whatsoever which it has reason to believe contains or is contaminated with any noxious weed, to determine whether such person, product, article, or means of conveyance contains or is carrying any noxious weed contrary to this chapter or the regulations promulgated thereunder, and whether any such noxious weed, product, article, or means of conveyance contains or is contaminated with any noxious weed or is moving in violation of this chapter or any regulation promulgated thereunder; to stop and inspect, without a warrant, any person, product, article, or means of conveyance moving intrastate and any noxious weed, when it has reason to believe that such means of conveyance, product, or article contains any noxious weed, is contaminated thereby, or is moving contrary to the provisions of this chapter or any regulation promulgated thereunder; and to enter, with a warrant, any premises in

the State to make any inspections and seizures necessary under this chapter. Any judge of a court of competent jurisdiction in South Carolina may, within his respective jurisdiction upon proper oath or affirmation showing probable cause to believe that there are on certain premises any noxious weeds, products, articles, or means of conveyance, regulated, or subject to disposal under this chapter, issue warrants for the entry of such premises to make any inspections or seizures under this chapter. Such warrants may be executed by any authorized employee of the Division of Regulatory and Public Service Programs, Clemson University.

Section 46-23-70. The commission is authorized to cooperate with the federal government, state agencies, farmers' organizations, other groups, and individuals in the conduction of those operations necessary to accomplish the purposes of this chapter. The commission is further authorized to cooperate with the governments of other states in carrying out necessary surveys, control operations, or quarantine measures, deemed necessary to eradicate, suppress, control, or retard the spread of noxious weeds, whenever the commission determines that such cooperation with the officials in other states is necessary or desirable to protect the interests of this State.

Section 46-23-80. Any person who violates any provision of this chapter, or any regulation promulgated thereunder, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding one year, or both.

Section 46-23-90. The commission shall delegate the duties provided in this chapter and other applicable chapters of this title to the director who may administer and enforce the provisions and promulgate related regulations. The director is the final decision authority in the designation and management of noxious weeds in the State. The director may hold public hearings at appropriate geographical locations after providing thirty days public notice in at least one newspaper of general circulation in the area. In making final decisions, the director may rely on the findings of any federal or state agencies involved."

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 16

(R34, H3547)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-2350 SO AS TO PROVIDE THAT THE REEMPLOYMENT RIGHTS AND PROTECTIONS GRANTED TO MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD AND SOUTH CAROLINA STATE GUARD WHO SERVE STATE DUTY SHALL APPLY ALSO TO A PERSON WHO IS EMPLOYED IN SOUTH CAROLINA BUT IS A MEMBER OF ANOTHER STATE'S NATIONAL GUARD OR STATE GUARD.

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

Reemployment rights of South Carolinians serving in another state's national or state guard

SECTION 1. Article 18, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25-1-2350. The provisions of this article granting reemployment rights to members of the South Carolina National Guard and to members of the South Carolina State Guard who, at the discretion of the Governor or by his authority, enter state duty and are honorably released from that duty shall apply also to a person who is employed in South Carolina but is a member of another state's national or state guard who, at the discretion of the other state's Governor or by his authority, enters into state duty and is honorably released from that duty.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 17

(R35, H3662)

AN ACT TO AMEND SECTION 6-9-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON THE ENFORCEMENT OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, SO AS TO REMOVE PROVISIONS ALLOWING ENFORCEMENT OF THE CODE AFTER A CERTAIN DATE.

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

International Residential Business Code enforcement, exception

SECTION 1. Section 6-9-55(C) of the 1976 Code, as added by Act 65 of 2013, is amended to read:

“(C) Notwithstanding subsection (A), Section 501.3 of the 2012 International Residential Code must not be enforced.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 18

(R37, H3668)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-365 SO AS TO PROVIDE THAT ALL NONEXEMPT PERSONS MUST WEAR A HAT, COAT, OR VEST OF SOLID VISIBLE INTERNATIONAL ORANGE WHILE ON WILDLIFE MANAGEMENT AREA LANDS DURING DEER HUNTING SEASON.

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

Wearing of international orange clothing on Wildlife Management Area lands

SECTION 1. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50-11-365. All nonexempt persons must wear a hat, coat, or vest of solid international orange while on Wildlife Management Area lands during deer hunting season.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 19

(R38, H3683)

AN ACT TO AMEND SECTION 25-1-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL

TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

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

Adjutant General’s annual report to Governor and General Assembly

SECTION 1. Section 25-1-350(2) of the 1976 Code is amended to read:

“(2) keep rosters of all active, reserve, and retired officers of the militia of the State, keep in his office all records and papers required to be kept and filed in his office and submit to the Governor and General Assembly each year an annual Report of the Adjutant General of the State of South Carolina that includes the operations and conditions of the National Guard of South Carolina;”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 20

(R39, H3762)

AN ACT TO AMEND SECTION 50-11-2460, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANIMAL TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO PROVIDE THAT A TRAP MAY BEAR ITS OWNER’S DEPARTMENT OF NATURAL RESOURCES-ISSUED CUSTOMER NUMBER; AND TO REPEAL SECTION 50-11-2550 RELATING TO THE TRANSPORTATION OF SKINS, FURS, PELTS, OR HIDES OF FURBEARING ANIMALS OUT OF STATE.

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

Animal traps

SECTION 1. Section 50-11-2460(C) of the 1976 Code, as last amended by Act 257 of 2012, is further amended to read:

“(C) All traps must bear the owner’s name and address or department-issued customer number either directly thereon or by an attached identification tag.”

Repeal

SECTION 2. Section 50-11-2550 of the 1976 Code is repealed.

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 21

(R40, H3890)

AN ACT TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS MUST BE MADE UP, SO AS TO PROVIDE WHEN DESIGNATED MAKE-UP DAYS ARE USED OR ARE NO LONGER AVAILABLE IN A DISTRICT, THE DISTRICT BOARD OF TRUSTEES BY MAJORITY VOTE MAY WAIVE THE MAKE-UP REQUIREMENT FOR THREE OR FEWER ADDITIONAL MISSED DAYS; TO PROVIDE THAT AFTER THE 2014-2015 SCHOOL YEAR THIS WAIVER MAY NOT BE GRANTED FOR A SCHOOL IN THE DISTRICT UNTIL THE SCHOOL HAS MADE UP THREE FULL DAYS OR THE EQUIVALENT

NUMBER OF HOURS MISSED; TO EXTEND WAIVERS TO ALL CHARTER SCHOOLS AND HOME SCHOOLING PROGRAMS LOCATED IN THE DISTRICT; TO PROVIDE CONDITIONS IN WHICH THE STATE BOARD MAY WAIVE ADDITIONAL MISSED DAYS AND TO IMPOSE A REPORTED REQUIREMENT; AND TO DELETE PROVISIONS AUTHORIZING THE GENERAL ASSEMBLY TO WAIVE MISSED DAYS.

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

School closing make-up day waivers

SECTION 1. Section 59-1-425(B) and (C) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(B) Notwithstanding any other provisions of law to the contrary, all school days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close must be made up. All school districts shall designate annually at least three days within their school calendars to be used as make-up days in the event of these occurrences. If those designated days have been used or are no longer available, the local school board of trustees may lengthen the hours of school operation by no less than one hour per day for the total number of hours missed, operate schools on Saturday, or may waive up to three days. A waiver granted by the local board of trustees of the requirement for making up the three or fewer days missed only may be authorized by a majority vote of the local school board, and, after the completion of the 2014-2015 school year, may not be granted for a school in the district until the school has made up three full days, or the equivalent number of hours, missed due to snow, extreme weather, or other disruptions requiring the school to close during the same school year in which the waiver is sought. When a district waives a make-up day pursuant to this section, the make-up day also is waived for all charter schools located in the district and for all students participating in a home schooling program approved by the board of trustees of the district in which the student resides. Schools operating on a four-by-four block schedule shall make every effort to make up the time during the semester in which the days are missed. A plan to make up days by lengthening the school day must be approved by the Department of Education before implementation. Tutorial instruction for grades 7 through 12 may be taught on Saturday at the direction of the local school board. If a local school board

authorizes make-up days on Saturdays, tutorial instruction normally offered on Saturday for seventh through twelfth graders must be scheduled at an alternative time.

(C) The State Board of Education may waive the requirements of making up days beyond the three days forgiven by the local school district, not to exceed three additional days missed because of snow, extreme weather conditions, or other disruptions requiring schools to close. Such a waiver only may be considered and granted upon the request of the local board of trustees through a majority vote of that local school board. The State Department annually before July first shall provide the General Assembly with a detailed report of information from each district listing the number of:

- (1) days missed and the reason, regardless of whether any were missed;
- (2) days made up; and
- (3) days waived.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 22

(R43, S133)

AN ACT TO AMEND SECTION 17-22-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS FOR THE EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO ESTABLISH LIMITATIONS ON THE COURT'S RIGHT TO CONSIDER OFFENSES FOR WHICH A PERSON COULD HAVE BEEN CHARGED, WHEN DETERMINING ELIGIBILITY; AND TO AMEND SECTION 63-19-2050, RELATING TO EXPUNGEMENT OF JUVENILE RECORDS, TO PROVIDE FOR CERTAIN RIGHTS TO AND REQUIREMENTS FOR EXPUNGEMENT OF RECORDS OF

**STATUS OFFENSES AND OF NONVIOLENT CRIMINAL
OFFENSES COMMITTED BY A JUVENILE.**

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

Applications for expungement of criminal records

SECTION 1. Section 17-22-910 of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“Section 17-22-910. (A) Applications for expungement of all criminal records must be administered by the solicitor’s office in each circuit in the State as authorized pursuant to:

- (1) Section 34-11-90(e), first offense misdemeanor fraudulent check;
- (2) Section 44-53-450(b), conditional discharge;
- (3) Section 22-5-910, first offense conviction in magistrates court;
- (4) Section 22-5-920, youthful offender act;
- (5) Section 56-5-750(f), first offense failure to stop when signaled by a law enforcement vehicle;
- (6) Section 17-22-150(a), pretrial intervention;
- (7) Section 17-1-40, criminal records destruction, except as provided in Section 17-22-950;
- (8) Section 63-19-2050, juvenile expungements;
- (9) Section 17-22-530(A), alcohol education program;
- (10) Section 17-22-330(A), traffic education program; and
- (11) any other statutory authorization.

(B) A person’s eligibility for expungement of an offense contained in this section, or authorized by any other provision of law, must be based on the offense that the person pled guilty to or was convicted of committing and not on an offense for which the person may have been charged.”

Juvenile expungements

SECTION 2. Section 63-19-2050 of the 1976 Code is amended to read:

“Section 63-19-2050. (A)(1) A person who has been taken into custody for, charged with, or adjudicated delinquent for having committed a status offense or a nonviolent crime, as defined in Section 16-1-70, may petition the court for an order expunging all official records relating to:

- (a) being taken into custody;
- (b) the charges filed against the person;
- (c) the adjudication; and
- (d) the disposition.

(2) A person may not petition the court if the person has a prior adjudication for an offense that would carry a maximum term of imprisonment of five years or more if committed by an adult.

(B) A prosecution or law enforcement agency may file an objection to the expungement. If an objection is filed, the expungement must be heard by the court. The prosecution or law enforcement agency's reason for objecting must be that the person has other charges pending or the charges are not eligible for expungement. The prosecution or law enforcement agency shall notify the person of the objection. The notice must be given in writing at the most current address on file with the court, or through the person's counsel of record.

(C)(1) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a status offense, the court shall grant the expungement order. If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed multiple status offenses, the court may grant an expungement order for the multiple status offenses.

(2) If the person has been taken into custody for, charged with, or adjudicated delinquent for having committed a nonviolent crime, as defined in Section 16-1-70, the court may grant the expungement order.

(3) The court shall not grant the expungement order unless the court finds that the person is at least seventeen years of age, has successfully completed any dispositional sentence imposed, has not been subsequently adjudicated for or convicted of any criminal offense, and does not have any criminal charges pending in family court or general sessions court. If the person was found not guilty in an adjudicatory hearing in the family court, the court shall grant the expungement order regardless of the person's age and the person must not be charged a fee for the expungement. An adjudication for a violent crime, as defined in Section 16-1-60, must not be expunged.

(D) If the expungement order is granted by the court, the records must be destroyed or retained by any law enforcement agency or municipal, county, state agency, or department pursuant to the provisions of Section 17-1-40.

(E) The effect of the expungement order is to restore the person in the contemplation of the law to the status the person occupied before being taken into custody. No person to whom the expungement order has been entered may be held thereafter under any provision of law to be

guilty of perjury or otherwise giving false statement by reason of failing to recite or acknowledge the charge or adjudication in response to an inquiry made of the person for any purpose.

(F) For purposes of this section, an adjudication is considered a previous adjudication only if the adjudication occurred prior to the date the subsequent offense was committed.

(G) The judge, at the time of adjudication, shall notify the person of the person's ability to have the person's record expunged, the conditions that must be met, as well as the process for receiving an expungement in the particular jurisdiction pursuant to this section."

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 23

(R44, S153)

AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROPERTY TAX EXEMPTION ON TWO PRIVATE PASSENGER VEHICLES OWNED OR LEASED BY A DISABLED VETERAN, SO AS TO ALLOW THE EXEMPTION TO THE SURVIVING SPOUSE OF THE PERSON ON ONE PRIVATE PASSENGER VEHICLE OWNED OR LEASED BY THE SPOUSE FOR THE SPOUSE'S LIFETIME OR UNTIL THE REMARRIAGE OF THE SURVIVING SPOUSE.

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

Disabled veteran vehicle exemption extended to surviving spouse

SECTION 1. Section 12-37-220(B)(3) of the 1976 Code is amended to read:

“(3) two private passenger vehicles owned or leased by any disabled veteran designated by the veteran for which special license tags have been issued by the Department of Motor Vehicles under the provisions of Sections 56-3-1110 to 56-3-1130 or, in lieu of the license, if the veteran has a certificate signed by the county service officer or the Veterans Administration of the total and permanent disability which must be filed with the Department of Motor Vehicles. The exemption extends to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse;”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 24

(R45, S154)

AN ACT TO AMEND SECTION 59-39-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES, SO AS TO PROVIDE THE STATE BOARD OF EDUCATION MAY GRANT A WAIVER OF THE REQUIREMENTS IF A STUDENT’S INELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES IS DUE TO A LONG-TERM ABSENCE AS A RESULT OF A MEDICAL CONDITION, BUT THE STUDENT HAS BEEN MEDICALLY CLEARED TO PARTICIPATE OR FOR ANY OTHER REASONABLE CIRCUMSTANCE AS DETERMINED BY THE STATE BOARD OF EDUCATION.

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

Waivers expanded

SECTION 1. Section 59-39-160 of the 1976 Code is amended to read:

“Section 59-39-160. (A) To participate in interscholastic activities, students in grades nine through twelve must achieve an overall passing average and either:

(1) pass at least four academic courses, including each unit the student takes that is required for graduation; or

(2) pass a total of five academic courses. Students must satisfy these conditions in the semester preceding participation in the interscholastic activity, if the interscholastic activity occurs completely within one semester or in the semester preceding the first semester of participation in an interscholastic activity if the interscholastic activity occurs over two consecutive semesters and is under the jurisdiction of the South Carolina High School League.

(B) Academic courses are those courses of instruction for which credit toward high school graduation is given. These may be required or approved electives. All activities currently under the jurisdiction of the South Carolina High School League remain in effect. The monitoring of all other interscholastic activities is the responsibility of the local boards of trustees. Those students diagnosed as handicapped in accordance with the criteria established by the State Board of Education and satisfying the requirements of their Individual Education Plan (IEP) as required by Public Law 94-142 are permitted to participate in interscholastic activities. A local school board of trustees may impose more stringent standards than those contained in this section for participation in interscholastic activities by students in grades nine through twelve.

(C) The State Board of Education may grant a waiver of the requirements of this section.

(1) This waiver may be granted when a written statement from a school district superintendent and athletic director has been received stating circumstances, including, but not limited to:

(a) a student’s ineligibility to participate in interscholastic activities is due to misinformation concerning eligibility requirements being provided by district personnel;

(b) a student’s ineligibility to participate in interscholastic activities is due to a long-term absence as a result of a medical condition, but the student has been medically cleared to participate by his health care practitioner; or

(c) any reasonable circumstance as determined by the State Board of Education.

(2) The State Board of Education shall establish guidelines to administer this section.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 25

(R47, S304)

AN ACT TO AMEND SECTION 6-23-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA 1976, RELATING TO CONTRACTS TO BUY POWER BETWEEN A JOINT POWER AND ENERGY AGENCY AND ITS CONSTITUENT MUNICIPALITIES, SO AS TO PROVIDE FOR THE RENEWAL OR EXTENSION OF CONTRACTS TO BUY POWER FOR ADDITIONAL PERIODS NOT TO EXCEED FIFTY YEARS FROM THE DATE OF THE RENEWAL OR EXTENSION.

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

Findings

SECTION 1. The General Assembly finds and determines that:

(a) in 1978, the General Assembly enacted the Joint Municipal Electric Power and Energy Act, codified as Chapter 23, Title 6, Code of Laws of South Carolina, 1976, as amended, for the purpose of authorizing municipalities to form joint agencies to undertake joint planning, financing, development, ownership, and operation of electric generation and transmission facilities and that such joint undertakings would be for a public use and for public purposes and would be a means of achieving economies, adequacy and reliability in the generation of electric power and energy and in the meeting of future needs of this State and its inhabitants;

(b) since the passage of the joint agency act in 1978, much has changed in the generation of electric power, including, but not limited to, the extension of the useful life of electric generating facilities by the applicable regulatory authorities;

(c) since their inception, member municipalities and joint agencies have sought to match the useful life of generating facilities to the length of the contracts for the purchase of electric power from the joint agency;

(d) there is presently a need to amend the joint agency act to more clearly state the method for extending and renewing contracts between joint agencies and member municipalities so they can better determine the appropriate duration of their contracts; and

(e) the passage of this act is for a public purpose and is in the best interests of the State and its citizens.

Municipal contracts to purchase power

SECTION 2. The second paragraph of Section 6-23-110 of the 1976 Code, as last amended by Act 210 of 2004, is further amended to read:

“Notwithstanding the provisions of any other law to the contrary, the initial term for any such contracts with respect to the sale or purchase of capacity, output, power, or energy from a project may be for a period not to exceed the later of either fifty years from the date of the contract or fifty years from the date a project is estimated to be placed in normal continuous operation. Such contracts may be renewed or extended by the joint agency and the member municipality, upon such terms and conditions as the joint agency and the member municipality may agree, for an additional period not to exceed fifty years from the date of the renewal or extension. The execution and effectiveness of those contracts, or renewals or extensions of those contracts, are not subject to any authorizations or approvals by the State or any agency, commission, or instrumentality, or political subdivision thereof.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 26

(R49, S361)

AN ACT TO AMEND SECTION 38-73-736, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AUTOMOBILE INSURANCE RATE REDUCTIONS FOR NONYOUTHFUL OPERATORS, SO AS TO DELETE REFERENCES TO APPROVED DRIVER TRAINING REFRESHER COURSES AND TO REDUCE FROM SIX HOURS TO FOUR HOURS THE AMOUNT OF CLASSROOM TRAINING REQUIRED FOR APPROVED DRIVER TRAINING COURSES.

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

Refresher courses eliminated, required classroom hours reduced

SECTION 1. Section 38-73-736 of the 1976 Code is amended to read:

“Section 38-73-736. (A) As used in this section:

(1) ‘Approved driver training course’ means a driver’s training course that:

(a) is approved by the Department of Motor Vehicles or exempt pursuant to Chapter 23, Title 56;

(b) is administered by a driver’s training school that is licensed or approved by the Department of Motor Vehicles or exempt pursuant to Chapter 23, Title 56;

(c) is conducted by a person holding a valid driver’s instructor permit pursuant to Chapter 23, Title 56; and

(d) includes a minimum of four hours of classroom instruction.

(2) ‘Satisfactory evidence of course completion’ means a certificate signed by an official of the licensed driver’s training school or the Department of Motor Vehicles, which certifies that:

(a) the person has successfully completed the course; and

(b) the course is an approved driver training course and meets the requirements of Chapter 23, Title 56.

(3) ‘Youthful operator’ means a person under the age of twenty-five for which premium rates charged for liability coverages and collision coverage under a private passenger automobile insurance policy are determined by a youthful driver classification.

(B) Premium rates charged for liability coverages and collision coverage under a private passenger automobile insurance policy are subject to an appropriate driver training course credit once satisfactory evidence of course completion is presented by an applicant for the credit that is the named insured or principal operator of the vehicle and is not a youthful operator. The amount of the credit may be determined by each individual insurer based upon factually or statistically supported data and is subject to prior approval or review by the director. The credit must be afforded for a minimum of thirty-six months from the date the approved driver training course was completed. The insurer may require, as a condition of providing and maintaining the credit, that the applicant not be involved in an accident for which the applicant is at fault for a three-year period after course completion. The credit must be afforded by each insurer in a nondiscriminatory manner to all applicants, other than those considered youthful operators.

(C) Only the vehicle driven by an applicant that has completed successfully an approved driver training course qualifies for the insurance credit required by this section. Other vehicles under the private passenger automobile insurance policy do not qualify for the insurance credit required by this section unless the named insured or principal operator of the additional vehicle has successfully completed an approved driver training course.

(D) The insurer must provide the driver training course credit upon receipt of satisfactory evidence of course completion. Nothing in this section may be construed so as to require the insurer to provide the credit for any period of time before the date of receipt of satisfactory evidence of course completion.

(E) An applicant qualifying for the insurance credit required by this section only may claim the credit for successful completion of one approved driver training course during any private passenger automobile insurance policy period.

(F) Only an approved driver training course taken on a voluntary basis qualifies for the insurance credit. A driver training course taken as a requirement of a driving offense including, but not limited to, ADSAP or driver training courses taken to reduce the number of traffic violation points against a driver's license, do not qualify for the insurance credit provided in this section.

(G) A schedule of rates, rate classification, or rating plan for private passenger automobile insurance must provide for an appropriate reduction in premium charges for an insured person who is not a youthful operator and who qualifies as provided in this section.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 27

(R50, S373)

AN ACT TO AMEND SECTIONS 9-1-1620 AND 9-11-150, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPTIONAL FORMS OF RETIREMENT ALLOWANCES FOR MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO ALLOW A MEMBER TO CHANGE THE FORM OF MONTHLY PAYMENT WITHIN FIVE YEARS OF A CHANGE IN MARITAL STATUS, INSTEAD OF ONE YEAR.

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

SCRS extension for changing retirement option

SECTION 1. Section 9-1-1620(B)(1) of the 1976 Code, as last amended by Act 387 of 2000, is further amended to read:

“(1) A retired member, within five years after a change in marital status, may revoke the form of monthly payment elected and elect a new form of monthly payment, which must be the actuarial equivalent of the maximum retirement allowance payable to the member under law. The new form of monthly payment is effective on the first day of the month in which the election of the new form of monthly payment is received by the system and must be calculated based upon the ages of the retired member and the member’s beneficiary or beneficiaries as of that effective date.”

SCPORS extension for changing retirement option

SECTION 2. Section 9-11-150(B)(1) of the 1976 Code, as last amended by Act 387 of 2000, is further amended to read:

“(1) A retired member, within five years after a change in marital status, may revoke the form of monthly payment elected and elect a new form of monthly payment, which must be the actuarial equivalent of the maximum retirement allowance payable to the member under law. The new form of monthly payment is effective on the first day of the month in which the election of the new form of monthly payment is received by the system and must be calculated based upon the ages of the retired member and the member’s beneficiary or beneficiaries as of that effective date.”

Time effective

SECTION 3. This act takes effect upon approval by the Governor and applies to any new form of monthly payment elected thereafter due to a change in marital status.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 28

(R51, S375)

AN ACT TO AMEND SECTION 6-5-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SECURING DEPOSITS OF FUNDS BY LOCAL ENTITIES, SO AS TO ALLOW A LOCAL ENTITY TO DEPOSIT ALL OR A PORTION OF SURPLUS PUBLIC FUNDS IN ITS CONTROL OR POSSESSION IN ACCORDANCE WITH CERTAIN CONDITIONS.

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

Authorized depositories of local entities' surplus funds

SECTION 1. Section 6-5-15 of the 1976 Code, as last amended by Act 231 of 2008, is further amended to read:

“Section 6-5-15. (A) As used in this section, ‘local entity’ means the governing body of a municipality, county, school district, other local government unit or political subdivision, or a county treasurer.

(B) A qualified public depository, as defined in subsection (G), upon the deposit of funds by a local entity, must secure these deposits by deposit insurance, surety bonds, investment securities, or letters of credit to protect the local entity against loss in the event of insolvency or liquidation of the institution or for any other cause.

(C) To the extent that these deposits exceed the amount of insurance coverage provided by the Federal Deposit Insurance Corporation, the qualified public depository at the time of deposit must:

(1) furnish an indemnity bond in a responsible surety company authorized to do business in this State; or

(2) pledge as collateral:

(a) obligations of the United States;

(b) obligations fully guaranteed both as to principal and interest by the United States;

(c) general obligations of this State or any political subdivision of this State; or

(d) obligations of the Federal National Mortgage Association, the Federal Home Loan Bank, Federal Farm Credit Bank, or the Federal Home Loan Mortgage Corporation; or

(3) provide an irrevocable letter of credit issued by the Federal National Mortgage Association, the Federal Home Loan Bank, Federal Farm Credit Bank, or the Federal Home Loan Mortgage Corporation, in which the local entity is named as beneficiary and the letter of credit otherwise meets the criteria established and prescribed by the local entity.

(D) The local entity must exercise prudence in accepting collateral securities or other forms of deposit security.

(E)(1) A qualified public depository has the following options:

(a) to secure all or a portion of uninsured funds under the Dedicated Method where all or a portion of the uninsured funds are secured separately. The qualified public depository shall maintain a record of all securities pledged, with the record being an official record of the qualified public depository and made available to examiners or

representatives of all regulatory agencies. The local entity shall maintain a record of the securities pledged for monitoring purposes;

(b) to secure all or the remainder of uninsured funds under the Pooling Method where a pool of collateral is established by the qualified public depository under the direction of the State Treasurer for the benefit of local entities. The depository shall obtain written approval from each entity before pooling an entity's collateral. The depository shall maintain a record of all securities pledged, with the record being an official record of the qualified public depository and made available to examiners or representatives of all regulatory agencies. The State Treasurer shall determine the requirements and operating procedures for this pool. The State Treasurer is responsible for monitoring and ensuring a depository's compliance and providing monthly reports to each local entity in the pool.

(2) Notwithstanding the provisions of item (1), the local entity, when other federal or state law applies, may require a qualified public depository to secure all uninsured funds separately under the Dedicated Method.

(F) A qualified public depository shall not accept or retain any funds that are required to be secured unless it has deposited eligible collateral equal to its required collateral with some proper depository pursuant to this chapter.

(G) 'Qualified public depository' means a national banking association, state banking association, federal savings and loan association, or federal savings bank located in this State and a bank, trust company, or savings institution organized under the law of this State that receives or holds funds that are secured pursuant to this chapter.

(H) In addition to the investments authorized for local entities in Section 6-5-10 and notwithstanding another provision of law, a local entity may deposit all or a portion of surplus public funds in its control or possession in accordance with the following conditions:

(1) the funds are initially deposited in a qualified public depository selected by the local entity;

(2) the selected qualified public depository arranges for depositing the funds in one or more federally insured banks or savings and loan associations, wherever located, for the account of the local entity;

(3) the full amount of the principal and accrued interest of each deposit is insured by the Federal Deposit Insurance Corporation; and

(4) the selected qualified public depository acts as custodian for the local entity with respect to each deposit."

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 29

(R52, S413)

AN ACT TO AMEND SECTION 40-43-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER INFLUENZA VACCINES AND CERTAIN MEDICATIONS, SO AS TO PROVIDE A PROCEDURE FOR CREATING PROTOCOL THROUGH WHICH PHARMACISTS MAY ADMINISTER CERTAIN ADDITIONAL VACCINES WITHOUT A WRITTEN ORDER OR PRESCRIPTION FROM A PRACTITIONER, TO PROVIDE CIRCUMSTANCES IN WHICH A PHARMACY INTERN MAY ADMINISTER VACCINES, TO REVISE RECORDKEEPING REQUIREMENTS TO EXTEND THE PERIOD FOR MAINTAINING RECORDS AND SPECIFY THE MANNER OF DETERMINING THE DATE FROM WHICH THIS PERIOD IS MEASURED, AND TO PROVIDE FOR THE ELECTRONIC STORAGE OF CERTAIN DOCUMENTS, RECORDS, AND COPIES; AND TO AMEND SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST ADMINISTERED INFLUENZA VACCINES COMMITTEE, SO AS TO PROVIDE THIS COMMITTEE SHALL ASSIST AND ADVISE THE BOARD OF MEDICAL EXAMINERS IN DETERMINING WHETHER A SPECIFIC VACCINE IS APPROPRIATE FOR ADMINISTRATION BY A PHARMACIST WITHOUT A WRITTEN ORDER OR PRESCRIPTION, AND TO MAKE CONFORMING CHANGES, AMONG OTHER THINGS.

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

**Protocol concerning necessity of written orders or prescriptions,
revised**

SECTION 1. Section 40-43-190 of the 1976 Code, as added by Act 224 of 2010, is amended to read:

“Section 40-43-190. (A)(1) Upon recommendation of the Joint Pharmacist Administered Vaccines Committee, the Board of Medical Examiners shall determine whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to this section. If a vaccine is approved, the Board of Medical Examiners shall issue a written protocol for the administration of vaccines by pharmacists without an order or prescription of a practitioner.

(2) The administration of vaccines as authorized in this section must not be to a person under the age of eighteen years; provided, however, that:

(a) the influenza vaccine may be administered to a person twelve years of age or older pursuant to protocol issued by the Board of Medical Examiners; and

(b) a pharmacist who has completed the training described in subsection (B)(1) may administer a vaccine approved by the Centers for Disease Control to a person of any age pursuant to a written order or prescription of a practitioner for a specific patient of that practitioner.

(3) The written protocol must further authorize pharmacists to administer without an order or prescription of a practitioner those medications necessary in the treatment of adverse events. These medications must be used only in the treatment of adverse events and must be limited to those delineated within the written protocol.

(4) The Board of Medical Examiners must issue the written protocol upon its approval of the vaccine for administration pursuant to this section.

(5) A pharmacist who has completed the training described in subsection (B)(1) may administer a vaccine approved by the Centers for Disease Control pursuant to written order or prescription of a practitioner for a specific patient of that practitioner.

(B) The written protocol must provide that:

(1) A pharmacist seeking authorization to administer a vaccine approved pursuant to this section shall successfully complete a course of training accredited by the Accreditation Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners. Training

must comply with current Centers for Disease Control guidelines and must include study materials, hands-on training, and techniques for administering vaccines and must provide instruction and experiential training in the following content areas:

- (a) mechanisms of action for vaccines, contraindications, drug interactions, and monitoring after vaccine administration;
- (b) standards for adult vaccination practices;
- (c) basic immunology and vaccine protection;
- (d) vaccine-preventable diseases;
- (e) recommended vaccination schedules;
- (f) vaccine storage management;
- (g) biohazard waste disposal and sterile techniques;
- (h) informed consent;
- (i) physiology and techniques for vaccine administration;
- (j) prevaccine and postvaccine assessment and counseling;
- (k) vaccination record management;
- (l) management of adverse events, including identification, appropriate response, emergency procedures, documentation, and reporting;
- (m) understanding of vaccine coverage by federal, state, and local entities;
- (n) needle stick management.

(2) A pharmacist administering vaccinations without an order or prescription of a practitioner pursuant to this section shall:

- (a) obtain the signed written consent of the person being vaccinated or that person's guardian;
- (b) maintain a copy of the vaccine administration in that person's record and provide a copy to the person or the person's guardian;
- (c) notify that person's designated physician or primary care provider of a vaccine administered;
- (d) report administration of all vaccinations to the South Carolina Immunization Registry in compliance with regulations established by the Department of Health and Environmental Control as the department may require; provided, however, that the phase-in schedule provided in Regulation 61-120 for reporting vaccinations does not apply to vaccinations administered pursuant to this section;
- (e) maintain a current copy of the written protocol at each location at which a vaccination is administered pursuant to this section.

(3) A pharmacist may not delegate the administration of vaccines to a pharmacy technician or certified pharmacy technician.

(4) A pharmacy intern may administer vaccinations under the direct supervision, as defined in Section 40-43-84(C), of a pharmacist who has completed vaccination training as required by item (1) if the pharmacy intern:

(a) is certified through a basic life support or CPR provider-level course that is jointly approved by the Board of Medical Examiners and the Board of Pharmacy; and

(b) completes this course of training described in item (1).

(5) A pharmacist administering vaccinations shall, as part of the current continuing education requirements pursuant to Section 40-43-130, complete no less than one hour of continuing education each license year regarding administration of vaccinations.

(C) Informed consent must be documented in accordance with the written protocol for vaccine administration issued pursuant to this section.

(D) All records required by this section must be maintained in the pharmacy for a period of at least ten years from the date of the last vaccination for adults and at least thirteen years from the date of the last vaccination for minors.

(E) All documentation, records, and copies required by this section may be stored electronically.”

**Joint Pharmacist Administered Vaccines Committee,
recommendation duties**

SECTION 2. Section 40-43-200 of the 1976 Code, as added by Act 224 of 2010, is amended to read:

“Section 40-43-200. (A) There is created a Joint Pharmacist Administered Vaccines Committee as a committee to the Board of Medical Examiners which consists of seven members with experience regarding vaccines. The committee is comprised of two physicians selected by the Board of Medical Examiners, two pharmacists selected by the Board of Pharmacy, and two advanced practice nurse practitioners selected by the Board of Nursing. One member of the Department of Health and Environmental Control designated by the director of the department also shall serve on the committee. Members of the committee may not be compensated for their service on the board and may not receive mileage, per diem, and subsistence as otherwise authorized by law for members of state boards, committees, and commissions.

(B) The committee shall meet at least once annually and at other times as may be necessary. Five members constitute a quorum for all

meetings. At its initial meeting, and at the beginning of each year thereafter, the committee shall elect from its membership a chairperson to serve for a one year term.

(C) The committee shall assist and advise the Board of Medical Examiners in determining whether a specific vaccine is appropriate for administration by a pharmacist without a written order or prescription of a practitioner pursuant to Section 40-43-190. For a specific vaccine recommended by the committee to the Board of Medical Examiners, the committee also must submit a proposed written protocol for the purpose of authorizing pharmacists to administer the vaccine as authorized by Section 40-43-190. The committee must submit its initial recommendations to the board no later than four months after the passage of this act, and periodically thereafter as determined by the committee.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 30

(R53, S426)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “MENTAL HEALTH COURT PROGRAM ACT”; BY ADDING CHAPTER 31 TO TITLE 14 SO AS TO ESTABLISH A MENTAL HEALTH COURT PROGRAM, TO PROVIDE FOR A SYSTEM THAT DIVERTS MENTALLY ILL OFFENDERS TO APPROPRIATE TREATMENT PROGRAMS RATHER THAN INCARCERATION, TO DEFINE NECESSARY TERMS, TO PROVIDE FOR ELIGIBILITY TO PARTICIPATE IN MENTAL HEALTH COURT, TO PROVIDE THAT EXISTING MENTAL HEALTH COURTS ESTABLISHED PURSUANT TO AN ADMINISTRATIVE ORDER OF THE SUPREME COURT SHALL CONTINUE IN EXISTENCE, TO PROVIDE THAT EACH SOLICITOR MAY ESTABLISH A PROGRAM, TO

PROVIDE FOR QUALIFICATIONS FOR SERVICE AS A MENTAL HEALTH COURT JUDGE, TO PROVIDE THAT MENTAL HEALTH COURT JUDGES HAVE THE SAME PROTECTIONS FROM CIVIL LIABILITY AND IMMUNITY AS OTHER JUDICIAL OFFICERS IN THIS STATE, AND TO PROVIDE THAT SOLICITORS WHO ACCEPT STATE FUNDING FOR THE PROGRAM MUST ESTABLISH THE PROGRAM WITHIN ONE HUNDRED EIGHTY DAYS OF THE RECEIPT OF FUNDING.

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

Mental Health Court Program Act established

SECTION 1. Title 14 of the 1976 Code is amended by adding:

“CHAPTER 31

Mental Health Court Program

Section 14-31-10. This chapter may be cited as the ‘Mental Health Court Program Act’.

Section 14-31-20. The purpose of this chapter is to divert qualifying mentally ill offenders away from the criminal justice system and into appropriate treatment programs, thereby reserving prison space for violent criminals and others for whom incarceration is the only reasonable alternative. Offenders with a diagnosed, or diagnosable mental illness generally recognized in the psychiatric community, qualify for participation in a mental health court program.

Section 14-31-30. The following definitions shall apply to this chapter:

(1) ‘Pre-adjudicatory mental health court program’ means a program that allows an offender to expedite the offender’s criminal case before conviction and requires successful completion of the mental health court program as part of the agreement.

(2) ‘Post-adjudicatory mental health court program’ means a program in which an offender has admitted guilt or has been found guilty and agrees to enter a mental health court program as part of the offender’s sentence.

(3) 'Combination mental health court program' means a mental health court program that includes a pre-adjudicatory mental health court program and a post-adjudicatory mental health court program.

Section 14-31-40. (A)(1)(a) Except as provided in item (2), each circuit solicitor may establish a mental health court program under one of the formats defined in Section 14-31-30. An offender arrested or convicted for any charges, except those excluded under the provisions of Section 16-1-130, who are suffering from a diagnosed, or diagnosable mental illness, including those with a co-concurring disorder of substance abuse, may be eligible for referral to a mental health court program. In cases involving victims, proper notice shall be given to victims pursuant to Section 16-3-1525. Proper notice to a victim is not achieved unless reasonable attempts are made to contact the victim and the victim is either nonresponsive or cannot be located after a reasonable search.

(b) Each circuit solicitor that accepts state funding for the implementation of a mental health treatment court program must establish and administer at least one mental health court program for the circuit within one hundred eighty days of receipt of funding. The circuit solicitor must administer the program and ensure that all eligible persons are permitted to apply for admission to the program.

(2) Mental health court programs established pursuant to an administrative order issued by the Chief Justice of the South Carolina Supreme Court shall continue to operate pursuant to the terms and conditions of the court's orders pertaining to that mental health court program. To the extent that provisions contained in this chapter conflict with provisions contained in those Supreme Court administrative orders, the provisions of the administrative orders shall control.

(B) The Chief Justice of the South Carolina Supreme Court shall appoint all mental health court judges for mental health courts operating pursuant to subsection (A)(1) and (2). Service as a mental health court judge shall be at the pleasure of the Chief Justice and shall be subject to any limitations and directives issued by the Chief Justice. In order to be appointed as a mental health court judge, a person must be a probate judge, a summary court judge, or an active or retired member of the state's unified judicial system. Service as a mental health court judge is voluntary.

(C) Mental health court judges are entitled to the same protections from civil liability and immunities as judicial office holders in this State."

Savings clause

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Severability clause

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 31

(R54, S441)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 30 TO TITLE 37 SO AS TO ENACT THE “GUARANTEED ASSET PROTECTION ACT”, TO PROVIDE A FRAMEWORK WITHIN WHICH GUARANTEED ASSET PROTECTION WAIVERS ARE DEFINED AND MAY BE OFFERED WITHIN THIS STATE, TO PROVIDE REQUIREMENTS FOR OFFERING GUARANTEED ASSET PROTECTION WAIVERS, TO PROVIDE THE DISCLOSURES REQUIRED, TO PROVIDE FOR CANCELLATION OF GUARANTEED ASSET PROTECTION WAIVERS, TO PROVIDE FOR ENFORCEMENT OF THIS CHAPTER, AND TO PROVIDE FOR CIVIL REMEDIES.

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

Citation

SECTION 1. This act may be cited as the “Guaranteed Asset Protection Act”.

Guaranteed Asset Protection Act

SECTION 2. Title 37 of the 1976 Code is amended by adding:

“CHAPTER 30

Guaranteed Asset Protection

Section 37-30-100. (A) The purpose of this chapter is to provide a framework within which guaranteed asset protection (GAP) waivers are defined and may be offered within this State.

(B) This chapter does not apply to:

- (1) an insurance policy offered by an insurer under Title 38; or
- (2) a debt cancellation or debt suspension contract being offered by any national or state-chartered bank or federal or state-chartered credit union in compliance with 12 C.F.R. Part 37, or 12 C.F.R. Part 721, or any other federal law.

(C) GAP waivers governed under this chapter are not insurance and are exempt from the provisions of Title 38, as are persons administering, marketing, selling, or offering to sell GAP waivers to borrowers.

(D) GAP waivers only may be offered in conjunction with a loan that is unrelated to the purchase of a motor vehicle if:

- (1) the consumer loan has an original repayment term of more than twelve months; and
- (2) the principal loan amount is greater than four thousand dollars.

Section 37-30-110. For purposes of this chapter:

(1) 'Borrower' means a debtor, retail buyer, or lessee under a finance agreement.

(2) 'Creditor' means a person, who in connection with the initial financing of the sale, or leasing, of a motor vehicle, is:

- (a) a lender in a loan or credit transaction;
- (b) a lessor in a lease transaction; or
- (c) a dealer of motor vehicles that provides credit to a borrower, provided that the entity complies with the provisions of this chapter.

(3) 'Finance agreement' means a loan, lease, or retail installment sales contract for the purchase or lease of a motor vehicle.

(4) 'Free-look period' means the period of time from the effective date of the GAP waiver until the date the borrower may cancel the contract without penalty, fees, or costs to the borrower. This period of time must be at least thirty days.

(5) 'Guaranteed asset protection waiver' or 'GAP waiver' means a contractual agreement in which a creditor agrees for a separate charge to cancel or waive all or part of amounts due on a borrower's finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle, which agreement must be part of, or a separate addendum to, the finance agreement.

(6) 'Insurer' means an insurance company licensed, registered, or otherwise authorized to do business under Title 38.

(7) 'Manager' means a person, by any title, other than an insurer or creditor that performs administrative or operational functions with respect to GAP waivers.

(8) 'Motor vehicle' means self-propelled or towed vehicles designed for personal use including, but not limited to, automobiles, trucks, motorcycles, recreational vehicles, all-terrain vehicles, snowmobiles, campers, boats, personal watercraft, and trailers for motorcycles, boats, campers, and personal watercraft.

(9) 'Person' means an individual, company, association, organization, partnership, business trust, corporation, and every form of legal entity.

Section 37-30-120. (A) The offering and sale of GAP waivers in this State are subject to the provisions of this chapter.

(B) GAP waivers, at the option of the creditor, may be sold for a single payment or may be offered with a monthly or periodic payment option.

(C) Notwithstanding another provision of law, any cost to the borrower for a GAP waiver subject to the Truth in Lending Act, 15 U.S.C. 1601, and its implementing regulations, as amended, or subject to Title 37, is a permissible additional charge pursuant to Sections 37-2-202 and 37-3-202 that must be separately stated and is not to be considered a finance or credit service charge or interest. This subsection also applies to any bank or credit union offering a debt cancellation or debt suspension contract in compliance with 12 C.F.R. Part 37, or 12 C.F.R. Part 721, or any other federal law.

(D) A motor vehicle dealer shall insure its GAP waiver obligations under a contractual liability or another insurance policy issued by an insurer. However, dealers of motor vehicles that are lessors on motor vehicles are not required to insure obligations related to GAP waivers on leased vehicles.

(E) A GAP waiver must remain a part of the finance agreement upon its assignment, sale, or transfer by a creditor.

(F) Neither the extension of credit, the term of credit, nor the term of the related motor vehicle sale or lease may be conditioned upon the purchase of a GAP waiver.

(G) A creditor that offers a GAP waiver shall report the sale of and forward funds received on all waivers to the designated party, if any, as prescribed in an applicable administrative services agreement, contractual liability policy, other insurance policy, or other specified program documents.

(H) Funds received or held by a creditor or manager and belonging to an insurer, creditor, or manager pursuant to the terms of a written agreement must be held by the creditor or manager in a fiduciary capacity.

(I)(1) A creditor may not sell a GAP waiver unless the creditor reasonably believes that the borrower will be eligible for a benefit under the GAP waiver in the event of a covered total loss. In addition, a creditor may not sell a GAP waiver if:

(a) the consumer, the credit terms including, but not limited to, cash price, automobile value, or amount financed, or the automobile used as collateral for the credit transaction do not qualify for or conflict with any restrictions or limitations of the GAP waiver conditions; or

(b) the amount financed, less the cost of a GAP waiver, the cost of credit insurance, and the cost of service contracts is less than eighty percent of the manufacturer suggested retail price for a new vehicle or the National Automobile Dealers Association average retail value for a used vehicle.

(2) A bona fide error resulting in a violation of this subsection will result in the GAP waiver being void and the borrower receiving a full refund of the purchase price of the waiver.

Section 37-30-130. (A) A contractual liability or other insurance policy insuring a GAP waiver must state the obligation of the insurer to reimburse or pay to the creditor any sums the creditor is legally obligated to waive under the GAP waiver issued by the creditor and purchased or held by the borrower.

(B) Coverage under a contractual liability or other insurance policy insuring a GAP waiver also must cover any subsequent assignee upon the assignment, sale, or transfer of the finance agreement.

(C) Coverage under a contractual liability or other insurance policy insuring a GAP waiver must remain in effect unless canceled or terminated in compliance with applicable insurance laws of this State.

(D) The cancellation or termination of a contractual liability or other insurance policy must not reduce the insurer's responsibility for GAP waivers issued by the creditor prior to the date of cancellation or termination and for which premium has been received by the insurer.

Section 37-30-140. (A) A GAP waiver must include the following terms in clear, easily understandable language:

(1) the name and address of the initial creditor and the borrower at the time of sale and the identity of any manager if different from the creditor;

(2) the purchase price and the terms of the GAP waiver including, without limitation, the requirements for protection, conditions, or exclusions associated with the GAP waiver;

(3) the length of the free-look period and the procedure by which a borrower may exercise the borrower's rights during that period;

(4) the terms required by Section 37-30-150;

(5) the procedure the borrower must follow, if any, to obtain GAP waiver benefits under the terms and conditions of the waiver, including

a telephone number and address where the borrower may apply for waiver benefits;

(6) the methodology for calculating any refund of the unearned purchase price of the GAP waiver due in the event of cancellation of the GAP waiver or early termination of the finance agreement;

(7) a statement that the purchase of the GAP waiver is optional and the statement must be in all caps, underlined, or disclosed in another prominent manner and must be substantially similar to the following: ‘THIS GAP WAIVER IS NOT REQUIRED TO OBTAIN CREDIT, NOR TO OBTAIN CERTAIN TERMS OF CREDIT OR TO PURCHASE THE RELATED MOTOR VEHICLE. THIS GAP WAIVER WILL NOT BE PROVIDED UNLESS YOU SIGN AND AGREE TO PAY THE ADDITIONAL COST’; and

(8) a statement that the GAP waiver is not insurance and does not take the place of collision, comprehensive, or any other form of insurance on the motor vehicle.

(B) A GAP waiver that is included within the body of the finance agreement must provide the disclosures required by this section in a separate document that must be signed by the borrower before the purchase of a GAP waiver. A GAP waiver that is a separate addendum to the finance agreement may include these disclosures within the terms of the GAP waiver which also must be signed by the borrower.

Section 37-30-150. (A)(1) A GAP waiver must include a term stating that if a borrower cancels the waiver within the free-look period, the borrower is entitled to a full refund if no benefits have been provided under the GAP waiver.

(2) A creditor may not charge a fee to a borrower related to the cancellation of a GAP waiver.

(B) A GAP waiver may be either cancellable or noncancellable after the free-look period. A GAP waiver must include:

(1) a statement of whether or not the GAP waiver is cancellable or noncancellable after the expiration of the free-look period; and

(2) if the waiver is cancellable, all of the following terms apply:

(a) a statement that in the event of a borrower’s cancellation of the GAP waiver or early termination of the finance agreement, the borrower may be entitled to a refund of any unearned portion of the purchase price of the waiver; and

(b) the procedures by which a borrower may cancel the waiver. This term must include a requirement that if the underlying finance agreement is terminated, cancellation must be made by providing a

written request to the creditor, manager, or other party within ninety days of the event terminating the finance agreement.

(C) A cancellation refund under subsections (A) and (B) may be applied by the creditor as a reduction of the amount owed under the finance agreement unless the borrower shows that the finance agreement has been paid in full.

(D) If the purchase price of the GAP waiver is not financed, the creditor shall either provide a refund directly to the borrower or provide the borrower the option to either receive a refund of the unearned purchase price directly or to have the refund applied to reduce the amount owed under the borrower's finance agreement.

Section 37-30-160. Pursuant to Chapter 6, Title 37, the Administrator of the Department of Consumer Affairs may take action necessary to enforce the provisions of this chapter and to protect GAP waiver holders in this State.

Section 37-30-175. A consumer who suffers loss by reason of a violation of this chapter may bring a civil action to enforce the provisions, and if successful in the action, shall recover actual damages, reasonable attorney's fees, and court costs incurred by bringing the action."

Time effective

SECTION 3. This act takes effect upon approval by the Governor and applies to all GAP waivers which become effective one hundred eighty days after the effective date.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 32

(R56, S474)

AN ACT TO AMEND SECTION 44-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHAPTER DEFINITIONS, SO AS TO ADD AND DEFINE THE TERM

“AUTHORIZED HEALTH CARE PROVIDER”; TO AMEND SECTION 44-22-60, RELATING TO PATIENTS’ RIGHTS, SO AS TO ALLOW AN AUTHORIZED HEALTH CARE PROVIDER TO PERFORM THE REQUIRED INITIAL EXAMINATION; AND TO AMEND SECTION 44-22-140, RELATING TO AUTHORIZATION OF MEDICATIONS AND TREATMENT GIVEN OR ADMINISTERED TO A PATIENT, SO AS TO ALLOW AN AUTHORIZED HEALTH CARE PROVIDER TO PERFORM THESE FUNCTIONS.

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

Mental health patient rights, definitions

SECTION 1. Section 44-22-10(1) of the 1976 Code is amended to read:

“(1) ‘Authorized health care provider’ means advanced practice registered nurses and physician assistants licensed in South Carolina and authorized to provide specific treatments, care, or services pursuant to their respective practice acts in Title 40.”

Mental health patient rights, initial examination

SECTION 2. Section 44-22-60(B) of the 1976 Code is amended to read:

“(B) Within six hours of admission a patient must be examined by a physician or authorized health care provider. Within fourteen days of admission, a patient or his parent or guardian must be provided with a written individualized plan of treatment formulated by a multidisciplinary team and the patient’s attending physician. Each patient or his parent or guardian shall participate in an appropriate manner in the planning of services. An interim treatment program based on the preadmission evaluation of the patient must be implemented promptly upon admission. An individualized treatment plan must contain:

- (1) a statement of the nature and degree of the patient’s mental illness or chemical dependency and his needs;
- (2) if a physical examination has been conducted, the patient’s physical condition;
- (3) a description of intermediate and long-range treatment goals and, if possible, future available services;

(4) criteria for release to a less restrictive environment, including criteria for discharge and a description of services that may be needed after discharge;

(5) a statement as to whether or not the patient may be permitted outdoors on a daily basis and, if not, the reasons why. Treatment plans must be updated upon periodic review as provided in Section 44-22-70.”

Mental health patient rights, administration of medication and treatment

SECTION 3. Section 44-22-140 of the 1976 Code is amended to read:

“Section 44-22-140. (A) The attending physician, the physician on call, or the authorized health care provider, is responsible for and shall authorize medications and treatment given or administered to a patient. The physician’s or authorized health care provider’s authorization and the medical reasons for it must be entered into the patient’s clinical record. The authorization is not valid for more than ninety days. Medication must not be used as punishment, for the convenience of staff, or as a substitute to or in quantities that interfere with the patient’s treatment program. The patient or his legal guardian may refuse treatment not recognized as standard psychiatric treatment. He may refuse electroconvulsive therapy, aversive reinforcement conditioning, or other unusual or hazardous treatment procedures. If the attending physician or the physician on call decides electroconvulsive therapy is necessary and a statement of the reasons for electroconvulsive therapy is entered in the treatment record of a patient who is considered unable to consent pursuant to Section 44-22-10(13), permission for the treatment may be given in writing by the persons in order of priority specified in Section 44-22-40(A)(1-8).

(B) Competent patients may not receive treatment or medication in the absence of their express and informed consent in writing except treatment:

(1) during an emergency situation if the treatment is pursuant to or documented contemporaneously by written order of a physician or authorized health care provider; or

(2) as permitted under applicable law for a person committed by a court to a treatment program or facility.”

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 33

(R57, S500)

AN ACT TO AMEND ARTICLE 23, CHAPTER 17, TITLE 63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT, SO AS TO ENACT AMENDMENTS TO THAT ACT ADOPTED BY THE NATIONAL CONFERENCE OF COMMISSIONERS FOR UNIFORM STATE LAWS IN 2008, AS REQUIRED BY THE FEDERAL “PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT” INCLUDING, BUT NOT LIMITED TO, AMENDMENTS ADDRESSING INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FAMILY MAINTENANCE AND DETERMINATION OF PARENTAGE.

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

Uniform Interstate Family Support Act

SECTION 1. Article 23, Chapter 17, Title 63 of the 1976 Code is amended to read:

“Article 23

Uniform Interstate Family Support Act

Part I

General Provisions

Section 63-17-2900. This article may be cited as the ‘Uniform Interstate Family Support Act’.

Section 63-17-2910. In this article:

(1) 'Child' means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(2) 'Child-support order' means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.

(3) 'Convention' means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.

(4) 'Duty of support' means an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(5) 'Foreign country' means a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:

(a) which has been declared under the law of the United States to be a foreign reciprocating country;

(b) which has established a reciprocal arrangement for child support with this State as provided in Section 63-17-3280;

(c) which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under this article; or

(d) in which the convention is in force with respect to the United States.

(6) 'Foreign support order' means a support order of a foreign tribunal.

(7) 'Foreign tribunal' means a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the convention.

(8) 'Home state' means the state or foreign country in which a child lived with a parent or a person acting as parent for at least six consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(9) 'Income' means earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of this State.

(10) 'Income-withholding order' means an order or other legal process directed to an obligor's employer or other debtor, as provided for in Articles 11, 13, and 15, to withhold support from the income of the obligor.

(11) 'Initiating tribunal' means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(12) 'Issuing foreign country' means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(13) 'Issuing state' means the state in which a tribunal issues a support order or renders a judgment determining parentage of a child.

(14) 'Issuing tribunal' means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(15) 'Law' means decisional and statutory law and rules and regulations having the force of law.

(16) 'Obligee' means:

(a) an individual to whom a duty of support is or is alleged to be owed or in whose favor a support order or a judgment determining parentage of a child has been issued;

(b) a foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(c) an individual seeking a judgment determining parentage of the individual's child; or

(d) a person that is a creditor in a proceeding under Part VII.

(17) 'Obligor' means an individual, or the estate of a decedent that:

(a) owes or is alleged to owe a duty of support;

(b) is alleged but has not been adjudicated to be a parent of a child;

(c) is liable under a support order; or

(d) is a debtor in a proceeding under Part VII.

(18) 'Outside this State' means a location in another state or a country other than the United States, whether or not the country is a foreign country.

(19) 'Person' means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(20) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(21) 'Register' means to record or file in a tribunal of this State a support order or judgment determining parentage of a child issued in another state or a foreign country.

(22) 'Registering tribunal' means a tribunal in which a support order or judgment determining parentage of a child is registered.

(23) 'Responding state' means a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country.

(24) 'Responding tribunal' means the authorized tribunal in a responding state or a foreign country.

(25) 'Spousal-support order' means a support order for a spouse or former spouse of the obligor.

(26) 'State' means a State of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

(27) 'Support enforcement agency' means a public official, governmental entity, or private agency authorized to:

(a) seek enforcement of support orders or laws relating to the duty of support;

(b) seek establishment or modification of child support;

(c) request determination of parentage;

(d) attempt to locate obligors or their assets; or

(e) request determination of the controlling child-support order.

(28) 'Support order' means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

(29) 'Tribunal' means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Section 63-17-2920. (A) For the purposes of continuing exclusive jurisdiction under this article, the tribunals of this State have concurrent

jurisdiction to establish, modify, and enforce child support in cases being administered pursuant to Title IV-D of the Social Security Act.

(B) The family court and the support enforcement agency are the tribunals of this State.

(C) The Department of Social Services is the support enforcement agency of this State.

Section 63-17-2930. (A) Remedies provided by this article are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

(B) This article does not:

(1) provide the exclusive method of establishing or enforcing a support order under the law of this State; or

(2) grant a tribunal of this State jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this article.

Section 63-17-2940. (A) A tribunal of this State shall apply Parts I through VI and, as applicable, Part VII, to a support proceeding involving:

(1) a foreign support order;

(2) a foreign tribunal; or

(3) an obligee, obligor, or child residing in a foreign country.

(B) A tribunal of this State that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of Parts I through VI.

(C) Part VII applies only to a support proceeding under the convention. In such a proceeding, if a provision of Part VII is inconsistent with Parts I through VI, Part VII controls.

Part II

Jurisdiction

Section 63-17-3010. (A) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of this State may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

(1) the individual is personally served with notice and a summons within this State;

(2) the individual submits to the jurisdiction of this State by consent, by entering a general appearance, or by filing a responsive

document having the effect of waiving any contest to personal jurisdiction;

(3) the individual resided with the child in this State;

(4) the individual resided in this State and provided prenatal expenses or support for the child;

(5) the child resides in this State as a result of the acts or directives of the individual;

(6) the individual engaged in sexual intercourse in this State and the child may have been conceived by that act of intercourse;

(7) the individual asserted parentage of a child in the putative father registry maintained in this State by the Department of Social Services; or

(8) there is any other basis consistent with the constitutions of this State and the United States for the exercise of personal jurisdiction.

(B) The bases of personal jurisdiction set forth in subsection (A) or in any other law of this State may not be used to acquire personal jurisdiction for a tribunal of this State to modify a child-support order of another state unless the requirements of Section 63-17-3830 or 63-17-3870 are met, or in the case of a foreign support order, unless the requirements of Section 63-17-3870 are met.

Section 63-17-3020. Personal jurisdiction acquired by a tribunal of this State in a proceeding under this article or other law of this State relating to a support order continues as long as a tribunal of this State has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by Sections 63-17-3050, 63-17-3060, and 63-17-3110.

Section 63-17-3030. Under this article, a tribunal of this State may serve as an initiating tribunal to forward proceedings to a tribunal of another state and as a responding tribunal for proceedings initiated in another state or a foreign country.

Section 63-17-3040. (A) A tribunal of this State may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if:

(1) the petition or comparable pleading in this State is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;

(2) the contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and

(3) if relevant, this State is the home state of the child.

(B) A tribunal of this State may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

(1) the petition or comparable pleading in the other state or foreign country is filed before the expiration of the time allowed in this State for filing a responsive pleading challenging the exercise of jurisdiction by this State;

(2) the contesting party timely challenges the exercise of jurisdiction in this State; and

(3) if relevant, the other state or foreign country is the home state of the child.

Section 63-17-3050. (A) A tribunal of this State that has issued a child-support order consistent with the law of this State has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and:

(1) at the time of the filing of a request for modification this State is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) even if this State is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of this State may continue to exercise jurisdiction to modify its order.

(B) A tribunal of this State that has issued a child-support order consistent with the law of this State may not exercise continuing, exclusive jurisdiction to modify the order if:

(1) all of the parties who are individuals file consent in a record with the tribunal of this State that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(2) its order is not the controlling order.

(C) If a tribunal of another state has issued a child-support order pursuant to the Uniform Interstate Family Support Act or a law substantially similar to that act which modifies a child-support order of a tribunal of this State, tribunals of this State shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(D) A tribunal of this State that lacks continuing, exclusive jurisdiction to modify a child-support order may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(E) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

Section 63-17-3060. (A) A tribunal of this State that has issued a child-support order consistent with the law of this State may serve as an initiating tribunal to request a tribunal of another state to enforce:

(1) the order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act; or

(2) a money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(B) A tribunal of this State having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

Section 63-17-3070. (A) If a proceeding is brought under this article and only one tribunal has issued a child-support order, the order of that tribunal controls and must be recognized.

(B) If a proceeding is brought under this article, and two or more child-support orders have been issued by tribunals of this State, another state, or a foreign country with regard to the same obligor and same child, a tribunal of this State having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) if only one of the tribunals would have continuing, exclusive jurisdiction under this article, the order of that tribunal controls;

(2) if more than one of the tribunals would have continuing, exclusive jurisdiction under this article:

(a) an order issued by a tribunal in the current home state of the child controls; or

(b) if an order has not been issued in the current home state of the child, the order most recently issued controls; or

(3) if none of the tribunals would have continuing, exclusive jurisdiction under this article, the tribunal of this State shall issue a child-support order, which controls.

(C) If two or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or

that is a support enforcement agency, a tribunal of this State having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection (B). The request may be filed with a registration for enforcement or registration for modification pursuant to Part VI, or may be filed as a separate proceeding.

(D) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(E) The tribunal that issued the controlling order under subsection (A), (B), or (C) has continuing jurisdiction to the extent provided in Section 63-17-3050 or 63-17-3060.

(F) A tribunal of this State that determines by order which is the controlling order under subsection (B)(1) or (2) or (C), or that issues a new controlling order under subsection (B)(3), shall state in that order:

- (1) the basis upon which the tribunal made its determination;
- (2) the amount of prospective support, if any; and
- (3) the total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by Section 63-17-3090.

(G) Within thirty days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

(H) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made pursuant to this section must be recognized in proceedings under this article.

Section 63-17-3080. In responding to registrations or petitions for enforcement of two or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of this State shall enforce those orders in the same manner as if the orders had been issued by a tribunal of this State.

Section 63-17-3090. A tribunal of this State shall credit amounts collected for a particular period pursuant to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of this or another state or a foreign country.

Section 63-17-3100. A tribunal of this State exercising personal jurisdiction over a nonresident in a proceeding under this article, under other laws of this State relating to a support order, or recognizing a foreign support order may receive evidence from outside this State pursuant to Section 63-17-3360, communicate with a tribunal outside this State pursuant to Section 63-17-3370, and obtain discovery through a tribunal outside this State pursuant to Section 63-17-3380. In all other respects, Parts III through VI do not apply and the tribunal shall apply the procedural and substantive law of this State.

Section 63-17-3110. (A) A tribunal of this State issuing a spousal-support order consistent with the law of this State has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(B) A tribunal of this State may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

(C) A tribunal of this State that has continuing, exclusive jurisdiction over a spousal-support order may serve as:

- (1) an initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in this State; or
- (2) a responding tribunal to enforce or modify its own spousal-support order.

Part III

Civil Provisions of General Application

Section 63-17-3210. (A) Except as otherwise provided in this article, this part applies to all proceedings under this article.

(B) An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this article by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state

or a foreign country which has or can obtain personal jurisdiction over the respondent.

Section 63-17-3220. A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Section 63-17-3230. Except as otherwise provided in this article, a responding tribunal of this State shall:

- (1) apply the procedural and substantive law generally applicable to similar proceedings originating in this State and may exercise all powers and provide all remedies available in those proceedings; and
- (2) determine the duty of support and the amount payable in accordance with the law and support guidelines of this State.

Section 63-17-3240. (A) Upon the filing of a petition authorized by this article, an initiating tribunal of this State shall forward the petition and its accompanying documents:

- (1) to the responding tribunal or appropriate support enforcement agency in the responding state; or
- (2) if the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(B) If requested by the responding tribunal, a tribunal of this State shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal of this State shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under applicable official or market exchange rate as publicly reported, and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

Section 63-17-3250. (A) When a responding tribunal of this State receives a petition or comparable pleading from an initiating tribunal or directly pursuant to Section 63-17-3210(B), it shall cause the petition or pleading to be filed and notify the petitioner where and when it was filed.

(B) A responding tribunal of this State, to the extent not prohibited by other law, may do one or more of the following:

- (1) establish or enforce a support order, modify a child-support order, determine the controlling child-support order, or determine parentage of a child;

- (2) order an obligor to comply with a support order, specifying the amount and the manner of compliance;
- (3) order income withholding;
- (4) determine the amount of any arrearages, and specify a method of payment;
- (5) enforce orders by civil or criminal contempt, or both;
- (6) set aside property for satisfaction of the support order;
- (7) place liens and order execution on the obligor's property;
- (8) order an obligor to keep the tribunal informed of the obligor's current residential address, electronic mail address, telephone number, employer, address of employment, and telephone number at the place of employment;
- (9) issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;
- (10) order the obligor to seek appropriate employment by specified methods;
- (11) award reasonable attorney's fees and other fees and costs; and
- (12) grant any other available remedy.

(C) A responding tribunal of this State shall include in a support order issued under this article, or in the documents accompanying the order, the calculations on which the support order is based.

(D) A responding tribunal of this State may not condition the payment of a support order issued under this article upon compliance by a party with provisions for visitation.

(E) If a responding tribunal of this State issues an order under this article, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(F) If requested to enforce a support order, arrears, or judgment or modify a support order stated in a foreign currency, a responding tribunal of this State shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Section 63-17-3260. If a petition or comparable pleading is received by an inappropriate tribunal of this State, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal of this State or another state and notify the petitioner where and when the pleading was sent.

Section 63-17-3270. (A) In a proceeding under this article, a support enforcement agency of this State, upon request:

(1) shall provide services to a petitioner residing in a state;
(2) shall provide services to a petitioner requesting services through a central authority of a foreign country as described in Section 63-17-2910(5)(a) or (5)(d); and

(3) may provide services to a petitioner who is an individual not residing in a state.

(B) A support enforcement agency of this State that is providing services to the petitioner shall:

(1) take all steps necessary to enable an appropriate tribunal of this State, another state, or a foreign country to obtain jurisdiction over the respondent;

(2) request an appropriate tribunal to set a date, time, and place for a hearing;

(3) make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a notice in a record from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner;

(5) within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and

(6) notify the petitioner if jurisdiction over the respondent cannot be obtained.

(C) A support enforcement agency of this State that requests registration of a child-support order in this State for enforcement or for modification shall make reasonable efforts:

(1) to ensure that the order to be registered is the controlling order;
or

(2) if two or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

(D) A support enforcement agency of this State that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(E) A support enforcement agency of this State shall issue or request a tribunal of this State to issue a child-support order and an income-withholding order that redirect payment of current support,

arrears, and interest if requested to do so by a support enforcement agency of another state pursuant to Section 63-17-3390.

(F) This article does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Section 63-17-3280. (A) If the Attorney General determines that the support enforcement agency is neglecting or refusing to provide services to an individual, the Attorney General may order the agency to perform its duties under this article or may provide those services directly to the individual.

(B) The Department of Social Services may determine that a foreign country has established a reciprocal arrangement for child support with this State and take appropriate action for notification of the determination.

Section 63-17-3290. An individual may employ private counsel to represent the individual in proceedings authorized by this article.

Section 63-17-3300. (A) The Department of Social Services is the state information agency under this article.

(B) The state information agency shall:

(1) compile and maintain a current list, including addresses, of the tribunals in this State which have jurisdiction under this article and any support enforcement agencies in this State and transmit a copy to the state information agency of every other state;

(2) maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(3) forward to the appropriate tribunal in the county in this State in which the obligee who is an individual or the obligor resides, or in which the obligor's property is believed to be located, all documents concerning a proceeding under this article received from another state or a foreign country; and

(4) obtain information concerning the location of the obligor and the obligor's property within this State not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Section 63-17-3310. (A) In a proceeding under this article, a petitioner seeking to establish a support order, to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under Section 63-17-3320, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

(B) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Section 63-17-3320. If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in which a tribunal takes into consideration the health, safety, or liberty of the party or child, the tribunal may order disclosure of information that the tribunal determines to be in the interest of justice.

Section 63-17-3330. (A) The petitioner may not be required to pay a filing fee or other costs.

(B) If an obligee prevails, a responding tribunal of this State may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or the responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(C) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under Part VI, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Section 63-17-3340. (A) Participation by a petitioner in a proceeding under this article before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(B) A petitioner is not amenable to service of civil process while physically present in this State to participate in a proceeding under this article.

(C) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this article committed by a party while physically present in this State to participate in the proceeding.

Section 63-17-3350. A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this article.

Section 63-17-3360. (A) The physical presence of a nonresident party who is an individual in a tribunal of this State is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child.

(B) An affidavit, a document substantially complying with federally mandated forms, or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside this State.

(C) A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(D) Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least ten days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(E) Documentary evidence transmitted from outside this State to a tribunal of this State by telephone, telecopier, or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

(F) In a proceeding under this article, a tribunal of this State shall permit a party or witness residing outside this State to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means at a designated tribunal or other location. A tribunal of this State shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

(G) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(H) A privilege against disclosure of communications between spouses does not apply in a proceeding under this article.

(I) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this article.

(J) A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

Section 63-17-3370. A tribunal of this State may communicate with a tribunal outside this State in a record, or by telephone, electronic mail, or other means, to obtain information concerning the laws, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding. A tribunal of this State may furnish similar information by similar means to a tribunal outside this State.

Section 63-17-3380. A tribunal of this State may:

(1) request a tribunal outside this State to assist in obtaining discovery; and

(2) upon request, compel a person over which it has jurisdiction to respond to a discovery order issued by a tribunal outside this State.

Section 63-17-3390. (A) A support enforcement agency or tribunal of this State shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

(B) If neither the obligor, nor the obligee who is an individual, nor the child resides in this State, upon request from the support enforcement

agency of this State or another state, the Department of Social Services or a tribunal of this State shall:

(1) direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) issue and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(C) The support enforcement agency of this State receiving redirected payments from another state pursuant to a law similar to subsection (B) shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

Part IV

Establishment of Support Order or Determination of Parentage

Section 63-17-3410. (A) If a support order entitled to recognition under this article has not been issued, a responding tribunal of this State with personal jurisdiction over the parties may issue a support order if:

(1) the individual seeking the order resides outside this State; or

(2) the support enforcement agency seeking the order is located outside this State.

(B) The tribunal may issue a temporary child-support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

(1) a presumed father of the child;

(2) petitioning to have his paternity adjudicated;

(3) identified as the father of the child through genetic testing;

(4) an alleged father who has declined to submit to genetic testing;

(5) shown by clear and convincing evidence to be the father of the child;

(6) an acknowledged father as provided by law;

(7) the mother of the child; or

(8) an individual who has been ordered to pay child support in a previous proceeding and the order has not been reversed or vacated.

(C) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to Section 63-17-3250.

Section 63-17-3420. A tribunal of this State authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this article or a law or procedure substantially similar to this article.

Part V

Enforcement of Support Order Without Registration

Section 63-17-3510. An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person defined as the obligor's employer under Articles 11, 13, and 15 without first filing a petition or comparable pleading or registering the order with a tribunal of this State.

Section 63-17-3520. (A) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(B) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of this State.

(C) Except as otherwise provided in subsection (D) and Section 63-17-3530, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order which specify:

(1) the duration and amount of periodic payments of current child support, stated as a sum certain;

(2) the person designated to receive payments and the address to which the payments are to be forwarded;

(3) medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage for the child under a policy available through the obligor's employment;

(4) the amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums certain; and

(5) the amount of periodic payments of arrearages and interest on arrearages, stated as sums certain.

(D) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to:

- (1) the employer's fee for processing an income-withholding order;
- (2) the maximum amount permitted to be withheld from the obligor's income; and
- (3) the times within which the employer must implement the withholding order and forward the child-support payment.

Section 63-17-3530. If an obligor's employer receives two or more income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for two or more child-support obligees.

Section 63-17-3540. An employer that complies with an income-withholding order issued in another state in accordance with this part is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Section 63-17-3550. An employer that wilfully fails to comply with an income-withholding order issued in another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of this State.

Section 63-17-3560. (A) An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in this State by registering the order in a tribunal of this State and filing a contest to that order as provided in Part VI, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of this State.

(B) The obligor shall give notice of the contest to:

- (1) a support enforcement agency providing services to the obligee;
- (2) each employer that has directly received an income-withholding order relating to the obligor; and
- (3) the person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

Section 63-17-3570. (A) A party or support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued in another state or a foreign support order may send the

documents required for registering the order to a support enforcement agency of this State.

(B) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this State to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this article.

Part VI

Registration, Enforcement, and Modification of Support Order

Subpart 1

Registration for Enforcement of Support Order

Section 63-17-3610. A support order or income-withholding order issued in a tribunal of another state or a foreign support order may be registered in this State for enforcement.

Section 63-17-3620. (A) Except as provided in Section 63-17-3935, a support order or income-withholding order of another state or a foreign support order may be registered in this State by sending the following records to the Department of Social Services:

- (1) a letter of transmittal to the tribunal requesting registration and enforcement;
- (2) two copies, including one certified copy, of the order to be registered, including any modification of the order;
- (3) a sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;
- (4) the name of the obligor and, if known:
 - (a) the obligor's address and social security number;
 - (b) the name and address of the obligor's employer and any other source of income of the obligor; and
 - (c) a description and the location of property of the obligor in this State not exempt from execution; and

(5) except as otherwise provided in Section 63-17-3320, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

(B) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.

(C) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of this State may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(D) If two or more orders are in effect, the person requesting registration shall:

(1) furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;

(2) specify the order alleged to be the controlling order, if any; and

(3) specify the amount of consolidated arrears, if any.

(E) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

Section 63-17-3630. (A) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of this State.

(B) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this State.

(C) Except as otherwise provided in this part, a tribunal of this State shall recognize and enforce, but may not modify, a registered order if the issuing tribunal had jurisdiction.

Section 63-17-3640. (A) Except as otherwise provided in subsection (D), the law of the issuing state or a foreign country governs:

(1) the nature, extent, amount, and duration of current payments under a registered support order;

(2) the computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

(3) the existence and satisfaction of other obligations under the support order.

(B) In a proceeding for arrears under a registered support order, the statute of limitation of this State or of the issuing state or a foreign country, whichever is longer, applies.

(C) A responding tribunal of this State shall apply the procedures and remedies of this State to enforce current support and collect arrears and interest due on a support order of another state or a foreign country registered in this State.

(D) After a tribunal of this State or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of this State shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

Subpart 2

Contest of Validity or Enforcement

Section 63-17-3710. (A) When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of this State shall notify the nonregistering party. Notice must be given by first-class, certified, or registered mail or by any means of personal service authorized by the law of this State. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(B) A notice must inform the nonregistering party:

(1) that a registered order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of this State;

(2) that a hearing to contest the validity or enforcement of the registered order must be requested within twenty days after notice unless the registered order is under Section 63-17-3940;

(3) that failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages; and

(4) of the amount of any alleged arrearages.

(C) If the registering party asserts that two or more orders are in effect, a notice also must:

(1) identify the two or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrears, if any;

(2) notify the nonregistering party of the right to a determination of which is the controlling order;

(3) state that the procedures provided in subsection (B) apply to the determination of which is the controlling order; and

(4) state that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

(D) Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to Articles 11, 13, and 15.

Section 63-17-3720. (A) A nonregistering party seeking to contest the validity or enforcement of a registered order in this State shall request a hearing within twenty days after notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to Section 63-17-3730.

(B) If the nonregistering party fails to contest the validity or enforcement of the registered order in a timely manner, the order is confirmed by operation of law.

(C) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered order, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing.

Section 63-17-3730. (A) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) the issuing tribunal lacked personal jurisdiction over the contesting party;

(2) the order was obtained by fraud;

(3) the order has been vacated, suspended, or modified by a later order;

(4) the issuing tribunal has stayed the order pending appeal;

(5) there is a defense under the law of this State to the remedy sought;

(6) full or partial payment has been made;

(7) the statute of limitation under Section 63-17-3640 precludes enforcement of some or all of the alleged arrearages; or

(8) the alleged controlling order is not the controlling order.

(B) If a party presents evidence establishing a full or partial defense under subsection (A), a tribunal may stay enforcement of the registered support order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of this State.

(C) If the contesting party does not establish a defense under subsection (A) to the validity or enforcement of a registered support order, the registering tribunal shall issue an order confirming the order.

Section 63-17-3740. Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

Subpart 3

Registration and Modification of Child-Support Order of Another State

Section 63-17-3810. A party or support enforcement agency seeking to modify, or to modify and enforce, a child-support order issued in another state shall register that order in this State in the same manner provided in subpart 1 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Section 63-17-3820. A tribunal of this State may enforce a child-support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of this State, but the registered support order may be modified only if the requirements of Section 63-17-3830 or 63-17-3850 have been met.

Section 63-17-3830. (A) If Section 63-17-3850 does not apply, upon petition, a tribunal of this State may modify a child-support order issued in another state which is registered in this State if, after notice and hearing, the tribunal finds that:

(1) the following requirements are met:

(a) neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;

(b) a petitioner who is a nonresident of this State seeks modification; and

(c) the respondent is subject to the personal jurisdiction of the tribunal of this State; or

(2) this State is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of this State, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of this State to modify the support order and assume continuing, exclusive jurisdiction.

(B) Modification of a registered child-support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of this State and the order may be enforced and satisfied in the same manner.

(C) A tribunal of this State may not modify any aspect of a child-support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If two or more tribunals have issued child-support orders for the same obligor and same child, the order that controls and must be so recognized under Section 63-17-3070 establishes the aspects of the support order which are nonmodifiable.

(D) In a proceeding to modify a child-support order, the law of the state that is determined to have issued the initial controlling order governs the duration of the obligation of support. The obligor's fulfillment of the duty of support established by that order precludes imposition of a further obligation of support by a tribunal of this State.

(E) On the issuance of an order by a tribunal of this State modifying a child-support order issued in another state, the tribunal of this State becomes the tribunal having continuing, exclusive jurisdiction.

(F) Notwithstanding subsections (A) through (E) and Section 63-17-3010(B), a tribunal of this State retains jurisdiction to modify an order issued by a tribunal of this State if:

- (1) one party resides in another state; and
- (2) the other party resides outside the United States.

Section 63-17-3840. If a child-support order issued by a tribunal of this State is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of this State:

- (1) may enforce its order that was modified only as to arrears and interest accruing before the modification;
- (2) may provide appropriate relief for violations of its order which occurred before the effective date of the modification; and

(3) shall recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Section 63-17-3850. (A) If all of the parties who are individuals reside in this State and the child does not reside in the issuing state, a tribunal of this State has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

(B) A tribunal of this State exercising jurisdiction under this section shall apply the provisions of Parts I and II, this part, and the procedural and substantive law of this State to the proceeding for enforcement or modification. Parts III, IV, V, VII, and VIII do not apply.

Section 63-17-3860. Within thirty days after issuance of a modified child-support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

Subpart 4

Registration and Modification of Foreign Child-Support Order

Section 63-17-3870. (A) Except as otherwise provided in Section 63-17-3960, if a foreign country lacks or refuses to exercise jurisdiction to modify its child-support order pursuant to its laws, a tribunal of this State may assume jurisdiction to modify the child-support order and bind all individuals subject to the personal jurisdiction of the tribunal whether or not the consent to modification of a child-support order otherwise required of the individual pursuant to Section 63-17-3830 has been given or whether the individual seeking modification is a resident of this State or of the foreign country.

(B) An order issued by a tribunal of this State modifying a foreign child-support order pursuant to this section is the controlling order.

Section 63-17-3880. A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child-support order not under the convention may register that order in this State under Sections 63-17-3610, 63-17-3620, 63-17-3630, 63-17-3640, 63-17-3710,

63-17-3720, 63-17-3730, and 63-17-3740 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or at another time. The petition must specify the grounds for modification.

Part VII

Support Proceeding under Convention

Section 63-17-3910. (1) 'Application' means a request under the convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

(2) 'Central authority' means the entity designated by the United States or a foreign country described in Section 63-17-2910(5)(d) to perform the functions specified in the convention.

(3) 'Convention support order' means a support order of a tribunal of a foreign country described in Section 63-17-2910(5)(d).

(4) 'Direct request' means a petition filed by an individual in a tribunal of this State in a proceeding involving an obligee, obligor, or child residing outside the United States.

(5) 'Foreign central authority' means the entity designated by a foreign country described in Section 63-17-2910(5)(d) to perform the functions specified in the convention.

(6) 'Foreign support agreement':

(a) means an agreement for support in a record that:

(i) is enforceable as a support order in the country of origin;

(ii) has been:

(A) formally drawn up or registered as an authentic instrument by a foreign tribunal; or

(B) authenticated by, or concluded, registered, or filed with a foreign tribunal; and

(iii) may be reviewed and modified by a foreign tribunal; and

(b) includes a maintenance arrangement or authentic instrument under the convention.

(7) 'United States central authority' means the Secretary of the United States Department of Health and Human Services.

Section 63-17-3915. This part applies only to a support proceeding under the convention. In such a proceeding, if a provision of this part is inconsistent with Parts I through VI, this part controls.

Section 63-17-3920. The Department of Social Services of this State is recognized as the agency designated by the United States central authority to perform specific functions under the convention.

Section 63-17-3925. (A) In a support proceeding under this part, the Department of Social Services of this State shall:

- (1) transmit and receive applications; and
- (2) initiate or facilitate the institution of a proceeding regarding an application in a tribunal of this State.

(B) The following support proceedings are available to an obligee under the convention:

- (1) recognition or recognition and enforcement of a foreign support order;
- (2) enforcement of a support order issued or recognized in this State;
- (3) establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;
- (4) establishment of a support order if recognition of a foreign support order is refused under Section 63-17-3945(B)(2), (4), or (9);
- (5) modification of a support order of a tribunal of this State; and
- (6) modification of a support order of a tribunal of another state or a foreign country.

(C) The following support proceedings are available under the convention to an obligor against which there is an existing support order:

- (1) recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of this State;
- (2) modification of a support order of a tribunal of this State; and
- (3) modification of a support order of a tribunal of another state or a foreign country.

(D) A tribunal of this State may not require security, bond, or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the convention.

Section 63-17-3930. (A) A petitioner may file a direct request seeking establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of this State applies.

(B) A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, Sections 63-17-3935 through 63-17-3970 apply.

(C) In a direct request for recognition and enforcement of a convention support order or foreign support agreement:

(1) a security, bond, or deposit is not required to guarantee the payment of costs and expenses; and

(2) an obligee or obligor that in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of this State under the same circumstances.

(D) A petitioner filing a direct request is not entitled to assistance from the Department of Social Services.

(E) This part does not prevent the application of laws of this State that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

Section 63-17-3935. (A) Except as otherwise provided in this article, a party who is an individual or a support enforcement agency seeking recognition of a convention support order shall register the order in this State as provided in Part VI.

(B) Notwithstanding Sections 63-17-3320 and 63-17-3620, a request for registration of a convention support order must be accompanied by:

(1) a complete text of the support order;

(2) a record stating that the support order is enforceable in the issuing country;

(3) if the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

(4) a record showing the amount of arrears, if any, and the date the amount was calculated;

(5) a record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

(6) if necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(C) A request for registration of a convention support order may seek recognition and partial enforcement of the order.

(D) A tribunal of this State may vacate the registration of a convention support order without the filing of a contest under Section 63-17-3940 only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

(E) The tribunal promptly shall notify the parties of the registration or the order vacating the registration of a convention support order.

Section 63-17-3940. (A) Except as otherwise provided in this part, Sections 63-17-3710 through 63-17-3740 apply to a contest of a registered convention support order.

(B) A party contesting a registered convention support order shall file a contest not later than thirty days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than sixty days after notice of the registration.

(C) If the nonregistering party fails to contest the registered convention support order by the time specified in subsection (B), the order is enforceable.

(D) A contest of a registered convention support order may be based only on grounds set forth in Section 63-17-3945. The contesting party bears the burden of proof.

(E) In a contest of a registered convention support order, a tribunal of this State:

(1) is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(2) may not review the merits of the order.

(F) A tribunal of this State deciding a contest of a registered convention support order shall promptly notify the parties of its decision.

(G) A challenge or appeal, if any, does not stay the enforcement of a convention support order unless there are exceptional circumstances.

Section 63-17-3945. (A) Except as otherwise provided in subsection (B), a tribunal of this State shall recognize and enforce a registered convention support order.

(B) The following grounds are the only grounds on which a tribunal of this State may refuse recognition and enforcement of a registered convention support order:

(1) recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) the issuing tribunal lacked personal jurisdiction consistent with Section 63-17-3010;

(3) the order is not enforceable in the issuing country;

(4) the order was obtained by fraud in connection with a matter of procedure;

(5) a record transmitted in accordance with Section 63-17-3935 lacks authenticity or integrity;

(6) a proceeding between the same parties and having the same purpose is pending before a tribunal of this State and that proceeding was the first to be filed;

(7) the order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this article in this State;

(8) payment, to the extent alleged arrears have been paid in whole or in part;

(9) in a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(a) if the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(b) if the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) the order was made in violation of Section 63-17-3960.

(C) If a tribunal of this State does not recognize a convention support order under subsection (B)(2), (4), or (9):

(1) the tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new convention support order; and

(2) the department shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under Section 63-17-3925.

Section 63-17-3950. If a tribunal of this State does not recognize and enforce a convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a convention support order.

Section 63-17-3955. (A) Except as otherwise provided in subsections (C) and (D), a tribunal of this State shall recognize and enforce a foreign support agreement registered in this State.

(B) An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

(1) a complete text of the foreign support agreement; and

(2) a record stating that the foreign support agreement is enforceable as an order of support in the issuing country.

(C) A tribunal of this State may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

(D) In a contest of a foreign support agreement, a tribunal of this State may refuse recognition and enforcement of the agreement if it finds:

(1) recognition and enforcement of the agreement is manifestly incompatible with public policy;

(2) the agreement was obtained by fraud or falsification;

(3) the agreement is incompatible with a support order involving the same parties and having the same purpose in this State, another state, or a foreign country if the support order is entitled to recognition and enforcement under this article in this State; or

(4) the record submitted under subsection (B) lacks authenticity or integrity.

(E) A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

Section 63-17-3960. (A) A tribunal of this State may not modify a convention child-support order if the obligee remains a resident of the foreign country where the support order was issued unless:

(1) the obligee submits to the jurisdiction of a tribunal of this State, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

(2) the foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

(B) If a tribunal of this State does not modify a convention child-support order because the order is not recognized in this State, Section 63-17-3945(C) applies.

Section 63-17-3965. Personal information gathered or transmitted under this part may be used only for the purposes for which it was gathered or transmitted.

Section 63-17-3970. A record filed with a tribunal of this State under this part must be in the original language and, if not in English, must be accompanied by an English translation.

Part VIII

Interstate Rendition

Section 63-17-4010. (A) For purposes of this article, 'governor' includes an individual performing the functions of governor or the executive authority of a state covered by this article.

(B) The Governor of this State may:

(1) demand that the governor of another state surrender an individual found in the other state who is charged criminally in this State with having failed to provide for the support of an obligee; or

(2) on the demand of the governor of another state, surrender an individual found in this State who is charged criminally in the other state with having failed to provide for the support of an obligee.

(C) A provision for extradition of individuals not inconsistent with this article applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Section 63-17-4020. (A) Before making a demand that the governor of another state surrender an individual charged criminally in this State with having failed to provide for the support of an obligee, the Governor of this State may require a prosecutor of this State to demonstrate that at least sixty days previously the obligee had initiated proceedings for support pursuant to this article or that the proceeding would be of no avail.

(B) If, under this article or a law substantially similar to this article, the governor of another state makes a demand that the Governor of this State surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the Governor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the Governor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(C) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the Governor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the Governor may decline to honor the demand if the individual is complying with the support order.

Part IX

Miscellaneous Provisions

Section 63-17-4030. In applying and construing this article, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 63-17-4035. This article applies to proceedings begun on or after the effective date of this article to establish a support order or determine parentage of a child or to register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered.

Section 63-17-4040. If any provision of this article or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 34

(R58, S590)

AN ACT TO AMEND SECTION 56-1-400, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' PROCEDURE TO ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE DRIVER'S LICENSE WAS SUSPENDED OR REVOKED, AND THE RESTRICTIONS IMPOSED UPON A DRIVER'S LICENSE ISSUED TO A PERSON WHO IS PERMITTED TO OPERATE A MOTOR VEHICLE WITH AN IGNITION INTERLOCK

DEVICE INSTALLED, SO AS TO PROVIDE THAT THE VEHICLE WAIVER THAT PROVIDES THAT AN EMPLOYER IS NOT REQUIRED TO INSTALL AN IGNITION INTERLOCK DEVICE ON A VEHICLE OPERATED BY AN EMPLOYEE WHO HAS BEEN ISSUED AN IGNITION INTERLOCK DEVICE RESTRICTED DRIVER'S LICENSE DOES NOT APPLY UNDER CERTAIN CIRCUMSTANCES TO A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF CERTAIN PROVISIONS THAT MAKE IT UNLAWFUL TO OPERATE A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, OR WITH AN UNLAWFUL ALCOHOL CONCENTRATION; TO AMEND SECTION 56-5-2990, AS AMENDED, RELATING TO THE SUSPENSION OF THE DRIVER'S LICENSE OF A PERSON CONVICTED OF A PROVISION THAT PROHIBITS A PERSON FROM DRIVING A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR OTHER DRUGS, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56-5-2941, AS AMENDED, RELATING TO THE REQUIRED INSTALLATION OF IGNITION INTERLOCK DEVICES ON MOTOR VEHICLES OPERATED BY CERTAIN PERSONS WHO HAVE BEEN CONVICTED OF OFFENSES THAT INVOLVE THE OPERATION OF A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, OR OPERATING A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO PROVIDE FOR THE ASSESSMENT OF ONE AND ONE-HALF IGNITION INTERLOCK DEVICE POINTS TO A PERSON WHOSE IGNITION INTERLOCK DEVICE INSPECTION REPORT OR PHOTOGRAPHIC IMAGES COLLECTED BY THE DEVICE SHOW A VIOLATION OF CERTAIN PROVISIONS GOVERNING THE OPERATION OF THE DEVICE, TO PROVIDE THAT THE VEHICLE WAIVER THAT PROVIDES THAT AN EMPLOYER IS NOT REQUIRED TO INSTALL AN IGNITION INTERLOCK DEVICE ON A VEHICLE OPERATED BY AN EMPLOYEE WHO IS SUBJECT TO THE IGNITION INTERLOCK DEVICE DRIVING RESTRICTIONS DOES NOT APPLY UNDER CERTAIN CIRCUMSTANCES TO A PERSON CONVICTED OF A SECOND OR SUBSEQUENT VIOLATION OF CERTAIN PROVISIONS THAT MAKE IT UNLAWFUL TO OPERATE A MOTOR VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, OR WITH AN

UNLAWFUL ALCOHOL CONCENTRATION, TO PROVIDE ADDITIONAL CONDUCT THAT CONSTITUTES THE UNLAWFUL OPERATION OF AN IGNITION INTERLOCK DEVICE, TO PROVIDE FOR THE PURGING OF PHOTOGRAPHIC IMAGES COLLECTED ON THE IGNITION INTERLOCK DEVICES AND PERSONAL INFORMATION REGARDING A PERSON'S PARTICIPATION IN THE IGNITION INTERLOCK DEVICES PROGRAM, AND TO PROVIDE THAT THIS SECTION APPLIES RETROACTIVELY TO CERTAIN PERSONS SERVING A SUSPENSION OR DENIAL OF THE ISSUANCE OF A DRIVER'S LICENSE OR PERMIT.

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

Ignition interlock device

SECTION 1. Section 56-1-400(B) of the 1976 Code, as last amended by Act 158 of 2014, is further amended to read:

“(B)(1) A person who does not own a vehicle, as shown in the Department of Motor Vehicles’ records, and who certifies that the person:

(a) cannot obtain a vehicle owner’s permission to have an ignition interlock device installed on a vehicle;

(b) will not be driving a vehicle other than a vehicle owned by the person’s employer; and

(c) will not own a vehicle during the ignition interlock period, may petition the department, on a form provided by the department, for issuance of an ignition interlock restricted license that permits the person to operate a vehicle specified by the employee according to the employer’s needs as contained in the employer’s statement during the days and hours specified in the employer’s statement without having to show that an ignition interlock device has been installed.

(2) The form must contain:

(a) identifying information about the employer’s noncommercial vehicles that the person will be operating;

(b) a statement that explains the circumstances in which the person will be operating the employer’s vehicles; and

(c) the notarized signature of the person’s employer.

(3) This subsection does not apply to:

(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.

(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.

(4) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the form specified by this subsection.

(5) The determination of eligibility for the waiver is subject to periodic review at the discretion of the department. The department shall revoke a waiver issued pursuant to this exemption if the department determines that the person has been driving a vehicle other than the vehicle owned by the person's employer or has been operating the person's employer's vehicle outside the locations, days, or hours specified by the employer in the department's records. The person may seek relief from the department's determination by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act and the rules of procedure for the Office of Motor Vehicle Hearings."

Alcohol and Drug Safety Action Program

SECTION 2. Section 56-5-2990(B) of the 1976 Code, as last amended by Act 158 of 2014, is further amended to read:

"(B) A person whose license is suspended pursuant to this section, Section 56-1-286, 56-5-2945, or 56-5-2951 must be notified by the department of the suspension and of the requirement to enroll in and successfully complete an Alcohol and Drug Safety Action Program certified by the Department of Alcohol and Other Drug Abuse Services. A person who must complete an Alcohol and Drug Safety Action Program as a condition of reinstatement of his driving privileges or a court-ordered drug program may use the route restricted or special

restricted driver's license to attend the Alcohol and Drug Safety Action Program classes or court-ordered drug program in addition to the other permitted uses of a route restricted driver's license or a special restricted driver's license. An assessment of the extent and nature of the alcohol and drug abuse problem, if any, of the person must be prepared and a plan of education or treatment, or both, must be developed for the person. Entry into the services, if the services are necessary, recommended in the plan of education or treatment, or both, developed for the person is a mandatory requirement of the issuance of an ignition interlock restricted license to the person whose license is suspended pursuant to this section. Successful completion of the services, if the services are necessary, recommended in the plan of education or treatment, or both, developed for the person is a mandatory requirement of the full restoration of driving privileges to the person whose license is suspended pursuant to this section. The Alcohol and Drug Safety Action Program shall determine if the person has successfully completed the services. Alcohol and Drug Safety Action Programs shall meet at least once a month. The person whose license is suspended shall attend the first Alcohol and Drug Safety Action Program available after the date of enrollment."

Ignition interlock device

SECTION 3. Section 56-5-2941 of the 1976 Code, as last amended by Act 158 of 2014, is further amended to read:

"Section 56-5-2941. (A) The Department of Motor Vehicles shall require a person who is a resident of this State and who is convicted of violating the provisions of Section 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, to have installed on any motor vehicle the person drives an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one-hundredths of one percent or more. The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person's driver's license for the length of time that the person would

have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person's medical condition has improved to the extent that the person has become capable of properly operating an installed device. The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver's license suspension or denial of the issuance of a driver's license or permit to have an ignition interlock device installed on any motor vehicle the person drives.

The length of time that a device is required to be affixed to a motor vehicle as set forth in Sections 56-1-286, 56-5-2945, 56-5-2947 except if the conviction was for Sections 56-5-750, 56-5-2951, and 56-5-2990.

(B) Notwithstanding the pleadings, for purposes of a second or a subsequent offense, the specified length of time that a device is required to be affixed to a motor vehicle is based on the Department of Motor Vehicle's records for offenses pursuant to Section 56-1-286, 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2950, or 56-5-2951.

(C) If a resident of this State is convicted of violating a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, and, as a result of the conviction, the person is subject to an ignition interlock device requirement in the other state, the person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(D) If a person from another state becomes a resident of South Carolina while subject to an ignition interlock device requirement in another state, the person only may obtain a South Carolina driver's license if the person enrolls in the South Carolina Ignition Interlock Device Program pursuant to this section. The person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(E) The person must be subject to an Ignition Interlock Device Point System managed by the Department of Probation, Parole and Pardon Services. A person accumulating a total of:

- (1) two points or more, but less than three points, must have the length of time that the device is required extended by two months;
- (2) three points or more, but less than four points, must have the length of time that the device is required extended by four months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990,

and shall successfully complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan, or not make progress toward completing the plan, the Department of Motor Vehicles shall suspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan;

(3) four points or more must have the person's ignition interlock restricted license suspended for a period of six months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and successfully shall complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan or not make progress toward completing the plan, the Department of Motor Vehicles shall leave the person's ignition interlock restricted license in suspended status, or, if the license has already been reinstated following the six-month suspension, shall resuspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan. The Department of Alcohol and Other Drug Abuse Services is responsible for notifying the Department of Motor Vehicles of a person's completion and compliance with education and treatment programs. Upon reinstatement of driving privileges following the six-month suspension, the Department of Probation, Parole and Pardon Services shall reset the person's point total to zero points, and the person shall complete the remaining period of time on the ignition interlock device.

(F) The cost of the device must be borne by the person. However, if the person is indigent and cannot afford the cost of the device, the person may submit an affidavit of indigency to the Department of Probation, Parole and Pardon Services for a determination of indigency as it pertains to the cost of the device. The affidavit of indigency form must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. If the Department of Probation, Parole and Pardon Services determines that the person is indigent as it pertains to the device, the Department of Probation, Parole and Pardon Services may authorize a device to be affixed to the motor vehicle and the cost of the initial installation and standard use of the device to be paid for by the Ignition Interlock Device Fund managed by the Department of Probation, Parole and Pardon Services. Funds remitted to the Department of Probation, Parole and Pardon Services for the Ignition Interlock Device Fund also may be used by the Department of Probation, Parole and Pardon Services to support the Ignition Interlock Device Program. For purposes of this section, a person is indigent if the person

is financially unable to afford the cost of the ignition interlock device. In making a determination whether a person is indigent, all factors concerning the person's financial conditions should be considered including, but not limited to, income, debts, assets, number of dependents claimed for tax purposes, living expenses, and family situation. A presumption that the person is indigent is created if the person's net family income is less than or equal to the poverty guidelines established and revised annually by the United States Department of Health and Human Services published in the Federal Register. 'Net income' means gross income minus deductions required by law. The determination of indigency is subject to periodic review at the discretion of the Department of Probation, Parole and Pardon Services.

(G) The ignition interlock service provider shall collect and remit monthly to the Ignition Interlock Device Fund a fee as determined by the Department of Probation, Parole and Pardon Services not to exceed thirty dollars per month for each month the person is required to drive a vehicle with a device. A service provider who fails to properly remit funds to the Ignition Interlock Device Fund may be decertified as a service provider by the Department of Probation, Parole and Pardon Services. If a service provider is decertified for failing to remit funds to the Ignition Interlock Device Fund, the cost for removal and replacement of a device must be borne by the service provider.

(H)(1) The person shall have the device inspected every sixty days to verify that the device is affixed to the motor vehicle and properly operating, and to allow for the preparation of an ignition interlock device inspection report by the service provider indicating the person's alcohol content at each attempt to start and running retest during each sixty-day period. Failure of the person to have the interlock device inspected every sixty days must result in one ignition interlock device point.

(2) Only a service provider authorized by the Department of Probation, Parole and Pardon Services to perform inspections on ignition interlock devices may conduct inspections. The service provider immediately shall report devices that fail inspection to the Department of Probation, Parole and Pardon Services. The report must contain the person's name, identify the vehicle upon which the failed device is installed, and the reason for the failed inspection.

(3) If the inspection report reflects that the person has failed to complete a running retest, the person must be assessed one ignition interlock device point.

(4) If any inspection report or any photographic images collected by the device shows that the person has violated subsection (M), (O), or

(P), the person must be assessed one and one-half ignition interlock device points.

(5) The inspection report must indicate the person's alcohol content at each attempt to start and running retest during each sixty-day period. If the report reflects that the person violated a running retest by having an alcohol concentration of:

(a) two one-hundredths of one percent or more but less than four one-hundredths of one percent, the person must be assessed one-half ignition interlock device point;

(b) four one-hundredths of one percent or more but less than fifteen one-hundredths of one percent, the person must be assessed one ignition interlock device point; or

(c) fifteen one-hundredths of one percent or more, the person must be assessed two ignition interlock device points.

(6) A person may appeal less than four ignition interlock device points received to an administrative hearing officer with the Department of Probation, Parole and Pardon Services through a process established by the Department of Probation, Parole and Pardon Services. The administrative hearing officer's decision on appeal is final and no appeal from such decision is allowed.

(I)(1) If a person's license is suspended due to the accumulation of four or more ignition interlock device points, the Department of Probation, Parole and Pardon Services must provide a notice of assessment of ignition interlock points which must advise the person of his right to request a contested case hearing before the Office of Motor Vehicle Hearings. The notice of assessment of ignition interlock points also must advise the person that, if he does not request a contested case hearing within thirty days of the issuance of the notice of assessment of ignition interlock points, he waives his right to the administrative hearing and the person's driver's license is suspended pursuant to subsection (E).

(2) The person may seek relief from the Department of Probation, Parole and Pardon Services' determination that a person's license is suspended due to the accumulation of four or more ignition interlock device points by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act. The filing of the request for a contested case hearing will stay the driver's license suspension pending the outcome of the hearing. However, the filing of the request for a contested case hearing will not stay the requirements of the person having the ignition interlock device.

(3) At the contested case hearing:

(a) the assessment of driver's license suspension can be upheld;

(b) the driver's license suspension can be overturned, or any or all of the contested ignition interlock points included in the device inspection report that results in the contested suspension can be overturned, and the penalties as specified pursuant to subsection (E) will then be imposed accordingly.

(4) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the ignition interlock device. However, if the ignition interlock device is found to not be in working order due to failure of regular maintenance and upkeep by the person challenging the accumulation of ignition interlock points pursuant to the requirement of the ignition interlock program, such allegation cannot serve as a basis to overturn point accumulations.

(5) A written order must be issued by the Office of Motor Vehicle Hearings to all parties either reversing or upholding the assessment of ignition interlock points.

(6) A contested case hearing is governed by the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. The filing of an appeal does not stay the ignition interlock requirement.

(J) Five years from the date of the person's driver's license reinstatement and every five years thereafter, a fourth or subsequent offender whose license has been reinstated pursuant to Section 56-1-385 may apply to the Department of Probation, Parole and Pardon Services for removal of the ignition interlock device and the removal of the restriction from the person's driver's license. The Department of Probation, Parole and Pardon Services may, for good cause shown, notify the Department of Motor Vehicles that the person is eligible to have the restriction removed from the person's license.

(K)(1) Except as otherwise provided in this section, it is unlawful for a person who is subject to the provisions of this section to drive a motor vehicle that is not equipped with a properly operating, certified ignition interlock device. A person who violates this subsection:

(a) for a first offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year. The person must have the length of time that the ignition interlock device is required extended by six months;

(b) for a second offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than five thousand dollars or

imprisoned not more than three years. The person must have the length of time that the ignition interlock device is required extended by one year; and

(c) for a third or subsequent offense, is guilty of a felony, and, upon conviction, must be fined not less than ten thousand dollars or imprisoned not more than ten years. The person must have the length of time that the ignition interlock device is required extended by three years.

(2) No portion of the minimum sentence imposed pursuant to this subsection may be suspended.

(3) Notwithstanding any other provision of law, a first or second offense punishable pursuant to this subsection may be tried in summary court.

(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.

(2) This subsection does not apply to:

(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.

(b) a person who is self employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.

(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).

(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).

(M) It is unlawful for a person to tamper with or disable, or attempt to tamper with or disable, an ignition interlock device installed on a

motor vehicle pursuant to this section. Obstructing or obscuring the camera lens of an ignition interlock device constitutes tampering. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(N) It is unlawful for a person to knowingly rent, lease, or otherwise provide a person who is subject to this section with a motor vehicle without a properly operating, certified ignition interlock device. This subsection does not apply if the person began the lease contract period for the motor vehicle prior to the person's arrest for a first offense violation of Section 56-5-2930 or 56-5-2933. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(O) It is unlawful for a person who is subject to the provisions of this section to solicit or request another person, or for a person to solicit or request another person on behalf of a person who is subject to the provisions of this section, to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while the vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(P) It is unlawful for another person on behalf of a person subject to the provisions of this section to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while that vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(Q) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic

image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(2) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(3) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

(R) In addition to availability under the Freedom of Information Act, any Department of Probation, Parole and Pardon Services policy concerning ignition interlock devices must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. Information obtained by the Department of Probation, Parole and Pardon Services and ignition interlock service providers regarding a person's participation in the Ignition Interlock Device Program is to be used for internal purposes only and is not subject to the Freedom of Information Act. A person participating in the Ignition Interlock Device Program or the person's family member may request that the Department of Probation, Parole and Pardon Services provide the person or family member with information obtained by the department and ignition interlock service providers. The Department of Probation, Parole and Pardon Services may release the information to the person or family member at the department's discretion. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all photographic images collected by the device no later than twelve months from the date of the person's completion of the Ignition

Interlock Device Program. The Department of Probation, Parole and Pardon Services may retain the images past twelve months if there are any pending appeals or contested case hearings involved with that person, and at their conclusion must purge the images. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all personal information regarding a person's participation in the Ignition Interlock Device Program no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program except for that information which is relevant for pending legal matters.

(S) The Department of Probation, Parole and Pardon Services shall develop policies including, but not limited to, the certification, use, maintenance, and operation of ignition interlock devices and the Ignition Interlock Device Fund.

(T) This section shall apply retroactively to any person currently serving a suspension or denial of the issuance of a license or permit due to a suspension listed in subsection (A)."

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 35

(R60, H3168)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 9, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA EMERGENCY MANAGEMENT LAW ENFORCEMENT ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE QUALIFICATIONS, POWERS, DUTIES, AND LIMITATIONS OF SPECIAL LAW ENFORCEMENT OFFICERS SERVING PURSUANT TO THIS ARTICLE.

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

Special law enforcement officer procedures and requirements

SECTION 1. Chapter 9, Title 25 of the 1976 Code is amended by adding:

“Article 6

South Carolina Emergency Management
Law Enforcement Act

Section 25-9-500. This act may be cited as the ‘South Carolina Emergency Management Law Enforcement Act’.

Section 25-9-510. The purpose of this article is to provide procedures for the use of out-of-state officers who are deployed to the State of South Carolina in accordance with the provisions of the Emergency Management Assistance Compact, which is codified in Section 25-9-420. The use of out-of-state law enforcement personnel pursuant to the Emergency Management Assistance Compact is designed solely for situations when South Carolina’s law enforcement resources have been exhausted or will be exhausted subsequent to a declaration of a state of emergency or disaster by the Governor of the State of South Carolina.

Section 25-9-520. As used in this article:

(1) ‘Special law enforcement officer’ means a law enforcement officer of a member state to the Emergency Management Assistance Compact who meets the qualifications set forth in this chapter and is deployed to the State of South Carolina upon a request for assistance pursuant to Article III(B) of the Emergency Management Assistance Compact.

(2) ‘Home agency’ means the agency or law enforcement entity where the special law enforcement officer is currently employed.

Section 25-9-530. To serve as a special law enforcement officer pursuant to this article, a person must have:

- (1) reached twenty-one years of age;
- (2) graduated from an accredited law enforcement academy or received other law enforcement training to the satisfaction of the Chief of the South Carolina Law Enforcement Division, or his designee; and
- (3) served a minimum of two years as a full-time law enforcement officer.

Section 25-9-540. Prior to performing law enforcement activities in the State of South Carolina, a special law enforcement officer must take and subscribe to the oath of office set forth in Section 5, Article VI of the South Carolina Constitution in the presence of either the Chief of the South Carolina Law Enforcement Division, or his designee. The Chief of the South Carolina Law Enforcement Division, or his designee, shall maintain a written record of all special law enforcement officers who take and subscribe to the oath of office required pursuant to this article.

Section 25-9-550. A special law enforcement officer appointed pursuant to this article is authorized to:

- (1) preserve the peace and protect the people of this State;
- (2) detain and arrest individuals without a warrant for criminal offenses occurring within the officer's presence or view and necessary to maintain and establish public peace, health, or safety in the State;
- (3) exercise the same powers, duties, rights, privileges, and immunities that are afforded law enforcement officers of this State;
- (4) possess and carry firearms and other weapons as authorized while on duty; and
- (5) exercise statewide jurisdiction.

Section 25-9-560. A special law enforcement officer appointed pursuant to this article shall serve at all times at the pleasure of and under the operational control of the Chief of the South Carolina Law Enforcement Division, or his designee, and is subject to the rules and regulations established by the Chief of the South Carolina Law Enforcement Division, or his designee. In the event of a conflict between the rules and regulations established for a special law enforcement officer and the officer's home agency rules and regulations, the special law enforcement officer immediately shall notify the Chief of the South Carolina Law Enforcement Division, or his designee, and attempt to resolve the conflict.

Section 25-9-570. (A) The powers and duties granted to a special law enforcement officer pursuant to this article shall terminate immediately upon:

- (1) the cancellation of the state of emergency or disaster declaration; or
- (2) notice from either the Chief of the South Carolina Law Enforcement Division, or his designee, that a special law enforcement officer's powers and duties in this State have been terminated.

(B) A person who knowingly exercises or knowingly attempts to exercise the powers of a special law enforcement officer after his powers and duties have been terminated pursuant to subsection (A) is guilty of a misdemeanor pursuant to Section 16-17-720.

Section 25-9-580. Nothing in this article is intended to waive existing or future immunity. Neither the State of South Carolina, nor any of its political subdivisions, agencies, or employees are liable or accountable in any way for the appointment of a special law enforcement officer or for any act or omission on the part of a special law enforcement officer.

Section 25-9-590. Compensation for special law enforcement officers must be made in accordance with the Emergency Management Assistance Compact.

Section 25-9-600. (A) A special law enforcement officer serving pursuant to this article remains the employee of his home agency and does not become an employee of the State of South Carolina, or an agency or political subdivision of this State.

(B) Special law enforcement officers do not hold office in South Carolina.

(C) Notwithstanding another provision of law, a special law enforcement officer is not subject to certification requirements for law enforcement personnel set forth in South Carolina law, and a special law enforcement officer is not required to post a bond.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 36

(R63, H3575)

AN ACT TO AMEND SECTION 44-96-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, SO AS TO REVISE THE DEFINITION OF “SOLID WASTE” TO EXCLUDE STEEL SLAG.

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

Solid waste, steel slag excluded

SECTION 1. Section 44-96-40(46) of the 1976 Code is amended to read:

“(46) ‘Solid waste’ means any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina, as amended, or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended. Also excluded from this definition are application of fertilizer and animal manure during normal agricultural operations or refuse as defined and regulated pursuant to the South Carolina Mining Act, including processed mineral waste, which will not have a significant adverse impact on the environment. For the purposes of this chapter, this term excludes steel slag that is a product of the electric arc furnace steelmaking process; provided, that such steel slag is sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity and is managed as an item of commercial value in a controlled manner and not as a discarded material or in a manner constituting disposal.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 37

(R64, H3646)

AN ACT TO AMEND SECTION 44-55-1310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEMS, SO AS TO ALLOW FOR NONGRAVITY-BASED SOIL-BASED ON-SITE DISPOSAL SYSTEMS; TO AMEND SECTION 44-55-1320, RELATING TO WASTEWATER COLLECTION, TREATMENT, AND DISCHARGE, SO AS TO AUTHORIZE SINGLE OR MULTIPLE DWELLING UNITS TO USE A COMMUNITY OR COMMERCIAL PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEM; TO AMEND SECTION 44-55-1330, RELATING TO SYSTEM INSTALLATION REQUIREMENTS, SO AS TO REMOVE CERTAIN REQUIREMENTS AND TO REQUIRE AN INSTALLER OF A PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEM TO BE CERTIFIED BY THE MANUFACTURER OR A REPRESENTATIVE AUTHORIZED TO ADMINISTER THE LICENSED INSTALLER CERTIFICATION, AND TO SET DESIGNATIONS FOR THE TRENCH BOTTOM OF A DISPOSAL SYSTEM; TO AMEND SECTION 44-55-1350, RELATING TO TILE FIELD PRODUCT REGULATIONS, SO AS TO ADD THE REQUIREMENTS OF SECTION 44-55-1310 TO REGULATIONS PROMULGATED OVER PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEMS; AND TO REPEAL SECTION 44-55-1340 RELATING TO FINANCIAL ASSURANCE.

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

Definitions

SECTION 1. Section 44-55-1310(1) of the 1976 Code, as added by Act 49 of 2003, is amended to read:

“(1) ‘Passive soil-based on-site disposal system’ means a nongravel, nonmechanical, soil absorption trench used to collect, treat, and discharge, or reclaim wastewater or sewage from a small on-site wastewater system generating less than fifteen hundred gallons per day, large on-site wastewater system generating equal to or greater than fifteen hundred gallons per day, or community, cluster, or commercial wastewater system, served by either gravity or pump distribution, without the use of communitywide sewers or a centralized treatment facility.”

Systems authorized

SECTION 2. Section 44-55-1320 of the 1976 Code, as added by Act 49 of 2003, is amended to read:

“Section 44-55-1320. A passive soil-based on-site disposal system is authorized for use for collecting, treating, discharging, or reclaiming wastewater or sewage from a small on-site wastewater system generating less than fifteen hundred gallons per day, large on-site wastewater system generating equal to or greater than fifteen hundred gallons per day, or community, cluster, or commercial wastewater system, if the systems comply with the requirements of this chapter and with ordinances a county or municipality establishes consistent with this chapter.”

Installation requirements

SECTION 3. Section 44-55-1330 of the 1976 Code, as added by Act 49 of 2003, is amended to read:

“Section 44-55-1330. (A) A passive soil-based on-site disposal system must be installed only by installation technicians who are licensed by the department under Regulation 61-56.1 as an installer and certified by the manufacturer or a representative that has been duly authorized to administer licensed installer certification.

(B) A passive soil-based on-site disposal system must be sized and installed according to these minimum standards:

(1) The storage capacity of the system must be at least that available in a conventional gravel system below the invert. A manufacturer shall provide its product's storage capacity as determined by a recognized third party testing company.

(2) The total trench bottom area of the passive soil-based on-site disposal system, measured as the area bounded by the trench width and length must be at least seventy-five percent of that required for a conventional gravel system. The system must not be less than three hundred square feet, measured as the area bounded by the trench width and length, for soils in all classifications. In addition to the above requirement, the system must provide an unobstructed open bottom area equal to at least one-half the total bottom area of a conventional gravel system. The system must have a projected product width that fills the trench width within two inches. The system also must have a reserve area at least equal to fifty percent of the size of the installed system.

(3) The absorption area must comply with all other appropriate separation distances, trench location, trench depth, and contour orientation as prescribed in Regulation 61-56. The permitting procedure for these systems will be the same as conventional systems to include site evaluation and final inspection.

(4) The entire absorption area must be shown on a set of 'as built' diagrams prepared by the department at the time of final inspection to include information identifying the name of the installer, the name of the product manufacturer, and the type or model number of the installed product.

(5) Lateral trench runs must be as long as practical within the limits of the approved site so as to minimize the linear loading rate. Wastewater may be distributed to a lateral trench run either by gravity flow or by pump."

Regulation requirements

SECTION 4. Section 44-55-1350 of the 1976 Code, as added by Act 49 of 2003, is amended to read:

"Section 44-55-1350. The department shall promulgate regulations regarding alternative tile field products to include passive soil-based on-site disposal systems in accordance with the following:

(1) Regulations must conform to the requirements of Sections 44-55-1310, 44-55-1320 and 44-55-1330. When the department submits the proposed regulations to the General Assembly for approval pursuant to the Administrative Procedures Act, in addition to the information

which must be filed pursuant to Section 1-23-120, the department shall include an explanation for each change proposed from the requirements of Sections 44-55-1310, 44-55-1320 and 44-55-1330.

(2) When the regulations promulgated by the department are approved by the General Assembly and become effective by publication in the State Register, the provisions of Sections 44-55-1310, 44-55-1320 and 44-55-1330 are repealed and no longer have the force and effect of law.”

Repeal

SECTION 5. Section 44-55-1340 is repealed.

Time effective

SECTION 6. Except as otherwise provided for in SECTION 4, this act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 38

(R69, H3840)

AN ACT TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REDESIGNATE THE VARIOUS PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Horry County voting precincts revised

SECTION 1. Section 7-7-320 of the 1976 Code, as last amended by Act 137 of 2014, is further amended to read:

“Section 7-7-320. (A) In Horry County there are the following voting precincts:

Adrian
Allsbrook
Atlantic Beach
Aynor
Bayboro - Gurley
Brooksville #1
Brooksville #2
Brownway
Burgess #1
Burgess #2
Burgess #3
Burgess #4
Carolina Bays
Carolina Forest #1
Carolina Forest #2
Cedar Grove
Cherry Grove #1
Cherry Grove #2
Coastal Carolina
Coastal Lane #1
Coastal Lane #2
Cool Springs
Crescent
Daisy
Deerfield
Dog Bluff
Dogwood
Dunes #1
Dunes #2
Dunes #3
East Conway
East Loris
Ebenezer
Emerald Forest #1
Emerald Forest #2

Emerald Forest #3
Enterprise
Forestbrook
Four Mile
Galivants Ferry
Garden City #1
Garden City #2
Garden City #3
Garden City #4
Glenns Bay
Green Sea
Hickory Grove
Hickory Hill
Homewood
Horry
Inland
Jackson Bluff
Jamestown
Jernigans X Roads
Jet Port #1
Jet Port #2
Jordanville
Joyner Swamp
Juniper Bay
Lake Park
Leon
Little River #1
Little River #2
Little River #3
Live Oak
Maple
Marlowe #1
Marlowe #2
Marlowe #3
Methodist - Mill Swamp
Mt. Olive
Mt. Vernon
Myrtle Trace
Myrtlewood #1
Myrtlewood #2
Myrtlewood #3
Nixons X Roads #1

Nixons X Roads #2
Nixons X Roads #3
North Conway #1
North Conway #2
Ocean Drive #1
Ocean Drive #2
Ocean Forest #1
Ocean Forest #2
Ocean Forest #3
Palmetto Bays
Pawley's Swamp
Pleasant View
Poplar Hill
Port Harrelson
Race Path #1
Race Path #2
Red Bluff
Red Hill #1
Red Hill #2
River Oaks
Salem
Sea Oats #1
Sea Oats #2
Sea Winds
Shell
Socastee #1
Socastee #2
Socastee #3
Socastee #4
Spring Branch
Surfside #1
Surfside #2
Surfside #3
Surfside #4
Sweet Home
Taylorsville
Tilly Swamp
Toddville
Wampee
West Conway
West Loris
White Oak

Wild Wing
Windy Hill #1
Windy Hill #2

(B) Precinct lines defining the precincts provided for in subsection (A) are as shown on maps filed with the Board of Voter Registration and Elections of Horry County as provided and maintained by the Revenue and Fiscal Affairs Office designated as document P-51-15A.

(C) Polling places for the precincts listed in subsection (A) must be determined by the Board of Voter Registration and Elections of Horry County with the approval of a majority of the Horry County Legislative Delegation.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 39

(R74, H4076)

AN ACT TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS, TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.

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

Laurens County voting precincts revised

SECTION 1. Section 7-7-360(B) of the 1976 Code, as last amended by Act 240 of 2014, is further amended to read:

“(B) The precinct lines defining the precincts in subsection (A) are as shown on the official map designated as P-59-15 and on file with the Revenue and Fiscal Affairs Office and as shown on certified copies provided to the Board of Voter Registration and Elections of Laurens County.”

Time effective

SECTION 2. This act takes effect on August 1, 2015.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 40

(R76, H4106)

AN ACT TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO DELETE THREE PRECINCTS, ADD NINE PRECINCTS, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Lancaster County voting precincts designated

SECTION 1. Section 7-7-350 of the 1976 Code, as last amended by Act 156 of 2012, is further amended to read:

“Section 7-7-350. (A) In Lancaster County there are the following voting precincts:

Antioch

Black Horse Run

Camp Creek

Carmel
Chesterfield Avenue
Douglas
Dwight
Elgin
Erwin Farm
Gold Hill
Gooch's Cross Road
Harrisburg
Heath Springs
Hyde Park
Jacksonham
Kershaw North
Kershaw South
Lake House
Lancaster East
Lancaster West
Lynwood Drive
Midway
Osceola
Pleasant Hill
Pleasant Valley
Possum Hollow
Rich Hill
River Road
Riverside
Shelley Mullis
Spring Hill
The Lodge
Unity
University
Van Wyck

(B) The precinct lines defining the above precincts are as shown on maps filed with the clerk of court of the county and also on file with the State Election Commission as provided and maintained by the Revenue and Fiscal Affairs Office designated as document P-57-15.

(C) The polling places for the precincts provided in this section must be established by the Board of Voter Registration and Elections of Lancaster County subject to approval by a majority of the Lancaster County Legislative Delegation.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 41

(R28, H3118)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-525 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING OF WILD TURKEY; BY ADDING SECTION 50-11-580 SO AS TO ESTABLISH MALE WILD TURKEY HUNTING SEASON AS MARCH 20 THROUGH MAY 5, DECLARE THE SATURDAY AND SUNDAY PRECEDING MARCH 20 OF EACH YEAR TO BE "SOUTH CAROLINA YOUTH TURKEY HUNTING WEEKEND" AND PROVIDE A PROCEDURE FOR YOUTH TURKEY HUNTING ON THIS WEEKEND, TO PROVIDE A WILD TURKEY BAG LIMIT, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO REPORT TO THE GENERAL ASSEMBLY CERTAIN WILD TURKEY RESOURCES INFORMATION INCLUDING RECOMMENDATIONS REGARDING THE SEASON AND THE BAG LIMITS; TO AMEND SECTIONS 50-11-530, 50-11-540, AND 50-11-544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE DEPARTMENT'S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, TO ALLOW THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT

REGULATE THE HUNTING OF WILD TURKEYS, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL; AND TO SUSPEND THE PROVISIONS OF SECTION 50-11-520 UPON THE EFFECTIVE DATE OF THE ACT UNTIL NOVEMBER 7, 2018, WHEN SECTION 50-11-580 IS REPEALED.

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

Department of Natural Resources authorization to promulgate regulations relating to hunting and taking of wild turkey

SECTION 1. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50-11-525. The department may promulgate regulations for wildlife management areas, heritage trust lands, and other properties owned or leased by the department to establish seasons, dates, areas, bag limits, and other restrictions for hunting and taking of wild turkey.”

Season for hunting and taking of wild turkey, bag limits, “Youth Turkey Hunting Weekend” established

SECTION 2. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50-11-580. (A) Notwithstanding the provisions of Section 50-11-520 or any other provision of law or regulation, the season for hunting and taking a male wild turkey is March 20 through May 5.

(B) The Saturday and Sunday preceding March 20 of each year is declared to be ‘Youth Turkey Hunting Weekend’. A person less than eighteen years of age shall be considered a youth hunter. The license and permit requirements for hunting turkey are waived for youth hunters during Youth Turkey Hunting Weekend; however, youth hunters must still possess a set of turkey tags while hunting during Youth Turkey Hunting Weekend. A licensed hunter at least twenty-one years of age must accompany a youth hunter in the field and may not harvest or attempt to harvest turkey during Youth Turkey Hunting Weekend, but is permitted to call turkeys for the youth hunter. The licensed hunter that accompanies the youth hunter must have a valid South Carolina hunting

license, big game permit, and wildlife management area permit if applicable.

(C) The season bag limit per person for male wild turkeys is three, which may be taken by any lawful means. The season bag limit contained in this section is statewide.

(D) The daily bag limit per person for male wild turkeys is two, which may be taken by any lawful means. The daily bag limit contained in this section is statewide.

(E) The department shall conduct an analysis of the wild turkey resources in South Carolina and issue a draft report recommending any changes to the wild turkey season and bag limits. This report shall be provided to the General Assembly within one hundred eighty days of the conclusion of the third turkey season following the effective date of this section.

(F) The department shall provide an annual report of the wild turkey resources in South Carolina to the Chairman of the Senate Fish, Game and Forestry Committee and the Chairman of the House Agriculture and Natural Resources Committee.”

Department of Natural Resources authorization to promulgate regulations relating to harvesting of wild turkeys in game zones

SECTION 3. Section 50-11-530 of the 1976 Code is amended to read:

“Section 50-11-530. The department may promulgate emergency regulations considered necessary and expedient for the proper control of the harvesting of wild turkeys in the game zones.”

Crimes and offenses, illegal taking of wild turkey, fine increased

SECTION 4. Section 50-11-540 of the 1976 Code is amended to read:

“Section 50-11-540. Any person taking, attempting to take, or having in his possession turkey illegally or taking, attempting to take, or killing turkey in any way not prescribed by the department is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than five hundred dollars or imprisoned for not more than thirty days. In addition, a person taking a wild turkey unlawfully must be required to make restitution to the department in the amount of up to five hundred dollars for each bird taken. In addition, a person convicted of taking a wild turkey illegally forfeits hunting and fishing privileges for one year for each bird taken.”

Wild turkey transportation tags, validation of tags required

SECTION 5. Section 50-11-544 of the 1976 Code is amended to read:

“Section 50-11-544. A person who hunts wild turkeys is required to possess a set of wild turkey transportation tags issued by the department at no cost. All turkeys taken must be tagged before being moved from the point of kill. All tags must be validated as prescribed by the department before a turkey is moved from the point of kill. No person may obtain or possess more than one set of turkey tags.”

Savings clause

SECTION 6. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Time effective

SECTION 7. This act takes effect on June 30, 2015. Provided, upon the effective date of this act until November 7, 2018, the provisions of Section 50-11-520 are suspended. On November 7, 2018, the turkey hunting seasons and bag limits in effect for the respective counties prior to the effective date of this act and delineated in Section 50-11-520 are effective, and Section 50-11-580 is repealed.

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 42

(R31, H3393)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-630 SO AS TO PROVIDE THAT A PERSON SHALL OBTAIN A FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP IN ADDITION TO OBTAINING REQUIRED STATE HUNTING LICENSES AND PERMITS, TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY CONTRACT WITH THE UNITED STATES FISH AND WILDLIFE SERVICE TO MAKE THE FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP AVAILABLE THROUGH THE LICENSE SALES SYSTEM OF THE DEPARTMENT, TO PROVIDE FOR THE ENDORSEMENT OF THE STAMP ON STATE HUNTING LICENSES BY THE DEPARTMENT, AND TO PROVIDE FOR RELATED FEES, AMONG OTHER THINGS; AND TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUE GENERATED FROM THE SALE OF HUNTING LICENSES, SO AS TO PROVIDE THAT FEES REMITTED TO THE DEPARTMENT FOR EACH FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP MUST BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THESE FEES.

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

Federal Migratory Hunting and Conservation Stamp required

SECTION 1. Article 6, Chapter 9, Title 50 of the 1976 Code is amended by adding:

“Section 50-9-630. (A) For the purposes of this section:

(1) ‘Service’ means the United States Fish and Wildlife Service and its’ successors.

(2) ‘Stamp’ means a Federal Migratory Hunting and Conservation Stamp.

(B) For the privilege of hunting migratory waterfowl in this State, a hunter also shall obtain a Federal Migratory Hunting and Conservation Stamp in addition to the required state hunting license and permits. The

stamp must be endorsed as required by the United States Fish and Wildlife Service.

(C) The department may enter into an agreement or memorandum of understanding with the service to offer the stamp through the licensing system of the department. At the time of purchase, the department must endorse a purchaser's license with the name of the stamp and the period for which the endorsement is valid; provided, however, that this period of validity may not exceed forty-five days unless authorized by the agreement or memorandum of understanding.

(D)(1) The fee for a stamp purchased from the department may not exceed the stamp cost set by the service, plus the fulfillment cost set by the stamp fulfillment contractor, plus one dollar. Of these funds, the issuing sales vendor may retain one dollar. The department may remit stamp revenue and fulfillment costs as provided in the agreement or memorandum of understanding.

(2) When a stamp purchase is made and immediately fulfilled in a department office, the fulfillment fee portion may not be charged.

(E) The department only may offer the endorsement of the stamp on a state hunting license for the convenience of hunters and to encourage compliance with federal and state law. The provisions of this section may not be interpreted to diminish the original jurisdiction of the United States government over the stamp or the applicability of the stamp for hunting migratory waterfowl in this State.”

Use of fees

SECTION 2. Section 50-9-920 of the 1976 Code, as last amended by Act 94 of 2013, is further amended by adding an appropriately lettered subsection at the end to read:

“(G) The fees remitted to the department for each Federal Migratory Hunting and Conservation Stamp must be credited to the Fish and Wildlife Protection Fund, and distributed as follows:

- (1) one dollar to the issuing sales vendor; and
- (2) the balance according to the agreement signed between the department and the United States Fish and Wildlife Service pursuant to Section 50-9-630.”

Severability

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be

unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 4. This act takes effect on July 1, 2015.

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 43

(R32, H3443)

AN ACT TO AMEND SECTION 40-37-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, POSSESSING, ADMINISTERING, SUPPLYING, AND PRESCRIBING OF CERTAIN PHARMACEUTICAL AGENTS BY OPTOMETRISTS AND THE PROHIBITION ON SCHEDULE I AND II CONTROLLED SUBSTANCES, SO AS TO CLARIFY THAT SCHEDULE II CONTROLLED SUBSTANCES THAT HAVE BEEN RECLASSIFIED FROM SCHEDULE III TO SCHEDULE II ON OR AFTER OCTOBER 6, 2014, MAY CONTINUE TO BE PURCHASED, POSSESSED, ADMINISTERED, SUPPLIED, AND PRESCRIBED BY AN OPTOMETRIST.

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

Optometrists, prescribing of certain pharmaceutical agents, exception for certain reclassified controlled substances

SECTION 1. Section 40-37-290 of the 1976 Code is amended to read:

“Section 40-37-290. Notwithstanding any other provision of law, an optometrist may purchase, possess, administer, supply, and prescribe pharmaceutical agents, including oral and topically applied medications other than Schedule I and II controlled substances as defined in Section 44-53-110 except controlled substances that have been reclassified from Schedule III to Schedule II effective on or after October 6, 2014, may continue to be purchased, possessed, administered, supplied, and prescribed by an optometrist, for diagnostic and therapeutic purposes in the practice of optometry, except that:

(1) when prescribing oral and topically applied medications, an optometrist is limited to these oral pharmaceutical agents: antihistamines, antimicrobial, antiglaucoma, over-the-counter drugs, and analgesics for the treatment of ocular and ocular adnexal eye disease. An optometrist may only prescribe these medications for the treatment of ocular and ocular adnexal eye disease;

(2) when prescribing medications for the treatment of ocular and ocular adnexal disease, documentation in the patient’s chart and appropriate consultations and referrals must be in accordance with the standard of care provided for in Section 40-37-310(E);

(3) when prescribing analgesics, the prescription must be limited to a seven-day supply;

(4) when prescribing topical steroids, if after twenty-one days of treatment it is necessary to continue this medication, the optometrist shall communicate and collaborate with an ophthalmologist;

(5) no medications may be given by injection or intravenously.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 44

(R33, H3464)

AN ACT TO AMEND SECTION 40-7-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BARBERS AND BARBERING, SO AS TO DELETE AND REPLACE THE CURRENT LANGUAGE WITH LICENSING REQUIREMENTS FOR BARBER SCHOOLS AND BARBER SCHOOL INSTRUCTORS.

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

Barbers and barbering, licensing requirements revised

SECTION 1. Section 40-7-350 of the 1976 Code is amended to read:

“Section 40-7-350. (A) A license is required from the board to operate a barber school. A barber school may be operated in and as part of an accredited high school, career center, or technical school or college and must be licensed by the board. A barber school that is not part of a secondary school is considered a post-secondary school. The board may prescribe the curriculum of a barber school.

(B) Barber school instructors must be licensed by the board. The instructors must have successfully passed an instructor’s examination as prescribed by the board and have at least three years’ experience as a practicing registered barber or master hair care specialist.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 12th day of May, 2015.

No. 45

(R46, S268)

AN ACT TO AMEND SECTION 14-7-1630, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION AND IMPANELING OF STATE GRAND JURIES, SO AS TO REVISE PROCEDURES REGARDING THE STATE GRAND JURY SYSTEM INCLUDING NOTIFICATION PROCEDURES WHEN A STATE GRAND JURY IS IMPANELED, TRANSFER OF INCOMPLETE INVESTIGATIONS TO A SUBSEQUENTLY IMPANELED STATE GRAND JURY, AND EXPEDITED APPEAL BY THE SUPREME COURT; TO AMEND SECTION 14-7-1650, AS AMENDED, RELATING TO THE DUTIES AND OBLIGATIONS OF THE ATTORNEY GENERAL REGARDING THE STATE GRAND JURY SYSTEM, SO AS TO PROVIDE PROCEDURES FOR RECUSAL OF THE ATTORNEY GENERAL OR ANOTHER SOLICITOR UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE PROCEDURES FOR MOTIONS TO DISQUALIFY THE ATTORNEY GENERAL OR LEGAL ADVISOR TO THE STATE GRAND JURY; TO AMEND SECTION 14-7-1660, AS AMENDED, RELATING TO THE SELECTION OF GRAND JURORS, SO AS TO MAKE CONFORMING CHANGES REGARDING PRESIDING JUDGES RATHER THAN IMPANELING JUDGES; TO AMEND SECTION 14-7-1690, AS AMENDED, RELATING TO THE GRAND JURY'S AREAS OF INQUIRY AND RELATED PROCEDURES, SO AS TO MAKE CONFORMING CHANGES REGARDING PRESIDING JUDGES RATHER THAN IMPANELING JUDGES AND PROVIDE THAT THE ATTORNEY GENERAL OR SOLICITOR MAY NOTIFY THE PRESIDING JUDGE IN WRITING THAT THE AREAS OF INQUIRY HAVE BEEN EXPANDED; TO AMEND SECTION 14-7-1720, AS AMENDED, RELATING TO SECRECY OF GRAND JURY PROCEEDINGS, SO AS TO CLARIFY MATTERS RELATED TO THE SECRECY OF GRAND JURY PROCEEDINGS AND PROCEDURES FOR THE OATH OF SECRECY; AND TO AMEND SECTION 14-7-1730, AS AMENDED, RELATING TO JURISDICTION OF PRESIDING JUDGES OF STATE GRAND JURIES, SO AS TO MAKE TECHNICAL CHANGES AND REQUIRE A BOND HEARING

FOR A PERSON INDICTED BY A STATE GRAND JURY FOR A BAILABLE OFFENSE BEFORE THE END OF THE SECOND BUSINESS DAY FOLLOWING THE DAY OF ARREST.

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

State grand jury, notification to impanel, transfer of incomplete investigations, expedited appeals

SECTION 1. Sections 14-7-1630(B)-(G) of the 1976 Code, as last amended by Act 75 of 2005, is further amended to read:

“(B) When the Attorney General and the Chief of the South Carolina Law Enforcement Division consider a state grand jury necessary to enhance the effectiveness of investigative or prosecutorial procedures, the Attorney General may notify in writing to the chief administrative judge for general sessions in the judicial circuit in which he seeks to impanel a state grand jury that a state grand jury investigation is being initiated. This judge is referred to in this article as the presiding judge. The notification must allege the type of offenses to be inquired into and, in the case of those offenses contained in subsection (A)(1), must allege that these offenses may be of a multicounty nature or have transpired or are transpiring or have significance in more than one county of the State. The notification in all instances must specify that the public interest is served by the impanelment.

(C) In all investigations of crimes specified in subsection (A)(12), except in matters where the Department of Health and Environmental Control or its officers or employees are the subjects of the investigation, the Commissioner of the Department of Health and Environmental Control must consult with and, after investigation, provide a formal written recommendation to the Attorney General and the Chief of the South Carolina Law Enforcement Division. The Attorney General and the Chief of the South Carolina Law Enforcement Division must consider the impaneling of a state grand jury necessary and the commissioner must sign a written recommendation before the Attorney General notifies the chief administrative judge pursuant to subsection (B).

(1) In the case of evidence brought to the attention of the Attorney General, the Chief of the South Carolina Law Enforcement Division, or the Department of Health and Environmental Control by an employee or former employee of the alleged violating entity, there also must be separate, credible evidence of the violation in addition to the testimony

or documents provided by the employee or former employee of the alleged violating entity.

(2) When an individual employee performs a criminal violation of the environmental laws that results in actual and substantial harm pursuant to subsection (A)(12) and which prompts an investigation authorized by this article, only the individual employee is subject to the investigation unless or until there is separate, credible evidence that the individual's employer knew of, concealed, directed, or condoned the employee's action.

(D) If the notification properly alleges inquiry into crimes within the jurisdiction of the state grand jury and the notification is otherwise in order pursuant to the requirements of this section, the presiding judge must impanel a state grand jury. State grand juries are impaneled for a term of twelve calendar months. Upon the request by the Attorney General, the then chief administrative judge for general sessions in the judicial circuit in which a state grand jury was impaneled, by order, must extend the term of that state grand jury for a period of six months but the term of that state grand jury, including an extension of the term, must not exceed two years. If at the conclusion of a state grand jury's term a particular investigation is not completed, the Attorney General may notify the presiding judge in writing that the investigation is being transferred to the subsequently impaneled state grand jury.

A decision by the presiding judge not to impanel a state grand jury after notification by the Attorney General may be appealed to the Supreme Court and shall be handled in an expedited fashion.

(E) The chief administrative judge of the circuit wherein a state grand jury is sitting shall preside over that state grand jury during his tenure as chief administrative judge. The successor chief administrative judge shall assume all duties and responsibilities with regard to a state grand jury impaneled before his term including, but not limited to, presiding over the state grand jury and ruling on petitions to extend its term.

(F) Upon the request of the Attorney General, the presiding judge may discharge a state grand jury prior to the end of its original term or an extension of the term.

(G) An order limiting or ending a state grand jury investigation only shall be granted upon a finding of arbitrary action, compelling circumstances, or serious abuses of law or procedure by or before the state grand jury, and does not become effective less than ten days after the date on which it is issued and actual notice given to the Attorney General and the foreman of the state grand jury, and may be appealed by the Attorney General or the legal advisor to the state grand jury to the Supreme Court. If an appeal from the order is made, the state grand jury,

except as is otherwise ordered by the Supreme Court, shall continue to exercise its powers pending disposition of the appeal. Appeals by the Attorney General or the legal advisor to the state grand jury of orders limiting or ending a state grand jury investigation, and appeals from orders granting or denying motions to quash or contempt citations therefrom which are immediately appealable under the law, must be handled by the South Carolina Supreme Court in an expedited fashion.”

State grand jury, recusal, motions to disqualify

SECTION 2. Section 14-7-1650 of the 1976 Code, as last amended by Act 335 of 1992, is further amended to read:

“Section 14-7-1650. (A) The Attorney General or his designee shall attend sessions of a state grand jury and shall serve as its legal advisor. The Attorney General or his designee shall examine witnesses, present evidence, and draft indictments and reports upon the direction of a state grand jury.

(B) In all investigations of the crimes specified in Section 14-7-1630, except in matters where the solicitor(s) or his staff are the subject(s) of such investigation, the Attorney General shall consult with the appropriate solicitor(s) of the jurisdiction(s) where the crime or crimes occurred. After consultation, the Attorney General shall determine whether the investigation should be presented to a county grand jury or whether to initiate, under Section 14-7-1630(B), a state grand jury investigation.

(C) When the Attorney General determines that he should recuse himself from participation in a state grand jury investigation and prosecution, the Attorney General may either refer the matter to a solicitor for investigation and prosecution, or remove himself entirely from any involvement in the case and designate a prosecutor to assume his functions and duties pursuant to this article. When a solicitor determines that he should recuse himself from participation in a state grand jury matter, the Attorney General shall conduct such investigation and prosecution but the Attorney General, in his discretion, may designate another solicitor or appoint a special prosecutor not subject to a conflict to handle or assist him in the state grand jury investigation as the Attorney General deems appropriate.

(D)(1) A hearing on a motion to disqualify the Attorney General or legal advisor for the state grand jury from a state grand jury investigation shall be held in public, however the presiding judge must conduct the hearing in a manner to insure the secrecy and integrity of the

investigation. The presiding judge shall protect the identity of the person or persons being investigated to the extent practicable. In order to disqualify the Attorney General or legal advisor for the state grand jury, the presiding judge must find an actual conflict of interest resulting in actual prejudice against the moving party. If the Attorney General or legal advisor for the state grand jury or a member of the staff is disqualified then the Attorney General must refer the matter to a circuit solicitor for investigation and prosecution. If a circuit solicitor or special prosecutor, or member of their staff, is disqualified, the matter must be referred to the Office of the Attorney General for investigation or prosecution.

(2) An order to disqualify the Attorney General or legal advisor for the state grand jury from a state grand jury investigation, issued prior to the issuance of an indictment or arrest warrant, shall not become effective less than ten days after the date issued and notice is given to the opposing parties unless appealed. If an appeal from the order is made, the state grand jury and the Attorney General or legal advisor for the state grand jury, except as is otherwise ordered by the Supreme Court, shall continue to exercise their powers pending disposition of the appeal. The Supreme Court must handle all appeals from this section in an expedited manner.

(3) The state grand jury may continue with its investigation and the Attorney General or the solicitor or his designee may continue to serve as legal advisor to the state grand jury with all authority, functions, and responsibilities set forth in this article, until the final order becomes effective or upon the issuance of the final order of the Supreme Court if appealed, whichever occurs later.”

State grand jury, presiding judges

SECTION 3. Section 14-7-1660 of the 1976 Code, as last amended by Act 335 of 1992, is further amended to read:

“Section 14-7-1660. (A) In the January following the effective date of this article and each January thereafter, the jury commissioners for each county shall proceed to draw at random from the jury box the name of one person for each one thousand residents or fraction thereof of the county as determined by the latest United States census but following the effective date of this article, the presiding judge may authorize an interim procedure for the selection of state grand jurors to constitute the first state grand jury established pursuant to this article. The jury commissioners shall not disqualify or excuse any individual whose name

is drawn. When the list is compiled, the clerk of court shall forward the list to the person designated as the clerk of the state grand jury by the presiding judge. Upon receipt of all the lists from the clerks of court, the clerk of the state grand jury shall draw therefrom at random a list of seven hundred eligible state grand jurors, this list to be known as the master list. The clerk of the state grand jury shall mail to every person whose name is drawn a juror qualification form, the form and the manner of qualifying potential state grand jurors to be determined by the Supreme Court. Based upon these inquiries, the presiding judge shall determine whether an individual is unqualified for, or exempt, or to be excused from jury service. The clerk of the state grand jury shall prepare annually a jury list of persons qualified to serve as state grand jurors, this list to be known as the qualified state grand jury list. No state grand juror may be excused or disqualified except in accordance with existing law.

(B) Upon the presiding judge ordering a term of a state grand jury upon notification of initiation of a state grand jury investigation by the Attorney General, the clerk of the state grand jury, upon the random drawing of the names of sixty persons from the qualified jury list, shall summon these individuals to attend the jury selection process for the state grand jury. The jury selection process must be conducted by the presiding judge. The clerk of the state grand jury shall issue his writ of venire facias for these persons, requiring their attendance at the time designated. The writ of venire facias must be delivered immediately to the sheriff of the county where the person resides and served as provided by law. From the sixty persons so summoned, a state grand jury for that term of eighteen persons plus four alternates must be drawn in the same manner as jurors are drawn for service on the county grand jury. Nothing in this section may be construed to limit the right of the Attorney General or his designee to request that a potential state grand juror be excused for cause. Jurors of a state grand jury shall receive a daily subsistence expense equal to the maximum allowable for the Columbia, South Carolina area, by regulation of the Internal Revenue Code when summoned or serving, and also must be paid the same per diem and mileage as are members of state boards, commissions, and committees.”

State grand jury, presiding judges, notification of expansion of areas of inquiry

SECTION 4. Section 14-7-1690 of the 1976 Code, as last amended by Act 335 of 1992, is further amended to read:

“Section 14-7-1690. Once a state grand jury has entered into a term, the Attorney General or solicitor, in the appropriate case, may notify the presiding judge in writing as often as is necessary and appropriate that the state grand jury’s areas of inquiry have been expanded or additional areas of inquiry have been added thereto.”

State grand jury, secrecy provisions

SECTION 5. Section 14-7-1720 of the 1976 Code, as last amended by Act 335 of 1992, is further amended to read:

“Section 14-7-1720. (A) State grand jury proceedings are secret, and a state grand juror shall not disclose the nature or substance of the deliberations or vote of the state grand jury. The only persons who may be present in the state grand jury room when a state grand jury is in session, except for deliberations and voting, are the state grand jurors, the Attorney General or his designee, the court reporter, an interpreter if necessary, and the witness testifying. A state grand juror, the Attorney General or his designee, any interpreter used, the court reporter, and any person to whom disclosure is made pursuant to subsection (B)(2) of this section may not disclose the testimony of a witness examined before a state grand jury or other evidence received by it except when directed by a court for the purpose of:

- (1) ascertaining whether it is consistent with the testimony given by the witness before the court in any subsequent criminal proceeding;
- (2) determining whether the witness is guilty of perjury;
- (3) assisting local, state, other state or federal law enforcement or investigating agencies, including another grand jury, in investigating crimes under their investigative jurisdiction;
- (4) providing the defendant the materials to which he is entitled pursuant to Section 14-7-1700;
- (5) complying with constitutional, statutory, or other legal requirements or to further justice.

If the court orders disclosure of matters occurring before a state grand jury, the disclosure must be made in that manner, at that time, and under those conditions as the court directs. The court must grant a request made by the Attorney General pursuant to this subsection in an expedited manner so as to not interfere with or delay the operation of the state grand jury or its legal advisor when the requested disclosure is authorized by this subsection.

(B) In addition, disclosure of testimony of a witness examined before a state grand jury or other evidence received by it may be made without being directed by a court to:

(1) the Attorney General or his designee for use in the performance of their duties; and

(2) those governmental personnel, including personnel of the State or its political subdivisions, as are considered necessary by the Attorney General or his designee to assist in the performance of their duties to enforce the criminal laws of the State; provided that any person to whom matters are disclosed under this item shall not utilize that state grand jury material for purposes other than assisting the Attorney General or his designee in the performance of their duties to enforce the criminal laws of the State. The Attorney General or his designee promptly shall provide the presiding judge before whom was impaneled the state grand jury whose material has been disclosed, the names of the persons to whom the disclosure has been made, and shall certify that he has advised these persons of their obligation of secrecy under this section.

(C) Nothing in this section affects the attorney-client relationship. A client has the right to communicate to his attorney any testimony given by the client to a state grand jury, any matters involving the client discussed in the client's presence before a state grand jury, and evidence involving the client received by or proffered to a state grand jury in the client's presence.

(D) Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine not exceeding five thousand dollars or by a term of imprisonment not exceeding one year, or both.

(E) State grand jurors, the Attorney General or his designee, the court reporter, any interpreter used, and the clerk of the state grand jury must be sworn to secrecy and also may be punished for criminal contempt for violations of this section. Once he is sworn to secrecy, the clerk of the state grand jury is authorized, only if requested by the Attorney General or his designee, to give the oath of secrecy to members of the Attorney General's staff; experts or other individuals contracted by the Attorney General or law enforcement for assistance in a state grand jury investigation; federal, state, or local prosecutors and their staff; and federal, state, or local law enforcement officers and their staff. Once he is sworn, the clerk of the state grand jury is authorized at any time to give the oath of secrecy to members of his own staff or to the court reporter."

State grand jury, bond hearing requirements

SECTION 6. Section 14-7-1730 of the 1976 Code, as last amended by Act 335 of 1992, is further amended to read:

“Section 14-7-1730. (A) Except for the prosecution of cases arising from indictments issued by the state grand jury, and subject to the provisions and standards provided in Sections 14-7-1630 and 14-7-1650, the presiding judge has jurisdiction to hear all matters arising from the proceedings of a state grand jury, including, but not limited to, matters relating to the impanelment or removal of state grand jurors, the quashing of subpoenas, the punishment for contempt, and the matter of bail for persons indicted by a state grand jury.

(B) A person indicted by a state grand jury for a bailable offense must have a bond hearing before the end of the second business day following the day he was arrested in the State of South Carolina for that offense or the day he was delivered within the State of South Carolina following extradition for that offense from another State or jurisdiction, and must be released within a reasonable time, not to exceed four hours, after the bond is delivered to the incarcerating facility. If the presiding judge or acting presiding judge is not available, the initial bond hearing following arrest for a state grand jury indictment may be conducted by any circuit judge of competent jurisdiction in the county where the grand jury was impaneled. A ‘business day’ pursuant to this subsection is any day in which the county courthouse is open in the county where the grand jury was impaneled.”

Time effective

SECTION 7. This act takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 46

(R48, S350)

AN ACT TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO TERMINATE THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT ON JUNE 30, 2020.

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

Provisions of the Community Economic Development Act extended

SECTION 1. Section 4 of Act 314 of 2000, as last amended by Act 248 of 2010, is further amended to read:

“SECTION 4. Unless reauthorized by the General Assembly, the provisions of this act shall terminate on June 30, 2020, and this act and all other laws and regulations governing, authorizing, and otherwise dealing with community development corporations and community development financial institutions are deemed repealed on that date.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 47

(R59, S666)

AN ACT TO AMEND SECTION 38-39-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATTERS THAT MAY BE INCLUDED IN INSURANCE PREMIUM SERVICE AGREEMENTS, SO AS TO PROVIDE THESE AGREEMENTS

ALSO MAY INCLUDE INTEREST ON MITIGATION LOANS AS APPROVED BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEE AND TO PROVIDE INTEREST CHARGES RELATED TO MITIGATION PROJECTS OR LOANS MUST BE LIMITED TO THE STATUTORY LEGAL RATE OF INTEREST; AND TO AMEND SECTION 38-39-80, RELATING TO ACTIVITIES PROHIBITED OF INSURANCE PREMIUM SERVICE COMPANIES, SO AS TO PROVIDE INSURANCE PREMIUM SERVICE COMPANIES MAY NOT WRITE INSURANCE OR SELL OTHER SERVICES OR COMMODITIES IN CONNECTION WITH A PREMIUM SERVICE AGREEMENT EXCEPT AS APPROVED BY THE DIRECTOR OR HIS DESIGNEE FOR MITIGATION PURPOSES.

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

Inclusion of mitigation loan interest on premium service agreements

SECTION 1. Section 38-39-70(c) of the 1976 Code is amended to read:

“(c) A premium service contract may include policy premiums, policy fees, agent commissions and fees, premium taxes, inspection fees, charges for motor vehicle (driving record) or property charges and claims history reports, and other automobile related services. All amounts must be disclosed on the premium service agreement. It also may include interest on mitigation loans as approved by the director or his designee. Any interest charges related to mitigation projects or loans must be limited to the legal rate of interest as set forth in Section 34-31-20(B).”

Prohibited activities, exceptions

SECTION 2. Section 38-39-80(a) of the 1976 Code is amended to read:

“(a) A premium service company may not write any insurance or sell any other service or commodity in connection with a premium service contract, except as approved by the director or his designee for mitigation purposes.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 48

(R62, H3304)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 12 TO CHAPTER 23, TITLE 4 SO AS TO CREATE THE LANDRUM FIRE AND RESCUE DISTRICT IN GREENVILLE AND SPARTANBURG COUNTIES, TO ESTABLISH A GOVERNING COMMISSION, AND TO PRESCRIBE THE FUNCTIONS AND POWERS OF THE COMMISSION.

Whereas, the City of Landrum has provided fire protection services for over twenty years to its residents and to the residents of the Landrum Community Fire Service Area pursuant to a contract with the Spartanburg County Council and to the residents of a portion of the Foothills Fire Service Area pursuant to a contract with Greenville County; and

Whereas, the majority of the people receiving fire protection services from the City of Landrum, the “service recipients”, have no voice in how these services are provided; and

Whereas, the General Assembly of the State of South Carolina finds that the best way to give the service recipients a voice in the provision of fire protection services is to create a special purpose district that will include the service recipients; and

Whereas, the General Assembly of the State of South Carolina finds that the creation of a special purpose district that will include the service recipients would have other significant benefits, including improved fire and medical first-responder services; and

Whereas, the General Assembly of the State of South Carolina finds that improved first-responder services have significant benefits for property owners, including the possibility of decreased insurance premiums; and

Whereas, the General Assembly of the State of South Carolina finds that the geography of the area, specifically the northern parts of Greenville and Spartanburg counties, lends itself to the creation of a special purpose district. Now, therefore,

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

Landrum Fire and Rescue District in Greenville and Spartanburg counties created

SECTION 1. Chapter 23, Title 4 of the 1976 Code is amended by adding:

“Article 12

Landrum Fire and Rescue District in
Greenville and Spartanburg Counties

Section 4-23-1200. (A) There is created and established in Greenville and Spartanburg Counties a multicounty special purpose district to be known as ‘Landrum Area Fire and Rescue District’ (district). The district shall consist of areas of Greenville and Spartanburg Counties, which are more specifically described in subsection (B). The Spartanburg County Council and the Greenville County Council are authorized to enlarge, diminish, or alter the boundaries of the district located within their respective counties pursuant to the provisions of Article 3, Chapter 11, Title 6.

(B) The district is defined as an area consisting of the following three regions:

(1) the region within the corporate limits of the City of Landrum in Spartanburg County (Region 1);

(2) the region surrounding the City of Landrum designated as the Landrum Community Fire Service Area by Resolution No. 836, adopted by Spartanburg County Council on November 28, 1990, (Region 2) described as:

‘Beginning at a point where existing Gowensville Fire Department intersects the Spartanburg-Greenville County line (northern most point);

thence following the Spartanburg-Greenville County line in a northern direction approximately three miles to its intersection with the Polk County N.C. line; thence following the Spartanburg-Polk County line in an eastern direction approximately five miles to its intersection with County Road #940 (Pacolet Road) (existing New Prospect Fire District); thence following North Pacolet Road in a southwestern direction approximately one mile to its intersection with Landrum Mill Road (County Road #936); thence following Landrum Mill Road for approximately three and one-half miles to its intersection with Miracle Farm Road; thence following said road for approximately one hundred feet to its intersection with Howard Road (County Road #2010); thence following Howard Road in a southwestern direction for approximately one mile to its intersection with State Highway 176; thence following State Highway 176 in a southern direction for approximately twenty-five feet to its intersection with State Road 209; thence following State Road 209 in a southern direction for approximately one mile to its intersection with State Road 183; thence following State Road 183 in a northern direction for approximately one mile to its intersection with State Road 208; thence following State Road 208 in a southwestern direction for approximately one-half mile to its intersection with existing Gowensville Fire District, the point of ending'; and

(3) a region equal to approximately twenty-two percent of that area in Greenville County currently designated as the Foothills Fire Service Area by Ordinance No. 2268 enacted by Greenville County Council on June 18, 1991, (Region 3), and shown on a map identified as F-45-83-15-Landrum that is maintained by the Revenue and Fiscal Affairs Office.

(C) The assets used by the City of Landrum to provide fire protection and other first-responder services to Regions 1, 2, and 3 must be transferred to the district and used by the district to provide fire protection and other first-responder services to Regions 1, 2, and 3. Any liabilities of the City of Landrum related to or arising from the provision of fire services also must be transferred to the district.

Section 4-23-1210. (A) The district must be governed by a commission to be known as the Landrum Fire and Rescue District Commission (commission). The commission shall consist of five resident electors of the district, two residing in Region 1, two residing in Region 2, and one residing in Region 3; however, upon the effective date of this act and prior to the election of commissioners, the City Council of the City of Landrum shall appoint two commissioners, the County Council of Spartanburg County shall appoint two commissioners, and

the members of the Board of Directors of Foothills Fire Service Area Board shall appoint one commissioner, with each commissioner serving until his or her successor is elected and qualifies.

(B) After the original appointments, a nonpartisan election must be conducted by the Greenville and Spartanburg County Boards of Voter Registration and Elections on the first Tuesday following the first Monday in November of the first odd-numbered year after the effective date of this act. The county boards of voter registration and elections shall give notice by publication ninety days prior to the election and a second notice two weeks after the first notice, in one or more newspapers of general circulation in the district. The terms of the commissioners who receive the highest number of votes from Regions 1 and 2 and the term of the commissioner from Region 3 shall expire on December thirty-first of the fourth full year following the election. The terms of the remaining commissioners shall expire on December thirty-first of the second full year following the election. After these terms expire, each successor commissioner's term must be four years, and each successor commissioner must be elected during the general election in November prior to the expiration of a commissioner's term. These terms shall commence on the first day of January in the year following the election.

(C) A vacancy occurring on the commission by reason of death, resignation, incapacity, or otherwise, must be filled for the remainder of the unexpired term by the Governor upon recommendation by the members of the South Carolina Senate and House of Representatives who represent the district. Upon a commissioner moving his legal residence out of the appropriate district region, dying, or resigning, that commissioner's position automatically becomes vacant.

(D) A resident qualified elector of the district may be a candidate for election to the position of commissioner by filing with the county board of voter registration and elections of the county in which he resides at least ninety days prior to the election.

Section 4-23-1220. There is committed to the district the functions of constructing, operating, equipping, maintaining, improving and extending a fire protection and fire control district and the functions of providing other first-responder services to promote the general safety of the district. To that end, the commission must be empowered to:

- (1) have perpetual succession;
- (2) sue and be sued;
- (3) adopt, use, and alter a corporate seal;
- (4) make bylaws for the management and regulations of its affairs;

(5) acquire, purchase, hold, use, lease, mortgage, sell, transfer, and dispose of any property, real, personal or mixed, or interest in any real, personal or mixed property, and to acquire easements or other property rights necessary for the operation of its stated functions;

(6) appoint officers and agents, and employ paid employees and servants, as well as volunteers, and to prescribe the duties of each of these, fix their compensation, if any, and determine if and to what extent they must be bonded for the faithful performance of their duties, and to establish employment policies;

(7) adopt appropriately competitive policies of procurement suited for the particular needs of the district, as required by Section 11-35-50;

(8) solicit proposals or bids for and enter into contracts for construction and equipment purchases in accordance with procurement procedures; however, engineering, land surveying, and architectural services must be procured based on qualifications, as required by state law, rather than through competitive bidding;

(9) purchase fire-fighting and other first-responder equipment the commission considers necessary for controlling fires and furnishing fire protection and first-responder services in the district;

(10) select the sites or places within the area where the fire-fighting and other equipment is kept;

(11) provide sufficient personnel or volunteers necessary to man the equipment;

(12) provide and supervise the training of all personnel used in manning the equipment with the end that the equipment is fully utilized for the protection and control of fire and the provision of first-responder services within the district;

(13) be responsible for the upkeep, maintenance and repairs of the trucks and other equipment, and to make regular inspections of all equipment and operations;

(14) promulgate regulations it may consider necessary and proper to insure that the equipment is utilized for the best advantage of the area;

(15) construct, if necessary, buildings to house the equipment provided for in this section;

(16) issue general obligation bonds of the district in the manner and up to the limits provided by Article X, Section 14 of the South Carolina Constitution, 1895, the proceeds of which must be used to defray the costs of constructing and establishing a fire protection and control system in the district and the costs of providing first-responder services in the district. For purposes of this section, the term 'construct and establish' includes the cost of direct construction, the cost of all land, property, rights, easements, and franchises acquired that are considered

necessary for this fire protection system, the cost of all machinery, equipment, and apparatus needed for this system, payment to contractors, laborers, or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses and other expenses necessary or incidental to the construction of a fire control or fire protection system, and the placing of this system in operation. If bonds are issued pursuant to this item:

(a) They must be issued as a single issue, or from time to time, as several separate issues. They shall bear the date or dates the commission determines and the bonds of an issue shall mature in equal or unequal annual installments determined by the commission. They must be made payable at a place or places the commission prescribes and shall bear interest at a rate or rates payable in the manner the commission determines. The bonds may be registered with the privilege to the holder of having them registered as to principal on the books of the treasurers of Greenville and Spartanburg counties and the principal on them made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon conditions the commission may prescribe. A bond issued pursuant to this subitem may be made subject to redemption prior to its stated maturity on the terms and conditions and with a redemption premium the commission prescribes.

(b) They must be sold at not less than par and accrued interest to the date of their respective deliveries at public sale and, at least thirty days prior to a sale, notice announcing the intention to receive bids for the sale of these bonds must be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the commission reserves the right to reject any and all bids, and if all bids are rejected, the commission may negotiate privately for the disposition of these bonds.

(c) These bonds and all interest to become due on them shall have the tax exempt status prescribed by Section 12-2-50.

(d) These bonds must be executed in the name of 'Landrum Fire and Rescue District' by the Chairman of the Landrum Fire and Rescue District Commission and authenticated by the treasurers of Greenville and Spartanburg counties and under the seal of the district. The delivery of any bonds so executed and authenticated must be valid, notwithstanding any changes in offices occurring after the execution or authentication.

(e) There must be irrevocably pledged for the payment of the bonds and interest, as they mature, the full faith, credit, and resources of the district, and the auditors and treasurers of Greenville and Spartanburg counties are authorized and directed to annually levy and collect a tax upon all taxable property within the district sufficient to pay the bonds and interest as they respectively mature, and to create a sinking fund as necessary for the redemption of the bonds and interest at their respective maturities. The bonds additionally may be secured by a pledge of the net revenues that the district may derive from the operation of a revenue-producing facility. In that event, net revenues available must be delivered to the treasurers of Greenville and Spartanburg counties prior to the occasion when the auditors fix the annual levy. The annual ad valorem tax in this section directed to be levied may be reduced each year by the amount of net revenues actually in the hands of the treasurers of Greenville and Spartanburg counties at the time the tax for that year is required to be levied, and the tax may be entirely suspended for any year in case the monies on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in that year and remaining unpaid.

(f) The pledge of net revenues authorized by subitem (e), in the discretion of the commission, need not be exclusive and the commission may reserve the right to issue further bonds, payable in whole or in part, from these net revenues, on a parity with the bonds authorized by this subitem under conditions the commission prescribes.

(g) The proceeds derived from the sale of these bonds must be deposited with the treasurers of Greenville and Spartanburg counties in a separate and special fund and must be expended upon the warrants and orders of the commission for the purpose specified in this act, and no others except that any premium received must be deposited with the treasurers of Greenville and Spartanburg counties and applied by them to the first installment of principal becoming due on the bonds, and any accrued interest received must be applied by the treasurers of Greenville and Spartanburg counties to the first installment of interest becoming due on the bonds. Neither the purchasers of the bonds, nor any subsequent holders of the bonds, are responsible for the proper application of the proceeds of sale.

(h) The issuance of these bonds is exempt from the requirements contained in Article 5, Chapter 11, Title 6.

(17) raise funds for discharging the duties vested in it by levying a property tax for that purpose. The commission may levy for operating purposes without the approval of any additional governing boards or bodies. The commission shall notify the auditors and treasurers of

Greenville and Spartanburg counties of any desired property tax necessary to fund the annual budget. That tax must be uniformly imposed throughout the district. The auditors shall assess and collect the tax as requested, and the treasurers shall hold the funds and disburse them as directed by the commission. All property taxes shall constitute a lien upon the property against which they are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act;

(18) exercise the power of eminent domain as provided by the laws of this State to acquire any land, any easement, or any right of way for an authorized public purpose; and

(19) do all other acts necessary or convenient to carry out a function or power granted to the district.

Section 4-23-1230. All revenues derived by the commission from the operation of a revenue-producing facility, which may not be required to discharge covenants made by it in issuing bonds, notes, or other obligations authorized by this act, must be utilized by the commission from time to time for the public purposes of the district.

Section 4-23-1240. The rates charged for services furnished by a revenue-producing facility of the district, as constructed, improved, enlarged or extended, are not subject to supervision or regulation by a state bureau, board, commission or other like instrumentality or agency of the State.

Section 4-23-1250. The property and income of the district is exempt from all taxes levied by the State, county, or any municipality, division, subdivision or agency of them, direct or indirect.

Section 4-23-1260. So long as the district is indebted to a person on any bonds, notes or other obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission are not in any way diminished or restricted, and this provision of this act is considered a part of the contract between the district and the holders of these obligations.

Section 4-23-1270. The fire chief or equivalent official of the truck companies to which equipment is assigned shall have complete

supervision over its usage and operation, and it is his responsibility to insure that the equipment is readily available for use at all times.

Section 4-23-1280. All members of the truck companies of the district, whether employees or volunteers, may direct and control traffic at the scene of a fire in the area of the district and enforce the laws of this State relating to the following of fire apparatus, the crossing of a fire hose, and interfering with firemen in the discharge of their duties in connection with a fire in the same manner as provided for the enforcement of these laws by law enforcement officers.

Section 4-23-1290. It is unlawful for a person to wilfully destroy or damage a facility of the district or equipment used in the operation of a facility, to interfere with a member of a fire department in the discharge of his duties in the district, or to interfere with a fire apparatus used by the fire department in the district. A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, may be fined or imprisoned in an amount or for a term not exceeding the maximum penalty for an offense within the jurisdiction of the magistrates courts, unless a lesser penalty is established by state law.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 49

(R77, H4135)

AN ACT TO AMEND ARTICLE 18, CHAPTER 53, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REVISE THE MANNER IN WHICH MEMBERS OF THE COMMISSION ARE SELECTED, TO REVISE THE TERMS OF OFFICE OF CERTAIN MEMBERS OF THE COMMISSION AND THE SEATS WHICH CERTAIN

MEMBERS OF THE COMMISSION ARE DEEMED TO BE FILLING, AND TO REVISE OR PROVIDE FOR OTHER PROVISIONS RELATING TO THE SELECTION OF COMMISSION MEMBERS.

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

Governing commission revisions

SECTION 1. Article 18, Chapter 53, Title 59 of the 1976 Code is amended to read:

“Article 18

Greenville Technical College Area Commission

Section 59-53-1500. (A) There is created the Greenville Technical College Area Commission which is a body politic and corporate and the governing body of Greenville Technical College. The commission consists of twelve voting members or area commissioners appointed by the Greenville County Legislative Delegation in the manner provided in this section.

(B) All members must be qualified electors of Greenville County. Each member filling a house district residency seat, as provided for in this section, at the time of their appointment and throughout their term of office, shall reside in a house district corresponding to their membership seat. A change of residency outside of Greenville County, or outside of a corresponding district for members filling house district residency seats, automatically terminates that member's appointment, although, subject to the provisions of subsection (E), the member may serve until a successor is appointed and qualifies to fill the remainder of the unexpired term.

(C) The commission shall have six members designated as occupying house district residency seats which, unless otherwise stipulated, must be filled as provided in this subsection. The members of the House of Representatives from each of the House single-member election districts in a particular house residency district, together with any member of the Senate representing any portion of these House single-member election districts in that particular house residency district, shall recommend a nominee for that seat to the full Greenville County Legislative Delegation which shall either select and appoint that nominee to the commission or reject the nominee. In this case another nominee must be

recommended by the same process to the full county legislative delegation until the seat is filled. These six house district residency seats are as follows:

(1) Residency Seat No. 1: one member selected from House District 10, 17, or 19. Present Commissioner Blakely serving in office on the effective date of this provision is deemed to be the member filling Residency Seat No. 1;

(2) Residency Seat No. 2: one member selected from House District 16, 21, or 35;

(3) Residency Seat No. 3: one member selected from House District 22 or 24. Present Commissioner Shouse now serving as an at-large member Seat No. 4 on the effective date of this provision is deemed to be the member filling Residency Seat No. 3;

(4) Residency Seat No. 4: one member selected from House District 23 or 25;

(5) Residency Seat No. 5: one member selected from House District 18, 20, or 36. Present Commissioner Hamilton serving on the effective date of this provision is deemed to be the member filling Residency Seat No. 5; and

(6) Residency Seat No. 6: one member selected from House District 27 or 28.

Members of the commission residing in these specified house districts not serving as at-large members are deemed to be the house district residency seat members from those districts unless otherwise provided.

(D) The commission shall have six at-large members selected by the Greenville County Legislative Delegation as follows:

(1) four at-large members which unless otherwise stipulated, must be nominated by the Greenville County Council. Each of these four at-large seats must be numbered as Seats 1-4, respectively;

(2) one at-large member nominated by the Greenville County School District Board of Trustees from among the Greenville County School District Board of Trustees, including the superintendent; and

(3) one at-large member nominated by the Greenville County Workforce Investment Board, including the president, from among the members of the board including its officers.

Any public officials selected for the school board and Workforce Investment Board seats shall serve ex officio as voting members.

Members are responsible to all areas served by the Greenville Technical College regardless of residency and shall make decisions in the best interests of the Greenville Technical College and all those it serves as a whole. The commission shall elect from among its members

a chairman, vice chairman, secretary, and treasurer. Members shall serve without compensation.

(E) Commission members shall serve terms of four years, which expire May thirty-first of the appropriate year, and until their successors are appointed and qualify. A member shall serve until his successor is appointed and qualifies for a period not to exceed one year after expiration of his term. If the Greenville County Legislative Delegation has not filled a seat within one year of the expiration of the term, the member serving in that seat shall cease serving and the seat is vacant until filled. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term.

(F) A commissioner having served as a member of the commission for a total of twelve years, after the effective date of this subsection, and whether or not consecutive or in different seats, is not eligible for appointment to any additional terms until after he has been off the commission for six consecutive years, at which time, a new twelve-year limitation period commences.

(G) For the purpose of facilitating the transition to this modified commission structure, upon the effective date of this subsection:

(a) the house district residency seats are considered filled as set forth in subsection (C);

(b) the current commissioners filling the school board and Workforce Investment Board-related seats shall fill their respective newly reconstituted subject matter seats; and

(c) the four current remaining commissioners shall become the four at-large members in Seats 1-4 as follows:

(1) current Commissioner Johnson is deemed to fill at-large Seat No. 1;

(2) on the effective date of this provision, due to the death of former Commissioner Erhmann who served as the at-large member, Seat No. 2, at-large Seat No. 2 is vacant which shall be filled as provided in this article;

(3) current Commissioner Stafford is deemed to fill at-large Seat No. 3; and

(4) present Commissioner Southerlin on the effective date of this provision is deemed to be the at-large member, Seat No. 4.

Thereafter, all commission members must be selected as otherwise set forth in subsections (A) - (F) and (H) - (J) and their terms of office must be staggered and modified as follows:

(1) Block 1: The terms of office for commissioner seats falling within Block 1 initially expire on May 31, 2014, and then expire every four years thereafter. Block 1 shall include:

(a) the at-large member nominated from the Greenville County School District Board of Trustees;

(b) the at-large member nominated from the Workforce Investment Board; and

(c) Residency Seat No. 1.

(2) Block 2: The terms of office for commissioner seats falling within Block 2 initially expire on May 31, 2015, and then expire every four years thereafter. Block 2 shall include:

(a) the at-large member from at-large Seat No. 1;

(b) Residency Seat No. 2; and

(c) Residency Seat No. 5.

(3) Block 3: The terms of office for commissioner seats falling within Block 3 initially expire on May 31, 2016, and then expire every four years thereafter. Block 3 shall include:

(a) the two at-large members from at-large Seats No. 2 and No. 3; and

(b) Residency Seat No. 4.

(4) Block 4: The terms of office for commissioner seats falling within Block 4 initially expire on May 31, 2017, and then expire every four years thereafter. Block 4 shall include:

(a) the at-large member from at-large Seat No. 4;

(b) Residency Seat No. 3; and

(c) Residency Seat No. 6.

(H) The absence of a member at three consecutive regularly scheduled commission meetings shall cause that member's seat to become immediately vacant. Any regularly scheduled meeting which is canceled pursuant to the bylaws or does not begin for lack of a quorum must be disregarded for all purposes under this subsection. Vacancies occurring under this subsection must be filled in the manner of the original appointment for the unexpired portion of the term. If otherwise eligible, the member causing the vacancy may be reappointed to the seat.

(I) The nominating procedures for appointment of area commissioners are as follows:

(1) The legislative delegation shall publicize vacancies, and recommendations may be made to the commission from any individual, organization, or group. Notwithstanding this provision, the Greenville County Legislative Delegation may reappoint a member who completes an unexpired portion of a prior term of less than two years without soliciting or accepting any nominations. The legislative delegation may appoint the nominee of the county council for a particular seat or may reject the nominee, in which case an additional nominee must be

submitted by the county council in the manner provided by this article until the vacancy is filled.

(2) All recommendations, nominations, and appointments to the commission must be nondiscriminatory and shall take into account diversity and other pertinent qualifications as may be beneficial to constituting a commission which is mindful of the needs of all segments of the population of Greenville County and those served by Greenville Technical College.

(3) The Greenville County School District Board of Trustees and the Greenville County Workforce Investment Board shall submit a nominee to the Greenville County Legislative Delegation to fill vacancies in their respective proxy seats. The Greenville County Council shall submit a nominee to the Greenville County Legislative Delegation for all seat vacancies for which it submits a nominee.

(J) Whenever the South Carolina House of Representatives election districts are redrawn and become effective, the boundaries of the house district residency seats are automatically redrawn to match the new house districts. Redistricting does not affect the term of any commissioner appointed before the effective date of redistricting. If any new house districts are added to Greenville County or include portions of Greenville County, then one of the four at-large seats nominated by the Greenville County Council must be filled upon the expiration of the current member's term with a member residing in one of the new house districts until such time as the residency seats are amended to include the new house districts. If redistricting renames or renumbers a district, it continues to be included within the residency seat boundaries under its prior number. If disagreement arises as to whether a house district is new or renamed for the purpose of this subsection, it must be resolved by majority vote of the Greenville County Legislative Delegation.

(K) The commission shall:

(1) establish the basic qualifications for and appoint a president for the term and under the conditions as it may fix, the commission having full powers of appointment and dismissal to the fullest extent permitted by law and applicable regulations;

(2) provide for the employment of personnel pursuant to Section 59-53-20;

(3) purchase land required for college sites and rights of way which are necessary for the proper operation of the college;

(4) apply the standards and requirements for admission and graduation of students and other standards established by the State Board for Technical and Comprehensive Education;

(5) receive and accept private donations, gifts, bequests, and the like to apply them or invest any of them and apply the proceeds for the purposes and upon the terms which the donor may prescribe and which are consistent with the provisions of law and the regulations of the State Board for Technical and Comprehensive Education;

(6) require the execution of studies and take steps as are necessary to ensure that the functions of the college are always those which are most helpful and feasible in light of the resources available to the school;

(7) designate members or other agents or representatives to represent the college before the Greenville County Council, the State Board for Technical and Comprehensive Education, and other agencies concerned with the serving of financial support for the needs of the college for operational expenses and capital outlay;

(8) adopt and recommend current expense and capital outlay budgets;

(9) perform acts and do other things as may be necessary or proper for the exercise of the foregoing specific powers, including the adoption and enforcement of reasonable rules, regulations, and bylaws for the government and operation of the college under law and for the discipline of students;

(10) perform functions required as necessary for the proper governance of the college with regard to policy, personnel, and fiduciary matters.

Section 59-53-1510. The commission at all times shall keep a full and accurate account of its acts and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year, a complete audit of its affairs must be made by a qualified public accountant. Copies of the audit must be filed with the Clerk of Court for Greenville County and with the Secretary of the Greenville County Legislative Delegation.

Section 59-53-1520. Not less frequently than annually the commission shall make a written report of the activities of the commission and file a copy with the Secretary of the Greenville County Legislative Delegation.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 50

(R81, S261)

AN ACT TO AMEND SECTION 59-111-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVISIONS ALLOWING PERSONS AGE SIXTY AND OVER TO ATTEND STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION WITHOUT PAYMENT OF TUITION, SO AS TO REMOVE CRITERIA PROVIDING THESE PERSONS MAY RECEIVE NO COMPENSATION AS FULL-TIME EMPLOYEES.

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

Criteria, prohibition compensation on full-time employment removed

SECTION 1. Section 59-111-320 of the 1976 Code is amended to read:

“Section 59-111-320. State-supported colleges and universities, and institutions under the jurisdiction of the State Board for Technical and Comprehensive Education, are authorized to permit legal residents of South Carolina who have attained the age of sixty to attend classes for credit or noncredit purposes on a space available basis without the required payment of tuition, if these persons meet admission and other standards deemed appropriate by the college, university, or institution.”

Time effective

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

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 51

(R82, S301)

AN ACT TO AMEND SECTION 40-2-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO REVISE THE BOARD'S COMPOSITION; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF ACCOUNTANCY, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-2-30, AS AMENDED, RELATING TO ACTIVITIES REQUIRING LICENSURE OR FIRM REGISTRATION, SO AS TO REPLACE A REFERENCE TO THE TERM "FINANCIAL STATEMENTS" WITH THE WORD "INFORMATION" AND TO ADD AN APPROPRIATE CROSS-REFERENCE; TO AMEND SECTION 40-2-35, RELATING TO CERTIFIED PUBLIC ACCOUNTANT LICENSURE REQUIREMENTS, SO AS TO REQUIRE APPLICANTS TO UNDERGO CERTAIN STATE AND FEDERAL CRIMINAL RECORDS CHECKS, TO REQUIRE CONTINUING EDUCATION OR ADDITIONAL EXPERIENCE, AS APPLICABLE, FOR APPLICANTS WHO DELAY SUBMITTING AN APPLICATION FOR A SUBSTANTIAL PERIOD OF TIME AFTER PASSING THE CERTIFIED PUBLIC ACCOUNTING EXAMINATION OR OBTAINING ACCOUNTING EXPERIENCE, AND TO PROVIDE A NECESSARY DEFINITION; TO AMEND SECTION 40-2-40, RELATING TO QUALIFICATIONS FOR REGISTRATION OF CERTIFIED PUBLIC ACCOUNTING FIRMS, SO AS TO PROVIDE THAT A SIMPLE MAJORITY OF THE FIRM OWNERSHIP MUST BE CERTIFIED PUBLIC ACCOUNTANTS, TO PROVIDE QUALIFICATIONS AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS FOR NONCERTIFIED PUBLIC ACCOUNTANT FIRM OWNERS, TO DELETE PROHIBITIONS AGAINST OWNERSHIP BY INVESTORS AND COMMERCIAL ENTERPRISES, AND TO GIVE THE BOARD OF ACCOUNTANCY THE DISCRETION TO CHARGE RELATED FEES; TO AMEND SECTION 40-2-80, AS AMENDED, RELATING TO THE INVESTIGATION OF COMPLAINTS AND

DISCIPLINARY PROCEEDINGS, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY REQUIRE STATE AND FEDERAL CRIMINAL RECORDS CHECKS IN CONDUCTING SUCH INVESTIGATIONS AND PROCEEDINGS, TO PROHIBIT USE OF CERTAIN CRIMINAL CHARGE DISMISSALS OR RESTITUTION PAYMENTS AS EVIDENCE OF MISCONDUCT SUBJECT TO DISCIPLINE, AND TO PROVIDE FOR THE RECOVERY OF RELATED COSTS; TO AMEND SECTION 40-2-250, AS AMENDED, RELATING TO LICENSE RENEWALS, SO AS TO PROVIDE THAT RENEWAL APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST, TO GIVE THE BOARD DISCRETION TO CHARGE RELATED FEES, AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN LAPSE, REINSTATEMENT FEES, AND SANCTIONS; TO AMEND SECTION 40-2-255, RELATING TO REGISTRATION RENEWALS, SO AS TO PROVIDE THAT RENEWAL APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST, TO GIVE THE BOARD DISCRETION TO CHARGE RELATED FEES, AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN LAPSE AND SANCTIONS; AND TO AMEND SECTION 40-2-560, RELATING TO ISSUANCE OF LICENSES, SO AS TO ADD A CROSS-REFERENCE.

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

Board composition revised

SECTION 1. Section 40-2-10(A) of the 1976 Code is amended to read:

“(A)(1) There is created the South Carolina Board of Accountancy which is responsible for the administration and enforcement of this chapter. The board shall consist of eleven members appointed by the Governor, all of whom must be residents of this State and:

(a) there must be one resident licensed certified public accountant from each congressional district;

(b) two members must be a licensed public accountant or a licensed accounting practitioner; and

(c) two members must be from the public at large, one of whom must be an attorney licensed in this State, who:

(i) are not engaged in the practice of public accounting;
(ii) have no financial interest in the profession of public accounting; and

(iii) have no immediate family member in the profession of public accounting. As used in this section, 'immediate family member' is defined in Section 8-13-100(18).

(2) Members are appointed for terms of four years and serve until their successors are appointed and qualify. Vacancies must be filled by the Governor for the unexpired portions of the term in the manner of the original appointment. The Governor shall remove a member of the board in accordance with Section 1-3-240.

(3) Failure by a licensed certified public accountant to maintain residency in the district for which he is appointed shall result in the forfeiture of his office."

Definition of "attest" revised

SECTION 2.A. Section 40-2-20(2) of the 1976 Code is amended to read:

"(2) 'Attest' means providing the following services:

(a) an audit or other engagement to be performed in accordance with the Statements on Auditing Standards (SAS);

(b) a review of a financial statement to be performed in accordance with the Statements on Standards for Accounting and Review Services (SSARS);

(c) an examination of prospective financial information to be performed in accordance with the Statements on Standards for Attestation Engagements (SSAE);

(d) any engagement to be performed in accordance with Public Company Accounting Oversight Board (PCAOB) Auditing Standards; or

(e) any examination, review, or agreed upon procedure to be performed in accordance with the SSAE, other than an examination described in subitem (c)."

Definition of "practice of accounting" revised

B. Section 40-2-20(15) of the 1976 Code is amended to read:

"(15) 'Practice of accounting' means:

(a) Issuing a report on financial statements of a person, firm, organization, or governmental unit or offering to render or rendering any attest or compilation service. This restriction does not prohibit any act of a public official or public employee in the performance of that person's duties or prohibit the performance by a nonlicensee of other services involving the use of accounting skills, including the preparation of tax returns, management advisory services, and the preparation of financial statements without the issuance of reports; or

(b) using or assuming the title 'Certified Public Accountant' or the abbreviation 'CPA' or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant."

Definition of "report" revised

C. Section 40-2-20(17) of the 1976 Code is amended to read:

“(17) ‘Report’, when used with reference to any attest or compilation service, means an opinion, report, or other form of language that states or implies assurance as to the reliability of the attested information or compiled financial statement and that also includes or is accompanied by a statement or implication that the person or firm issuing it has special knowledge or competency in accounting or auditing. This statement or implication of special knowledge or competency may arise from use by the issuer of the report of names or titles indicating that the person or firm is an accountant or auditor. The term ‘report’ includes any form of language which disclaims an opinion when the form of language is conventionally understood to imply positive assurance as to the reliability of the attested information or compiled financial statements referred to or special competency on the part of the person or firm issuing such language, or both; and it includes any other form of language that is conventionally understood to imply such assurance or such special knowledge or competency, or both.”

Licensure required to issue certain reports, exceptions revised

SECTION 3.A. Section 40-2-30(B) of the 1976 Code is amended to read:

“(B) Only licensed certified public accountants or public accountants or individuals qualifying for a practice privilege pursuant to Section 40-2-245 may issue a report on financial statements of a person, firm,

organization, or governmental unit or offer to render or render any attest or compilation service as defined, except as provided in Section 40-2-340. This restriction does not prohibit an act of a public official or public employee in the performance of that person's duties or prohibit the performance by any nonlicensee of other services involving the use of accounting skills, including the preparation of tax returns, management advisory services, and the preparation of financial statements without the issuance of reports."

Licensure exemptions for foreign and out-of-state service providers revised

B. Section 40-2-30(H) and (I) of the 1976 Code is amended to read:

"(H) This section does not apply to a person or firm holding a certification, designation, degree, or license granted in a foreign country entitling the holder to engage in the practice of public accountancy or its equivalent in that country; whose activities in this State are limited to the provision of professional services to persons or firms who are residents of, governments of, or business entities of the country in which the person holds the entitlement; who performs no attest or compilation services and who issues no reports, as defined in this chapter, with respect to the information of any other persons, firms, or governmental units in this State; and who does not use in this State any title or designation other than the one under which the person practices in their country, followed by a translation of the title or designation into the English language, if it is in a different language, and by the name of the country.

(I)(1) Firms that do not have an office in this State, and that do not perform the services described in Section 40-2-20(2)(a) (audits), (c) (examinations), or (d) (services under PCAOB Auditing Standards) for a client having its home office in this State, may engage in the practice of accounting, without obtaining a registration pursuant to Section 40-2-40, as specified in this subsection.

(2) A firm described in item (1) may perform services described in Section 40-2-20(2)(b), (2)(e) or (5) for a client having its home office in this State, may engage in the practice of accounting, as specified in this section, and may use the title 'CPA' or 'CPA firm' only if the firm:

(a) has the qualifications described in Section 40-2-40(C) and Section 40-2-255(C); and

(b) performs these services through an individual with practice privileges under Section 40-2-245.

(3) A firm described in item (1) that is not subject to the requirements of item (2) may perform other professional services within the practice of accounting while using the title 'CPA' or 'CPA firm' in this State only if the firm:

(a) performs these services through an individual with practice privileges under Section 40-2-245; and

(b) can lawfully do so in the state where these individuals with practice privileges have their principal place of business.

(4) Notwithstanding any other provision of this section, it is not a violation of this section for a firm that does not hold a valid permit under Section 40-2-40 and which does not have an office in this State to provide its professional services or to engage in the practice of accounting so long as it complies with the requirements of item (2) or (3), whichever is applicable.”

Licensure requirements, criminal records checks, character evidence, costs, continuing education

SECTION 4. Section 40-2-35(B) through (G) of the 1976 Code is amended to read:

“(B)(1) In addition to other requirements established by law and for the purpose of determining an applicant’s eligibility for licensure to practice as a certified public accountant, the board may require a state criminal records check, including fingerprints, performed by the South Carolina Law Enforcement Division, and a national criminal records check, including fingerprints, performed by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the board. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the board regarding criminal charges. The board shall keep information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed as may be necessary to support the administrative action.

(2) Notwithstanding any other provision of law to the contrary, the dismissal of a prosecution of fraudulent intent in drawing a dishonored check by reason of want of prosecution or proof of payment of restitution and administrative costs must not be used as evidence of a lack of good moral character for the purposes of disqualifying a person seeking licensure or renewal of licensure pursuant to this chapter.

(3) The applicant must bear all costs associated with conducting criminal records checks.

(C) To meet the educational requirement as part of the one hundred fifty semester hours of education, the applicant must demonstrate successful completion of:

(1) at least thirty-six semester hours of accounting in courses that are applicable to a baccalaureate, masters, or doctoral degree and which cover financial accounting, managerial accounting, taxation, and auditing, of which at least twenty-four semester hours must be taught at the junior level or above; and

(2) at least thirty-six semester hours of business courses that are applicable to a baccalaureate, masters, or doctoral degree and which may include macro and micro economics, finance, business law, management, computer science, marketing, and accounting hours not counted in item (1).

(D) The board shall accept a transcript from a college or university accredited by the Southern Association of Colleges and Schools or another regional accrediting association having the equivalent standards or an independent senior college in South Carolina certified by the State Department of Education for teacher training, and accounting and business programs accredited by the American Assembly of Collegiate Schools of Business (AACSB) or any other accrediting agency having equivalent standards. Official transcripts signed by the college or university registrar and bearing the college or university seal must be submitted to demonstrate education and degree requirements. Photocopies of transcripts must not be accepted.

(E) An applicant may apply for examination by submitting forms approved by the board. In order for an application to be considered a completed application, all blanks and questions on the application form must be completed and answered and all applicable documentation must be attached and:

(1) the application must be accompanied by the submission of photo identification, fingerprints, or other identification information as considered necessary to ensure the integrity of the exam administration;

(2) application fees must accompany the application. Fees for the administration of the examination must recover all costs for examination administration. The fees required for each examination must be published to applicants on the application form. If a check in payment of examination fees fails to clear the bank, the application is considered incomplete and the application must be returned to the candidate;

(3) the applicant must have on record with the board official transcripts from a college or university approved by the board demonstrating successful completion of one hundred twenty semester hours credit, including:

(a) at least twenty-four semester hours of accounting in courses that are applicable to a baccalaureate, masters, or doctoral degree and which cover financial accounting, managerial accounting, taxation, and auditing; and

(b) at least twenty-four semester hours of business courses that are applicable to a baccalaureate, masters, or doctoral degree and which may include macro and micro economics, finance, business law, management, computer science, marketing, and accounting hours not counted in subitem (a).

(F) A candidate must pass all sections of the examination provided for in subsection (A)(2) in order to qualify for a certificate.

(1) Upon the implementation of a computer-based examination, a candidate may take the required test sections individually and in any order. Credit for any test section passed is valid for eighteen months from the actual date the candidate took that test section, without having to attain a minimum score on any failed test section and without regard to whether the candidate has taken other test sections.

(a) A candidate must pass all four test sections of the Uniform CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section is passed. The board by regulation may provide additional time to an applicant on active military service. The board also may accommodate any hardship which results from the conditions of administration of the examination.

(b) A candidate cannot retake a failed test section in the same examination window. An examination window refers to a three-month period in which candidates have an opportunity to take the CPA examination. If all four test sections of the Uniform CPA Examination are not passed within the rolling eighteen-month period, credit for any test section passed outside the eighteen-month period expires and that test section must be retaken.

(c) A candidate who applies for a license more than three years after the date upon which the candidate passed the last section of the Uniform CPA Examination must document one hundred twenty hours of acceptable continuing professional education in order to qualify, in addition to all other requirements imposed by this section.

(2) A candidate may arrange to have credits for passing sections of the examination under the jurisdiction of another state or territory of the United States transferred to this State. Credits transferred for less than all sections of the examination are subject to the same conditional credit rules as if the examination had been taken in South Carolina.

(G) An applicant may demonstrate experience as follows:

(1) Experience may be gained in either full-time or part-time employment. Two thousand hours of part-time accounting experience is equivalent to one year. Experience may not accrue more rapidly than forty hours per week.

(2) The five years of teaching experience provided for in subsection (A)(4)(b) consists of five years of full-time teaching of accounting courses at a college or university accredited by the Southern Association of Colleges and Schools or another regional accrediting association having equivalent standards or an independent senior college in South Carolina certified by the State Department of Education for teacher training.

(a) In order for teaching experience to qualify as full-time teaching, the applicant must have been employed on a full-time basis as defined by the educational institution where the experience was obtained; however, teaching fewer than twelve hours per semester, or the equivalent in quarter hours, must not be considered as full-time teaching experience.

(b) Experience credit for teaching on a part-time basis qualifies on a pro rata basis based upon the number of semester hours required for full-time teaching at the educational institution where the teaching experience was obtained.

(c) Teaching experience may not accrue more rapidly than elapsed chronological time.

(d) An applicant must not be granted credit for full-time teaching completed in less than one academic year.

(e) An applicant must not be granted more than one full-time teaching year credit for teaching completed within one calendar year.

(f) Teaching experience must not be granted for teaching subjects outside the field of accounting. Subjects considered to be outside the field of accounting include, but are not limited to, business law, finance, computer applications, personnel management, economics, and statistics.

(g) Of the five years of full-time teaching experience, credit for teaching accounting principles courses or fundamental accounting (below intermediate accounting) may not exceed two full-time teaching years and the remaining three full-time teaching years' experience must be obtained in teaching courses above accounting principles.

(h) Accounting courses considered to be above accounting principles include, but are not limited to, intermediate accounting, advanced accounting, auditing, income tax, financial accounting, management accounting, and cost accounting.

(i) Experience other than public accounting experience counts only in proportion to duties which, in the opinion of the board, contribute to competence in public accounting.

(j) The board may require other information as it considers necessary to determine the acceptability of experience including, but not limited to, review of work papers and other work products, review of time records, and interviews with applicants and supervisors.

(3) For purposes of this subsection, 'experience' shall have the same meaning as 'appropriate experience' in subsection (A)(4); however, if the applicant obtained the experience seven or more years before submitting an application, the applicant shall have obtained an additional six months of experience within two years before submitting the application."

Firm registration requirements, simple majority votes, nonlicensed owners and investors

SECTION 5. Section 40-2-40(C) through (F) of the 1976 Code is amended to read:

“(C) Qualifications for registration as a certified public accountant firm are as follows:

(1) A simple majority of the ownership of the firm in terms of financial interests and voting rights of all partners, officers, shareholders, members, or managers must belong to certified public accountants currently licensed in some state. Although firms may include nonlicensed owners, the firm and its ownership must comply with regulations promulgated by the board. All nonlicensed owners must be active individual participants in the firm or affiliated entities.

(2) Partners, officers, shareholders, members, or managers whose principal place of business is in this State, and who perform professional services in this State, must hold a valid license issued pursuant to this section. An individual who has practice privileges under Section 40-2-245 who performs services for which a firm permit is required pursuant to Section 40-2-245(D) must not be required to obtain a license from this State pursuant to Section 40-2-35.

(3) For firms registering under subsection (B)(1)(a) or (b), there must be a designated resident manager in charge of each office in this State who must be a certified public accountant licensed in this State.

(4) Noncertified public accountant owners must not assume ultimate responsibility for any financial statement, attest, or compilation engagement.

(5) Noncertified public accountant owners shall abide by the code of professional ethics adopted pursuant to this chapter.

(6) Owners shall at all times maintain ownership equity in their own right and must be the beneficial owners of the equity capital ascribed to them. Provision must be made for the ownership to be transferred to the firm or to other qualified owners if the noncertified public accountant ceases to be an active individual participant in the firm.

(7)(a) This section applies only to noncertified public accountant owners who are residents of this State.

(b) Noncertified public accountant owners must complete the same number of hours of continuing professional education as licensed certified public accountants in this State.

(c) Noncertified public accountant owners who are licensed professionals subject to continuing education requirements applicable to that profession may complete the required number of continuing professional education hours in courses offered or accepted by organizations or regulatory bodies governing that profession, and also must complete the same number of hours of continuing professional education as licensed certified public accountants in this State.

(8) A certified public accountant firm and its designated resident manager under item (3) are responsible for the following in regard to a noncertified public accountant owner:

(a) a noncertified public accountant owner shall comply with all applicable accountancy statutes and regulations; and

(b) a noncertified public accountant owner shall be of good moral character and shall not engage in any conduct that, if committed by a licensee, would constitute a violation of the regulations promulgated by the board.

(D) Registration must be initially issued and renewed annually. Applications for registration must be made in such form, and in the case of applications for renewal, between such dates as the board by regulation may specify, and the board shall grant or deny any such application after filing in proper form.

(E) An applicant for initial issuance or renewal of a registration to practice pursuant to this chapter shall register each firm within this State with the board and shall demonstrate that all attest and compilation services rendered in this State are under the charge of a person holding a valid license issued pursuant to this section or the corresponding provision of prior law or of some other state.

(F) The board may charge a fee for each application for initial issuance or renewal of a registration issued pursuant to this section.”

Disciplinary investigations, criminal records checks, evidence of misconduct, costs

SECTION 6. Section 40-2-80 of the 1976 Code, as last amended by Act 268 of 2014, is further amended by adding an appropriately lettered subsection to read:

“(H)(1) In an investigation or disciplinary proceeding concerning a licensee, the department may require a state criminal records check, including fingerprints, performed by the South Carolina Law Enforcement Division, and a national criminal records check, including fingerprints, performed by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the department. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the department regarding criminal charges. The department shall keep information received pursuant to this section confidential, except that information relied upon in an administrative action may be disclosed as may be necessary to support the administrative action.

(2) Notwithstanding any other provision of this section or any other provision of law, the dismissal of a prosecution of fraudulent intent in drawing a dishonored check by reason of want of prosecution or proof of payment of restitution and administrative costs must not be used as evidence of performance of a fraudulent act for disciplinary purposes.

(3) Costs of conducting a criminal records check are the responsibility of the department and may be recovered as administrative costs associated with an investigation or hearing pursuant to this chapter unless ordered by the department as a cost in a disciplinary proceeding.”

License renewals and reinstatements, deadline revised, fees optional, lapses

SECTION 7. Section 40-2-250 of the 1976 Code, as last amended by Act 268 of 2014, is further amended to read:

“Section 40-2-250. (A) A licensee shall file an application for renewal on or before February first of the following year.

(B) The application for renewal of a license must include:

- (1) current information concerning practice status;
- (2) a verified continuing education report;

(3) renewal fee, if any.

(C) A licensee shall file a verified report of continuing education on or before February first and document forty hours of acceptable continuing education during the immediately preceding calendar year. Not more than twenty percent of the required hours may be in personal development subjects. A licensee is not required to report continuing education for the year in which the initial license was obtained. The board by regulation may provide for the carryover of excess hours of continuing education not to exceed twenty hours a year. No carryover is allowed from a year in which continuing education was not required.

(D) If a licensee does not file an application for renewal on or before February first, the license is considered lapsed. Continued practice after February fifteenth may be sanctioned as unlicensed practice of accounting.

(E) Renewal applications filed or completed after February fifteenth are subject to a reinstatement fee in the amount of five hundred dollars. A person may not practice on a lapsed license.

(F) A certified public accountant, accounting practitioner, or public accountant whose license has lapsed or has been inactive for:

(1) fewer than three years, the license may be reinstated by applying to the board, submitting proof of completing forty continuing education units for each year the license has lapsed or has been inactive, and paying the reinstatement fee;

(2) three or more years, the license may be reinstated upon completion of six months of additional experience, and one hundred twenty hours of continuing education;

(3) an indefinite period and has active status outside of this State may reinstate the license by submitting an application under Section 40-2-240.”

Firm registration renewals, deadlines revised, fees optional, lapses

SECTION 8. Section 40-2-255 of the 1976 Code is amended to read:

“Section 40-2-255. (A) A registrant shall file an application for renewal of the calendar-year registration on or before February first of the following year.

(B) The application for renewal of a registration shall include:

(1) current information concerning ownership;

(2) current information concerning the identity of the licensee in charge of the office;

(3) renewal fee, if any.

(C) As a condition of renewal of registration, an applicant who engages in attest or compilation services, or both, must provide evidence of satisfactory completion of peer review no more frequently than once every three years. Peer review must be conducted in a manner as the board specifies by regulation. This review must include a verification that individuals in the firm, who are responsible for supervising attest or compilation services, or both, and who sign or authorize someone to sign the accountant's report on the financial statements on behalf of the firm, meet the competency requirements set out in the professional standards for these services and these regulations must:

(1) require an applicant to show that the applicant has, within the preceding three years, undergone a peer review that is a satisfactory equivalent to peer review as generally required pursuant to this subsection;

(2) require peer reviews to be subject to oversight by a body established or sanctioned by the board, which shall periodically report to the board on program review effectiveness under its charge and provide to the board a listing of firms that have participated in a peer review program;

(3) require peer reviews to be conducted and that work and documents be maintained in a manner designed to preserve confidentiality of documents furnished or generated in the course of the review.

(D) If a registrant does not file an application for renewal on or before February first, the registration is considered lapsed. Continued practice after February fifteenth may be sanctioned as unlicensed practice of accounting.”

Issuance of licenses, conforming change

SECTION 9. Section 40-2-560(C) of the 1976 Code is amended to read:

“(C) A partnership, firm, or registrant must file an application in accordance with Section 40-2-40 and Section 40-2-255.”

Time effective

SECTION 10. This act takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 52

(R83, S437)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-240 SO AS TO ENACT THE “JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE”, TO DEFINE THE TERM “CIVICS TEST”, TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS IN THIS STATE TO TAKE THE CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES AS PART OF THE UNITED STATES GOVERNMENT REQUIRED CREDIT, TO ALLOW SCHOOL DISTRICTS TO RECOGNIZE STUDENTS WHO RECEIVE A PASSING GRADE ON THE TEST, TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, TO PROVIDE NO SCHOOL OR SCHOOL DISTRICT MAY CHARGE A FEE FOR THE TEST, AND TO PROVIDE THAT THE REQUIREMENTS OF THIS SECTION APPLY TO ANY STUDENT ENTERING THE NINTH GRADE BEGINNING WITH THE 2016-2017 SCHOOL YEAR.

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

Citation

SECTION 1. This act may be cited as the “James B. Edwards Civics Education Initiative”.

Civics test required, definition, requirements and procedures for test

SECTION 2. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59-29-240. (A) For purposes of this section, ‘civics test’ means the one hundred questions that, as of January 1, 2015, and updated accordingly, officers of the United States Citizenship and Immigration Services use in order that the applicants can demonstrate a knowledge and understanding of the fundamentals of United States history and the principles and form of United States government, as required by 8 U.S.C. 1423.

(B) As part of the high school curriculum regarding the United States government required credit, students are required to take the civics test, as defined in subsection (A), provided there is no cost to a school or school district for obtaining and giving the test, but are not required to obtain a minimum score. However, a student who receives a passing grade, as determined by the United States Citizenship and Immigration Services, or better, may be recognized by the school district. This requirement applies to each student enrolled in a public or charter school in this State. This requirement does not apply to a student who is exempted in accordance with the student’s individualized education program plan.

(C) Each public school, including charter schools, must report the percentage of students at or above the designated passing score on the test to the South Carolina Education Oversight Committee which must then include such on the school report card.

(D) No school or school district of this State may impose or collect any fees or charges in connection with this section.

(E) This section must be applied to any student entering ninth grade beginning in the 2016-2017 school year.”

Severability clause

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 53

(R84, S592)

AN ACT TO AMEND SECTION 50-11-710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING OF FERAL HOGS, COYOTES, AND ARMADILLOS AT NIGHT, SO AS TO RESTRUCTURE THE EXISTING PROVISIONS THAT REGULATE THE HUNTING OF THESE ANIMALS, AND TO PROVIDE FOR THE NIGHT HUNTING OF THESE ANIMALS BY A PERSON WITH A CENTER FIRE RIFLE USING CENTER FIRE AMMUNITION OR SUBSONIC CENTER FIRE AMMUNITION.

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

Night hunting

SECTION 1. Section 50-11-710(A) of the 1976 Code, as last amended by Act 228 of 2012, is further amended to read:

“Section 50-11-710. (A) Night hunting in this State is unlawful except that:

(1) Raccoons, opossums, foxes, mink, and skunk may be hunted at night; however, they may not be hunted with artificial lights except when treed or cornered with dogs, and may not be hunted with buckshot or any shot larger than a number four, or any rifle ammunition larger than a twenty-two rimfire.

(2) Feral hogs may be hunted at night with or without the aid of bait, electronic calls, artificial light, or night vision devices:

(a) at any time of the year with a bow and arrow other than a crossbow, or pistol having iron sights, a barrel length not exceeding nine inches, and which is not equipped with a butt-stock, scope, or laser site;

(b) at any time of the year under authority of and pursuant to the conditions contained in a depredation permit issued by the department pursuant to Section 50-11-2570; and

(c) from the last day of February to the first day of July of that same year with any legal firearm, bow and arrow, or crossbow when notice is given to the department pursuant to subsection (D). When hunting at night with a center fire rifle pursuant to this item:

(i) a hunter using supersonic center fire ammunition must hunt from an elevated position at least ten feet from the ground;

(ii) a hunter using subsonic center fire ammunition is not required to hunt from an elevated position provided that he is not carrying supersonic center fire ammunition for the same rifle.

(3) Coyotes and armadillos may be hunted at night with or without the aid of bait, electronic calls, artificial light, or night vision devices:

(a) at any time of the year with a bow and arrow other than a crossbow, a rimfire rifle, a shotgun with shot size no larger than a BB, or a pistol of any caliber having iron sights, a barrel length not exceeding nine inches, and which is not equipped with a butt-stock, scope, or laser light;

(b) at any time of the year under authority of and pursuant to the conditions contained in a depredation permit issued by the department pursuant to Section 50-11-2570; and

(c) from the last day of February to the first day of July of that same year with any legal firearm, bow and arrow, or crossbow when notice is given to the department pursuant to subsection (D). When hunting at night with a center fire rifle pursuant to this item:

(i) a hunter using supersonic center fire ammunition must hunt from an elevated position at least ten feet from the ground;

(ii) a hunter using subsonic center fire ammunition is not required to hunt from an elevated position provided that he is not carrying supersonic center fire ammunition for the same rifle.”

Time effective

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

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 54

(R85, H3083)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA OVERDOSE PREVENTION ACT" BY ADDING CHAPTER 130 TO TITLE 44 SO AS TO ALLOW CERTAIN MEDICAL PROFESSIONALS TO PRESCRIBE OPIOID ANTIDOTES FOR INDIVIDUALS WHO THE MEDICAL PROFESSIONAL BELIEVES IN GOOD FAITH ARE AT RISK OF EXPERIENCING AN OPIOID OVERDOSE, TO REQUIRE MEDICAL PROFESSIONALS TO PROVIDE INSTRUCTIONAL INFORMATION TO A PERSON TO WHOM THE MEDICAL PROFESSIONAL PRESCRIBES AN OPIOID ANTIDOTE, TO ALLOW PHARMACISTS TO DISPENSE OPIOID ANTIDOTES PURSUANT TO A PRESCRIPTION, TO ALLOW CAREGIVERS AND FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES TO INDIVIDUALS WHO THE CAREGIVER OR FIRST RESPONDER BELIEVES IN GOOD FAITH ARE AT RISK OF EXPERIENCING AN OPIOID OVERDOSE, TO ALLOW PRESCRIBERS TO PRESCRIBE STANDING ORDERS FOR OPIOID ANTIDOTES TO FIRST RESPONDERS AND FOR FIRST RESPONDERS TO POSSESS THESE OPIOID ANTIDOTES, AND TO PROVIDE PROTECTIONS FROM CIVIL AND CRIMINAL LIABILITY FOR PRESCRIBING, DISPENSING, OR ADMINISTERING OPIOID ANTIDOTES, AND FOR OTHER PURPOSES.

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

Health, opioid overdose prevention

SECTION 1. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 130

South Carolina Overdose Prevention Act

Section 44-130-10. This chapter may be cited as the ‘South Carolina Overdose Prevention Act’.

Section 44-130-20. For purposes of this chapter:

(1) ‘Caregiver’ means a person who is not at risk of an opioid overdose but who, in the judgment of a physician, may be in a position to assist another individual during an overdose and who has received patient overdose information as required by Section 44-130-30 on the indications for and administration of an opioid antidote.

(2) ‘Department’ means the Department of Health and Environmental Control.

(3) ‘Drug overdose’ means an acute condition including, but not limited to, physical illness, coma, mania, hysteria, or death resulting from the consumption or use of a controlled substance or other substance with which a controlled substance was combined and that a layperson would reasonably believe to require medical assistance.

(4) ‘First responder’ means an emergency medical services provider, a law enforcement officer, or a fire department worker directly engaged in examining, treating, or directing persons during an emergency.

(5) ‘Medical assistance’ means professional medical services that are provided to a person experiencing a drug overdose.

(6) ‘Opioid antidote’ means naloxone hydrochloride or other similarly acting drug approved by the United States Food and Drug Administration for the treatment of an opioid overdose.

(7) ‘Pharmacist’ means an individual licensed pursuant to Chapter 43, Title 40 to engage in the practice of pharmacy.

(8) ‘Prescriber’ means a physician licensed pursuant to Chapter 47, Title 40, an advanced practice registered nurse licensed pursuant to Chapter 33, Title 40 and prescribing in accordance with the requirements of that chapter, and a physician assistant licensed pursuant to Article 7, Chapter 47, Title 40 and prescribing in accordance with the requirements of that article.

Section 44-130-30. (A) A prescriber acting in good faith and exercising reasonable care as a prescriber may issue a written prescription for an opioid antidote to:

(1) a person who is at risk of experiencing an opioid-related overdose; or

(2) a caregiver for a person who is at risk of experiencing an opioid overdose whom the prescriber has not personally examined.

(B)(1) The prescriber must provide to the person or the caregiver overdose information addressing the following:

- (a) opioid overdose prevention and recognition;
- (b) opioid antidote dosage and administration;
- (c) the importance of calling 911 emergency telephone service for medical assistance with an opioid overdose; and
- (d) care for an overdose victim after administration of the opioid antidote.

(2) The prescriber must document in the medical record that the opioid overdose information required by this subsection has been provided to the person or the caregiver.

(C) A prescriber acting in good faith and exercising reasonable care may issue a standing order for a first responder to possess an opioid antidote for administration to a person whom the first responder believes to be experiencing an opioid-related overdose.

(D) A prescriber who issues a written prescription or a standing order for an opioid antidote in accordance with the provisions of this section is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action.

Section 44-130-40. (A) A pharmacist acting in good faith and exercising reasonable care as a pharmacist may dispense an opioid antidote pursuant to a written prescription or standing order by a prescriber.

(B) A pharmacist dispensing an opioid antidote in accordance with the provisions of this section is not as a result of an act or omission subject to civil or criminal liability or to professional disciplinary action.

Section 44-130-50. (A) A caregiver may in an emergency administer, without fee, an opioid antidote to a person whom the caregiver believes in good faith is experiencing an opioid overdose if the caregiver has received the opioid overdose information provided for in Section 44-130-30.

(B) A caregiver who administers an opioid antidote in accordance with the provisions of this section is not subject to civil or criminal liability.

Section 44-130-60. (A) A first responder may administer an opioid antidote in an emergency if the first responder believes in good faith that the person is experiencing an opioid overdose.

(B) The first responder must comply with all applicable requirements for possession, administration, and disposal of the opioid antidote and administration device. The department may promulgate regulations to

implement this section, including appropriate training for first responders who carry or have access to an opioid antidote.

(C) A first responder who administers an opioid antidote in accordance with the provisions of this section to a person whom the first responder believes in good faith is experiencing an opioid overdose is not by an act or omission subject to civil or criminal liability or to professional disciplinary action.”

Time effective

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

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 55

(R86, H3264)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 137 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “AMERICAN RED CROSS SPECIAL LICENSE PLATES”.

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

American Red Cross special license plates

SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 137

American Red Cross Special License Plates

Section 56-3-13710. (A) The Department of Motor Vehicles may issue American Red Cross special motor vehicle license plates to owners of private passenger motor vehicles, as defined in Section 56-3-630, and motorcycles, as defined in Section 56-3-20, registered in their names.

This special license plate must be issued or revalidated for a biennial period which expires twenty-four months from the month it is issued.

(B) Notwithstanding another provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license plate fee must be disbursed to the American Red Cross.

(C) Notwithstanding another provision of law, the requirements for production, collection, and distribution of fees for these license plates are those set forth in Section 56-3-8100.

(D) The department shall imprint the special license plates with the distinctive Red Cross emblem approved by the American Red Cross along with the words or text, 'Proud Supporter of the American Red Cross' written at the top of the special license plates."

Time effective

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

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 56

(R87, H3880)

AN ACT TO AMEND SECTION 50-11-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS THAT RELATE TO THE MIGRATORY WATERFOWL COMMITTEE, THE CREATION OF THE COMMITTEE, ITS MEMBERSHIP, AND RESPONSIBILITIES, SO AS TO INCREASE ITS MEMBERSHIP BY ONE WHO SHALL BE A DESIGNEE OF DELTA WATERFOWL OF SOUTH CAROLINA WHO IS NOT A PAID EMPLOYEE.

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

Migratory Waterfowl Committee

SECTION 1. Section 50-11-20(B) of the 1976 Code, as last amended by Act 214 of 2008, is further amended to read:

“(B) There is created the Migratory Waterfowl Committee composed of ten members. A designee of Ducks Unlimited of South Carolina, who is not a paid employee, a designee of the South Carolina Waterfowl Association, who is not a paid employee, a designee of Delta Waterfowl of South Carolina, who is not a paid employee, and the Chairman of the Board of the Department of Natural Resources, or his designee, shall serve ex officio. Two members appointed by the Chairman of the Agriculture and Natural Resources Committee of the House of Representatives, two are appointed by the Chairman of the Fish, Game and Forestry Committee of the Senate, and two are appointed by the Governor, all of whom must be cognizant of waterfowl. The members of the committee shall serve for terms of three years and until successors are appointed and qualify. Vacancies are filled for the unexpired term in the manner of the original appointment. The members of the committee shall elect a chairman annually.”

Time effective

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

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 57

(R88, H3888)

AN ACT TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CONSOLIDATE AND RENAME CERTAIN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND

**AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS
OFFICE.**

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

Spartanburg County voting precincts designated

SECTION 1. Section 7-7-490 of the 1976 Code, as last amended by Act 237 of 2014, is further amended to read:

“Section 7-7-490. (A) In Spartanburg County there are the following voting precincts:

Abner Creek Baptist
Anderson Mill Elementary
Arcadia Elementary
Beaumont Methodist
Beech Springs Intermediate
Ben Avon Methodist
Bethany Baptist
Bethany Wesleyan
Boiling Springs Elementary
Boiling Springs High School
Boiling Springs Intermediate
Boiling Springs Jr. High
Boiling Springs 9th Grade
Canaan
Cannons Elementary
Carlisle Fosters Grove
Cavins Hobbysville
C.C. Woodson Recreation
Cedar Grove Baptist
Chapman Elementary
Chapman High School
Cherokee Springs Fire Station
Chesnee Elementary
Cleveland Elementary
Clifdale Elementary
Converse Fire Station
Cooley Springs Baptist
Cornerstone Baptist
Cowpens Depot Museum
Cowpens Fire Station

Croft Baptist
Cross Anchor Fire Station
Cudd Memorial
Daniel Morgan Technology Center
Drayton Fire Station
Duncan United Methodist
Eastside Baptist
Ebenezer Baptist
Enoree First Baptist
E.P. Todd Elementary
Fairforest Elementary
Fairforest Middle School
Friendship Baptist
Gable Middle School
Glendale Fire Station
Gramling Methodist
Greater St. James
Hayne Baptist
Hendrix Elementary
Holly Springs Baptist
Jesse Bobo Elementary
Jesse Boyd Elementary
Lake Bowen Baptist
Landrum High School
Landrum United Methodist
Lyman Town Hall
Mayo Elementary
Morningside Baptist
Motlow Creek Baptist
Mountain View Baptist
Mt. Calvary Presbyterian
Mt. Moriah Baptist
Mt. Zion Full Gospel Baptist
Oakland Elementary
Pacolet Elementary School
Park Hills Elementary
Pauline Glenn Springs Elementary
Pelham Fire Station
Poplar Springs Fire Station
Powell Saxon Una
R.D. Anderson Vocational
Rebirth Missionary Baptist

Reidville Elementary
Reidville Fire Station
Roebuck Bethlehem
Roebuck Elementary
Southside Baptist
Spartanburg High School
Startex Fire Station
St. John's Lutheran
Swofford Career Center
Travelers Rest Baptist
Trinity Methodist
Victor Mill Methodist
Wellford Fire Station
Holy Communion
West View Elementary
White Stone Methodist
Whitlock Jr. High
Woodland Heights Recreation Center
Woodruff Elementary
Woodruff Fire Station
Woodruff Leisure Center

(B) Precinct lines defining the precincts in subsection (A) are as shown on the official map on file with the Revenue and Fiscal Affairs Office, and as shown on copies provided to the Board of Voter Registration and Elections of Spartanburg County by the Revenue and Fiscal Affairs Office designated as document P-83-15.

(C) Polling places for the precincts listed in subsection (A) must be determined by the Board of Voter Registration and Elections of Spartanburg County with the approval of a majority of the Spartanburg County Legislative Delegation.”

Time effective

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

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 58

(R80, S3)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “DOMESTIC VIOLENCE REFORM ACT”; TO AMEND SECTION 16-25-10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF DOMESTIC VIOLENCE OFFENSES, SO AS TO DEFINE OTHER NECESSARY TERMS; TO AMEND SECTION 16-3-600, AS AMENDED, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO REVISE THE DEFINITION OF “MODERATE BODILY INJURY” TO CONFORM; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OFFENSES, SO AS TO RESTRUCTURE THE OFFENSES BY GRADUATING THE PENALTIES INTO DEGREES, DEFINE THE ELEMENTS OF EACH DEGREE, AND PROVIDE A NEW PENALTY STRUCTURE, AMONG OTHER THINGS; TO AMEND SECTION 16-25-65, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, SO AS TO RESTRUCTURE THE OFFENSE, REDEFINE THE ELEMENTS OF THE OFFENSE, AND TO RESTRUCTURE THE PENALTY; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SO AS TO INCLUDE DOMESTIC VIOLENCE IN THE FIRST DEGREE AS A VIOLENT CRIME; TO AMEND SECTION 17-25-45, AS AMENDED, RELATING TO OFFENSES DEFINED AS “MOST SERIOUS” AND “SERIOUS”, SO AS TO ADD THE OFFENSES OF DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE AND DOMESTIC VIOLENCE IN THE FIRST DEGREE TO THE LIST OF “SERIOUS” OFFENSES; TO AMEND SECTION 56-7-10, AS AMENDED, RELATING TO UNIFORM TRAFFIC TICKETS, SO AS TO INCLUDE DOMESTIC VIOLENCE IN THE SECOND AND THIRD DEGREE OFFENSES TO THE LIST OF ADDITIONAL OFFENSES FOR WHICH A UNIFORM TRAFFIC TICKET MAY BE ISSUED; TO AMEND SECTION 16-25-30, RELATING TO POSSESSION OF A FIREARM BY A PERSON CONVICTED OF CERTAIN DOMESTIC VIOLENCE OFFENSES, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR PERSONS CONVICTED OF CERTAIN DOMESTIC VIOLENCE OFFENSES TO SHIP, TRANSPORT, RECEIVE, OR POSSESS A

FIREARM OR AMMUNITION UNDER CERTAIN CIRCUMSTANCES AND PROVIDE A TIME FRAME FOR THE RESTORING OF RIGHTS REGARDING SHIPPING, TRANSPORTING, RECEIVING, OR POSSESSING A FIREARM OR AMMUNITION; TO AMEND SECTION 17-15-30 AND SECTION 22-5-510, BOTH AS AMENDED, RELATING TO MATTERS TO BE CONSIDERED WHEN DETERMINING CONDITIONS OF RELEASE ON BOND AND BOND HEARINGS AND INFORMATION TO BE PROVIDED TO THE COURT, RESPECTIVELY, BOTH SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL, TO PROVIDE THAT WHEN A PERSON IS CHARGED WITH A VIOLATION OF CERTAIN DOMESTIC VIOLENCE OFFENSES THAT A BOND HEARING MAY NOT PROCEED WITHOUT THE PERSON'S CRIMINAL RECORD AND INCIDENT REPORT, OR THE PRESENCE OF THE ARRESTING OFFICER, AND TO REQUIRE BOND HEARINGS FOR THESE VIOLATIONS TO BE HELD WITHIN TWENTY-FOUR HOURS AFTER ARREST; TO AMEND SECTION 17-15-10, RELATING TO PERSONS WHO MAY BE RELEASED PENDING TRIAL, SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL; TO AMEND SECTION 16-25-120, AS AMENDED, RELATING TO THE RELEASE OF A PERSON ON BOND WHO IS CHARGED WITH A VIOLENT OFFENSE OR WHEN THE VICTIM IS A HOUSEHOLD MEMBER, SO AS TO PROVIDE THAT THE COURT MUST CONSIDER CERTAIN FACTORS BEFORE RELEASING A PERSON ON BOND; TO AMEND SECTION 17-15-50, RELATING TO AMENDMENT OF AN ORDER RELATING TO BOND, SO AS TO CLARIFY THAT THE COURT WITH JURISDICTION OF THE OFFENSE MAY AMEND THE ORDER AT ANY TIME; TO AMEND SECTION 17-15-55, AS AMENDED, RELATING TO BOND AND THE AUTHORITY OF THE CIRCUIT COURT TO REVOKE BOND UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE PURPOSE OF BOND REVOCATION ONLY THAT A SUMMARY COURT HAS CONCURRENT JURISDICTION WITH THE CIRCUIT COURT FOR TEN DAYS FROM THE DATE BOND IS FIRST SET ON A CHARGE BY THE SUMMARY COURT TO

DETERMINE IF BOND SHOULD BE REVOKED; TO AMEND SECTION 16-25-70, AS AMENDED, RELATING TO WARRANTLESS ARREST OR SEARCH FOR A DOMESTIC VIOLENCE OFFENSE, SO AS TO REQUIRE THAT THE MANDATED LAW ENFORCEMENT INVESTIGATION OF A DOMESTIC VIOLENCE OFFENSE MUST BE DOCUMENTED ON AN INCIDENT REPORT FORM WHICH MUST BE MAINTAINED BY THE INVESTIGATING AGENCY; TO AMEND SECTION 16-3-1110, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON COMPENSATION OF VICTIMS OF CRIME, SO AS TO INCLUDE MINOR WITNESSES TO A DOMESTIC VIOLENCE OFFENSE IN THE DEFINITION OF "VICTIM"; TO DIRECT THE DEPARTMENT OF SOCIAL SERVICES IN CONSULTATION WITH THE SOUTH CAROLINA VOUCHER PROGRAM TO PROVIDE CERTAIN CHILDCARE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE TO ENCOURAGE PARTICIPATION IN COURT HEARINGS RELATING TO DOMESTIC VIOLENCE; TO AMEND SECTION 17-22-90, RELATING TO PRETRIAL INTERVENTION PROGRAMS AND AGREEMENTS REQUIRED BY OFFENDERS IN A PROGRAM, SO AS TO REQUIRE THE CIRCUIT SOLICITOR, OR ATTORNEY GENERAL, IF APPROPRIATE, TO SELECT AND APPROVE A BATTERER'S TREATMENT PROGRAM FOR USE AS PART OF PRETRIAL INTERVENTION FOR CERTAIN DOMESTIC VIOLENCE OFFENSES; BY ADDING ARTICLE 3 TO CHAPTER 25, TITLE 16 SO AS TO CREATE THE DOMESTIC VIOLENCE ADVISORY COMMITTEE WHOSE PURPOSE IS TO DECREASE THE INCIDENCES OF DOMESTIC VIOLENCE, TO DEFINE NECESSARY TERMS, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO PROVIDE FOR THE DUTIES OF THE COMMITTEE, AND TO EXEMPT CERTAIN MEETINGS AND INFORMATION FROM THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT AND PROVIDE FOR CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO THE INVESTIGATION AND REVIEW OF INCIDENCES OF DOMESTIC VIOLENCE BY THE COMMITTEE; BY ADDING ARTICLE 5 TO CHAPTER 25, TITLE 16 SO AS TO RECODIFY THE PROVISIONS OF SECTION 43-1-260, RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS, WITHIN ARTICLE 5; TO AMEND SECTION 59-32-30, AS AMENDED, RELATING

TO SUBJECTS TAUGHT IN THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO ADD THE SUBJECT OF DOMESTIC VIOLENCE BEGINNING WITH THE 2016-2017 SCHOOL YEAR; TO REPEAL SECTION 43-1-260 RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS; BY ADDING ARTICLE 18 TO CHAPTER 3, TITLE 16 SO AS TO CREATE PROVISIONS REGARDING PERMANENT RESTRAINING ORDERS, TO DEFINE NECESSARY TERMS, TO PROVIDE PROCEDURES FOR OBTAINING PERMANENT RESTRAINING ORDERS AND EMERGENCY RESTRAINING ORDERS; AND TO AMEND SECTION 22-5-910, AS AMENDED, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO INCLUDE FIRST OFFENSE CONVICTIONS FOR DOMESTIC VIOLENCE IN THE THIRD DEGREE IN THE PURVIEW OF THE STATUTE AFTER FIVE YEARS FROM THE DATE OF CONVICTION.

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

Part I

Citation

Citation

SECTION 1. This act may be cited as the “Domestic Violence Reform Act”.

Part II

Domestic Violence Penalties

Domestic violence, definitions added

SECTION 2. Section 16-25-10 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 16-25-10. As used in this article, the term:

(1) ‘Deadly weapon’ means any pistol, dirk, slingshot, metal knuckles, razor, or other instrument which can be used to inflict deadly force.

(2) ‘Great bodily injury’ means bodily injury which causes a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of a bodily member or organ.

(3) ‘Household member’ means:

- (a) a spouse;
- (b) a former spouse;
- (c) persons who have a child in common; or
- (d) a male and female who are cohabiting or formerly have cohabited.

(4) ‘Moderate bodily injury’ means physical injury that involves prolonged loss of consciousness or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or organ or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia or injury that results in a fracture or dislocation. Moderate bodily injury does not include one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other minor injuries that do not ordinarily require extensive medical care.

(5) ‘Prior conviction of domestic violence’ includes conviction of any crime, in any state, containing among its elements those enumerated in, or substantially similar to those enumerated in, Section 16-25-20(A) that is committed against a household member as defined in item (3) within the ten years prior to the incident date of the current offense.

(6) ‘Protection order’ means any order of protection, restraining order, condition of bond, or any other similar order issued in this State or another state or foreign jurisdiction for the purpose of protecting a household member.

(7) ‘Firearm’ means a pistol, revolver, rifle, shotgun, machine gun, submachine gun, or an assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive but does not include an antique firearm as defined in 18 U.S.C. 921(a)(16).”

Assault and battery, definition revised

SECTION 3. Section 16-3-600(A)(2) of the 1976 Code, as added by Act 273 of 2010, is amended to read:

“(2) ‘Moderate bodily injury’ means physical injury that involves prolonged loss of consciousness, or that causes temporary or moderate disfigurement or temporary loss of the function of a bodily member or

organ, or injury that requires medical treatment when the treatment requires the use of regional or general anesthesia or injury that results in a fracture or dislocation. Moderate bodily injury does not include one-time treatment and subsequent observation of scratches, cuts, abrasions, bruises, burns, splinters, or any other minor injuries that do not ordinarily require extensive medical care.”

Domestic violence, degrees created, penalties

SECTION 4. Section 16-25-20 of the 1976 Code, as last amended by Act 255 of 2008, is further amended to read:

“Section 16-25-20. (A) It is unlawful to:

(1) cause physical harm or injury to a person’s own household member; or

(2) offer or attempt to cause physical harm or injury to a person’s own household member with apparent present ability under circumstances reasonably creating fear of imminent peril.

(B) Except as otherwise provided in this section, a person commits the offense of domestic violence in the first degree if the person violates the provisions of subsection (A) and:

(1) great bodily injury to the person’s own household member results or the act is accomplished by means likely to result in great bodily injury to the person’s own household member;

(2) the person violates a protection order and in the process of violating the order commits domestic violence in the second degree;

(3) has two or more prior convictions of domestic violence within ten years of the current offense;

(4) the person uses a firearm in any manner while violating the provisions of subsection (A); or

(5) in the process of committing domestic violence in the second degree one of the following also results:

(a) the offense is committed in the presence of, or while being perceived by a minor;

(b) the offense is committed against a person known, or who reasonably should have been known, by the offender to be pregnant;

(c) the offense is committed during the commission of a robbery, burglary, kidnapping, or theft;

(d) the offense is committed by impeding the victim’s breathing or air flow; or

(e) the offense is committed using physical force or the threatened use of force against another to block that person’s access to

any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(i) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(ii) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

A person who violates this subsection is guilty of a felony and, upon conviction, must be imprisoned for not more than ten years.

Domestic violence in the first degree is a lesser included offense of domestic violence of a high and aggravated nature, as defined in Section 16-25-65.

(C) A person commits the offense of domestic violence in the second degree if the person violates subsection (A) and:

(1) moderate bodily injury to the person's own household member results or the act is accomplished by means likely to result in moderate bodily injury to the person's own household member;

(2) the person violates a protection order and in the process of violating the order commits domestic violence in the third degree;

(3) the person has one prior conviction for domestic violence in the past ten years from the current offense; or

(4) in the process of committing domestic violence in the third degree one of the following also results:

(a) the offense is committed in the presence of, or while being perceived by, a minor;

(b) the offense is committed against a person known, or who reasonably should have been known, by the offender to be pregnant;

(c) the offense is committed during the commission of a robbery, burglary, kidnapping, or theft;

(d) the offense is committed by impeding the victim's breathing or air flow; or

(e) the offense is committed using physical force or the threatened use of force against another to block that person's access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(i) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(ii) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.

A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than two thousand five hundred

dollars nor more than five thousand dollars or imprisoned for not more than three years, or both.

Domestic violence in the second degree is a lesser-included offense of domestic violence in the first degree, as defined in subsection (B), and domestic violence of a high and aggravated nature, as defined in Section 16-25-65.

Assault and battery in the second degree pursuant to Section 16-3-600(D) is a lesser-included offense of domestic violence in the second degree as defined in this subsection.

(D) A person commits the offense of domestic violence in the third degree if the person violates subsection (A).

(1) A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than two thousand five hundred dollars or imprisoned not more than ninety days, or both. Notwithstanding the provisions of Sections 22-3-540, 22-3-545, and 22-3-550, an offense pursuant to the provisions of this subsection may be tried in summary court.

(2) Domestic violence in the third degree is a lesser-included offense of domestic violence in the second degree, as defined in subsection (C), domestic violence in the first degree, as defined in subsection (B), and domestic violence of a high and aggravated nature, as defined in Section 16-25-65.

(3) Assault and battery in the third degree pursuant to Section 16-3-600(E) is a lesser-included offense of domestic violence in the third degree as defined in this subsection.

(4) A person who violates this subsection is eligible for pretrial intervention pursuant to Chapter 22, Title 17.

(E) When a person is convicted of a violation of Section 16-25-20(B) or (C) or Section 16-25-65, the circuit court may suspend execution of all or part of the sentence and place the offender on probation, or if a person is convicted of a violation of Section 16-25-20(D), the court may suspend execution of all or part of the sentence, conditioned upon:

(1) the offender's mandatory completion, to the satisfaction of the court, of a domestic violence intervention program designed to treat batterers in accordance with the provisions of subsection (G);

(2) fulfillment of all the obligations arising under court order pursuant to this section and Section 16-25-65;

(3) other reasonable terms and conditions of probation as the court may determine necessary to ensure the protection of the victim; and

(4) making restitution as the court deems appropriate.

(F) In determining whether or not to suspend the imposition or execution of all or part of a sentence as provided in this section, the court must consider the nature and severity of the offense, the number of times the offender has repeated the offense, and the best interests and safety of the victim.

(G) An offender who participates in a domestic violence intervention program pursuant to this section, shall participate in a program offered through a government agency, nonprofit organization, or private provider selected and approved by the Circuit Solicitor with jurisdiction over the offense or the Attorney General if the offense is prosecuted by the Attorney General's Office. If the offender moves to a different circuit after entering a treatment program selected by the Circuit Solicitor, the Circuit Solicitor for the county in which the offender resides shall have the authority to select and approve the batterer's treatment program. The offender shall pay a reasonable fee, if required, for participation in the program but no person may be denied participation due to inability to pay. If the offender suffers from a substance abuse problem or mental health concern, the judge may order, or the program may refer, the offender to supplemental treatment coordinated through the Department of Alcohol and Other Drug Abuse Services with the local alcohol and drug treatment authorities pursuant to Section 61-12-20 or the Department of Mental Health or Veterans' Hospital, respectively. The offender must pay a reasonable fee for participation in the substance abuse treatment or mental health program, if required, but no person may be denied participation due to inability to pay.

(H) A person who violates the terms and conditions of an order of protection issued in this State pursuant to Chapter 4, Title 20, the 'Protection from Domestic Abuse Act', or a valid protection order related to domestic or family violence issued by a court of another state, tribe, or territory is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than thirty days and fined not more than five hundred dollars.

(I) Unless the complaint is voluntarily dismissed or the charge is dropped prior to the scheduled trial date, a person charged with a violation provided in this chapter must appear before a judge for disposition of the case or be tried in the person's absence."

Domestic violence of a high and aggravated nature, offense revised

SECTION 5. Section 16-25-65 of the 1976 Code, as last amended by Act 166 of 2005, is further amended to read:

“Section 16-25-65. (A) A person who violates Section 16-25-20(A) is guilty of the offense of domestic violence of a high and aggravated nature when one of the following occurs. The person:

(1) commits the offense under circumstances manifesting extreme indifference to the value of human life and great bodily injury to the victim results;

(2) commits the offense, with or without an accompanying battery and under circumstances manifesting extreme indifference to the value of human life, and would reasonably cause a person to fear imminent great bodily injury or death; or

(3) violates a protection order and, in the process of violating the order, commits domestic violence in the first degree.

(B) A person who violates subsection (A) is guilty of a felony and, upon conviction, must be imprisoned for not more than twenty years.

(C) The provisions of subsection (A) create a statutory offense of domestic violence of a high and aggravated nature and must not be construed to codify the common law crime of assault and battery of a high and aggravated nature.

(D) Circumstances manifesting extreme indifference to the value of human life include, but are not limited to, the following:

(1) using a deadly weapon;

(2) knowingly and intentionally impeding the normal breathing or circulation of the blood of a household member by applying pressure to the throat or neck or by obstructing the nose or mouth of a household member and thereby causing stupor or loss of consciousness for any period of time;

(3) committing the offense in the presence of a minor;

(4) committing the offense against a person he knew, or should have known, to be pregnant;

(5) committing the offense during the commission of a robbery, burglary, kidnapping, or theft; or

(6) using physical force against another to block that person's access to any cell phone, telephone, or electronic communication device with the purpose of preventing, obstructing, or interfering with:

(a) the report of any criminal offense, bodily injury, or property damage to a law enforcement agency; or

(b) a request for an ambulance or emergency medical assistance to any law enforcement agency or emergency medical provider.”

Violent crimes defined, domestic violence in the first degree added

SECTION 6. Section 16-1-60 of the 1976 Code, as last amended by Act 7 of 2015, is further amended to read:

“Section 16-1-60. For purposes of definition under South Carolina law, a violent crime includes the offenses of: murder (Section 16-3-10); attempted murder (Section 16-3-29); assault and battery by mob, first degree, resulting in death (Section 16-3-210(B)), criminal sexual conduct in the first and second degree (Sections 16-3-652 and 16-3-653); criminal sexual conduct with minors, first, second, and third degree (Section 16-3-655); assault with intent to commit criminal sexual conduct, first and second degree (Section 16-3-656); assault and battery with intent to kill (Section 16-3-620); assault and battery of a high and aggravated nature (Section 16-3-600(B)); kidnapping (Section 16-3-910); trafficking in persons (Section 16-3-2020); voluntary manslaughter (Section 16-3-50); armed robbery (Section 16-11-330(A)); attempted armed robbery (Section 16-11-330(B)); carjacking (Section 16-3-1075); drug trafficking as defined in Section 44-53-370(e) or trafficking cocaine base as defined in Section 44-53-375(C); manufacturing or trafficking methamphetamine as defined in Section 44-53-375; arson in the first degree (Section 16-11-110(A)); arson in the second degree (Section 16-11-110(B)); burglary in the first degree (Section 16-11-311); burglary in the second degree (Section 16-11-312(B)); engaging a child for a sexual performance (Section 16-3-810); homicide by child abuse (Section 16-3-85(A)(1)); aiding and abetting homicide by child abuse (Section 16-3-85(A)(2)); inflicting great bodily injury upon a child (Section 16-3-95(A)); allowing great bodily injury to be inflicted upon a child (Section 16-3-95(B)); domestic violence of a high and aggravated nature (Section 16-25-65); domestic violence in the first degree (Section 16-25-20(B)); abuse or neglect of a vulnerable adult resulting in death (Section 43-35-85(F)); abuse or neglect of a vulnerable adult resulting in great bodily injury (Section 43-35-85(E)); taking of a hostage by an inmate (Section 24-13-450); detonating a destructive device upon the capitol grounds resulting in death with malice (Section 10-11-325(B)(1)); spousal sexual battery (Section 16-3-615); producing, directing, or promoting sexual performance by a child (Section 16-3-820); sexual exploitation of a minor first degree (Section 16-15-395); sexual exploitation of a minor second degree (Section 16-15-405); promoting prostitution of a minor (Section 16-15-415); participating in prostitution of a minor (Section 16-15-425); aggravated voyeurism (Section 16-17-470(C)); detonating a

destructive device resulting in death with malice (Section 16-23-720(A)(1)); detonating a destructive device resulting in death without malice (Section 16-23-720(A)(2)); boating under the influence resulting in death (Section 50-21-113(A)(2)); vessel operator's failure to render assistance resulting in death (Section 50-21-130(A)(3)); damaging an airport facility or removing equipment resulting in death (Section 55-1-30(3)); failure to stop when signaled by a law enforcement vehicle resulting in death (Section 56-5-750(C)(2)); interference with traffic-control devices, railroad signs, or signals resulting in death (Section 56-5-1030(B)(3)); hit and run resulting in death (Section 56-5-1210(A)(3)); felony driving under the influence or felony driving with an unlawful alcohol concentration resulting in death (Section 56-5-2945(A)(2)); putting destructive or injurious materials on a highway resulting in death (Section 57-7-20(D)); obstruction of a railroad resulting in death (Section 58-17-4090); accessory before the fact to commit any of the above offenses (Section 16-1-40); and attempt to commit any of the above offenses (Section 16-1-80). Only those offenses specifically enumerated in this section are considered violent offenses."

Three strikes, serious offenses, domestic violence in the first degree and domestic violence of a high and aggravated nature added

SECTION 7. Section 17-25-45(C)(2) of the 1976 Code is amended to read:

“(2) ‘Serious offense’ means:

(a) any offense which is punishable by a maximum term of imprisonment for thirty years or more which is not referenced in subsection (C)(1);

(b) those felonies enumerated as follows:

16-3-220	Lynching, Second degree
16-3-210(C)	Assault and battery by mob, Second degree
16-3-600(B)	Assault and battery of a high and aggravated nature
16-3-810	Engaging child for sexual performance
16-9-220	Acceptance of bribes by officers
16-9-290	Accepting bribes for purpose of procuring public office
16-11-110(B)	Arson, Second degree
16-11-312(B)	Burglary, Second degree

16-11-380(B)	Theft of a person using an automated teller machine
16-13-210(1)	Embezzlement of public funds
16-13-230(B)(3)	Breach of trust with fraudulent intent
16-13-240(1)	Obtaining signature or property by false pretenses
16-25-20(B)	Domestic violence, First degree
16-25-65	Domestic violence of a high and aggravated nature
38-55-540(3)	Insurance fraud
44-53-370(e)	Trafficking in controlled substances
44-53-375(C)	Trafficking in ice, crank, or crack cocaine
44-53-445(B)(1)&(2)	Distribute, sell, manufacture, or possess with intent to distribute controlled substances within proximity of school
56-5-2945	Causing death by operating vehicle while under influence of drugs or alcohol; and
	(c) the offenses enumerated below:
16-1-40	Accessory before the fact for any of the offenses listed in subitems (a) and (b)
16-1-80	Attempt to commit any of the offenses listed in subitems (a) and (b)
43-35-85(E)	Abuse or neglect of a vulnerable adult resulting in great bodily injury.”

Uniform traffic tickets, domestic violence in the second and third degree offenses added

SECTION 8. Section 56-7-10(A) of the 1976 Code is amended to read:

“(A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

Offense	Citation
Interfering with Police Officer	
Serving Process	Section 16-5-50
Dumping Trash on Highway/Private	
Property	Section 16-11-700
Indecent Exposure	Section 16-15-130
Disorderly Conduct	Section 16-17-530
Damaging Highway	Section 57-7-10
Place Glass, Nails, Etc. on Highway	Section 57-7-20
Obstruction of Highway by Railroad	

Cars, Etc.	Section 57-7-240
Signs Permitted on Interstate	Section 57-25-140
Brown Bagging	Section 61-5-20
Drinking Liquors in Public	
Conveyance	Section 61-13-360
Poles Dragging on Highway	Section 57-7-80
Open Container	Section 61-9-87
Purchase or Possession of Beer or	
Wine by a Person Under Age	Section 63-19-2440
Purchase or Possession of	
Alcoholic Liquor by a Person	
Under Age Twenty-One	Section 63-19-2450
Unlawful Possession and	
Consumption of Alcoholic Liquors	Section 61-5-30
Sale of Beer or Wine on Which	
Tax Has Not Been Paid	Section 61-9-20
Falsification of Age to Purchase	
Beer or Wine	Section 61-9-50
Unlawful Purchase of Beer or	
Wine for a Person Who Cannot	
Legally Buy	Section 61-9-60
Unlawful Sale or Purchase of Beer	
or Wine, Giving False Information	
as to Age, Buying Beer or Wine	
Unlawfully for Another	Section 61-9-85
Employment of a Person Under the	
Age of Twenty-One as an	
Employee in Retail or Wholesale	
or Manufacturing Liquor Business	Section 61-13-340
Failure to Remove Doors from	
Abandoned Refrigerators	Section 16-3-1010
Malicious Injury to Animals	
or Personal Property	Section 16-11-510
Timber, Logs, or Lumber Cutting,	
Removing, Transporting Without	
Permission, Valued at Less Than	
Fifty Dollars	Section 16-11-580
Littering	Section 16-11-700
Larceny of a Bicycle Valued at	
Less Than One Hundred Dollars	Section 16-13-80
Shoplifting	Section 16-13-110
Cock Fighting	Section 16-17-650

Ticket Scalping	Section 16-17-710
Domestic Violence, second and third degree	Section 16-25-20
Glue Sniffing	Section 44-53-1110
Trespassing	Section 16-11-755
Trespassing	Section 16-11-600
Trespassing	Section 16-11-610
Trespassing	Section 16-11-620
Negligent Operation of Watercraft; Operation of Watercraft While Under Influence of Alcohol or Drugs	Section 50-21-110
Negligence of Boat Livery to Provide Proper Equipment and Registration	Section 50-21-120
Interference with Aids to Navigation or Regulatory Markers or Operation of Watercraft in Prohibited Area	Section 50-21-170
Operation of Watercraft Without a Certificate of Title	Section 50-23-190
Parking on private property without permission	Section 16-11-760
Certificate of Veterinary Inspection; Requirement for Out-of-State Livestock or Poultry	Section 47-4-60
Inhibition of Livestock Inspection	Section 47-4-120
Imported Swine	Section 47-6-50
Operating Equine Sales Facility or Livestock Market Without Permit	Section 47-11-20
Liability of Person Removing Livestock for Slaughter	Section 47-11-120
Notice to Disinfect	Section 47-13-310
Quarantine of Livestock or Poultry	Section 47-4-70
Unlawful for Horse to Enter State Unless Tested	Section 47-13-1350
Quarantine of Exposed Horses	Section 47-13-1360
Proof of Test Required for Public Assembly of Horses	Section 47-13-1370
False Certificates	Section 47-13-1390
Unlawful to Feed Garbage to Swine Notification Required from Certain	Section 47-15-20

Persons Disposing of Garbage	Section 47-15-40
Sale of Uninspected Meat and Meat Products	Section 47-17-60
Sale of Uninspected Poultry and Poultry Product	Section 47-19-70”

Domestic violence, firearms and ammunition prohibitions, penalties

SECTION 9. Section 16-25-30 of the 1976 Code, as added by Act 59 of 2009, is amended to read:

“Section 16-25-30. (A) Notwithstanding the provisions of Section 16-23-30, it is unlawful for a person to ship, transport, receive, or possess a firearm or ammunition, if the person:

(1) has been convicted of a violation of Section 16-25-20(B) or 16-25-65, or has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(B) or Section 16-25-65;

(2) has been convicted of a violation of Section 16-25-20(C) and the court made specific findings and concluded that the person caused moderate bodily injury to their own household member, or has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(C) and the court made specific findings and concluded that the person caused moderate bodily injury to their own household member;

(3) has been convicted of a violation of Section 16-25-20(C) or (D) and the judge at the time of sentencing ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition, or has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(C) or (D) and the judge at the time of sentencing ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition;

(4) is subject to a valid order of protection issued by the family court pursuant to Chapter 4, Title 20, and the family court judge at the time of the hearing made specific findings of physical harm, bodily injury, assault, or that the person offered or attempted to cause physical harm or injury to a person’s own household member with apparent and present ability under the circumstances reasonably creating fear of imminent peril and the family court judge ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition. The standard applied in this subsection applies

only to the determination of whether to prohibit a person from possessing a firearm or ammunition and does not apply to the issuance of the order pursuant to Chapter 4, Title 20; or

(5) is subject to a valid order of protection related to domestic or family violence issued by a court of another state, tribe, or territory in compliance with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, and the judge at the time of the hearing made specific findings of physical harm, bodily injury, assault, or that the person offered or attempted to cause physical harm or injury to a person's own household member with apparent and present ability under the circumstances reasonably creating fear of imminent peril and the judge ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition. The standard applied in this subsection applies only to the determination of whether to prohibit a person from possessing a firearm or ammunition and does not apply to the issuance of the order pursuant to Chapter 4, Title 20.

(B) A person who violates subsection (A)(1) is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than five years, or both. A person who violates subsection (A)(2) or (A)(3) is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both. A person who violates subsection (A)(4) or (A)(5) is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

(C) A person must not be considered to have been convicted of domestic violence for purposes of this section unless the person was represented by counsel in the case, or knowingly and intelligently waived the right to counsel in the case; and in the case of a prosecution for an offense described in this section for which a person was entitled to a jury trial in the jurisdiction in which the case was tried, either the case was tried by a jury, or the person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise. A person must not be considered to have been convicted of domestic violence for purposes of this section if the conviction has been expunged, set aside, or is an offense for which the person has been pardoned.

(D) At the time a person is convicted of violating the provisions of Section 16-25-20 or 16-25-65, or upon the issuance of an order of protection pursuant to Chapter 4, Title 20, the court must deliver to the person a written form that conspicuously bears the following language: 'Pursuant to 18 U.S.C. Section 922, it is unlawful for a person convicted

of a violation of Section 16-25-20 or 16-25-65, or a person who is subject to a valid order of protection pursuant to Chapter 4, Title 20, to ship, transport, possess, or receive a firearm or ammunition.’

(E) The provisions of this section prohibiting the possession of firearms and ammunition by persons who have been convicted of domestic violence shall apply to a person who has been convicted of domestic violence for:

(1) life, if the person has been convicted of a violation of Section 16-25-65, or has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-65;

(2) ten years from the date of conviction or the date the person is released from confinement for the conviction, whichever is later, if the person has been convicted of a violation of Section 16-25-20(B), or has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(B);

(3) three years from the date of conviction or the date the person is released from confinement for the conviction, whichever is later, if the person has been convicted of a violation of Section 16-25-20(C) or (D) and the judge at the time of sentencing ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition, or has been convicted of domestic violence in another state, tribe, or territory containing among its elements those elements enumerated in Section 16-25-20(C) or (D) and the judge at the time of sentencing ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition; or

(4) the duration of the order of protection, if the person is subject to a valid order of protection issued by the family court pursuant to Chapter 4, Title 20, and the family court judge at the time of the hearing made specific findings of physical harm, bodily injury, assault, or that the person offered or attempted to cause physical harm or injury to a person’s own household member with apparent and present ability under the circumstances reasonably creating fear of imminent peril and the family court judge ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition, or is subject to a valid order of protection related to domestic or family violence issued by a court of another state, tribe, or territory in compliance with the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act and the judge at the time of the hearing made specific findings of physical harm, bodily injury, assault, or that the person offered or attempted to cause physical harm or injury to a

person's own household member with apparent and present ability under the circumstances reasonably creating fear of imminent peril and the judge ordered that the person is prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition.

(F)(1) Following the period of time established in subsection (E), if the person has not been convicted of any other domestic violence offenses pursuant to this article or similar offenses in another jurisdiction, no domestic violence charges are currently pending against the person, and the person is not otherwise prohibited from shipping, transporting, receiving, or possessing a firearm or ammunition pursuant to any other State law, the person's right to ship, transport, receive, or possess a firearm or ammunition shall be restored.

(2) Following the period of time established in subsection (E), if the person requests in writing to the South Carolina Law Enforcement Division (SLED), SLED shall notify the National Instant Criminal Background Check System (NICS) that the State has restored the person's right to ship, transport, receive, or possess a firearm or ammunition, and shall request immediate removal of the person's name to whom the restrictions contained in this section apply."

Part III

Bond Reform

Domestic violence, bond, twenty-four hour bond hearing requirement

SECTION 10. Section 17-15-30 of the 1976 Code, as last amended by Act 144 of 2014, is further amended to read:

"Section 17-15-30. (A) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court may, on the basis of the following information, consider the nature and circumstances of an offense charged and the charged person's:

- (1) family ties;
- (2) employment;
- (3) financial resources;
- (4) character and mental condition;
- (5) length of residence in the community;
- (6) record of convictions; and

(7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(B) A court shall consider:

- (1) a person's criminal record;
- (2) any charges pending against a person at the time release is requested;
- (3) all incident reports generated as a result of an offense charged;
- (4) whether a person is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and
- (5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(C)(1) Prior to or at the time of a hearing, the arresting law enforcement agency shall provide the court with the following information:

- (a) a person's criminal record;
- (b) any charges pending against a person at the time release is requested;
- (c) all incident reports generated as a result of the offense charged; and
- (d) any other information that will assist the court in determining conditions of release.

(2) The arresting law enforcement agency shall inform the court if any of the information is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person's hearing. Notwithstanding the provisions of this item, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty-four hours after the arrest.

(D) A court hearing these matters has contempt powers to enforce the provisions of this section."

Domestic violence, magistrates court bond, twenty-four hour bond hearing requirement

SECTION 11. Section 22-5-510 of the 1976 Code, as last amended by Act 144 of 2014, is further amended to read:

"Section 22-5-510. (A) Magistrates may admit to bail a person charged with an offense, the punishment of which is not death or

imprisonment for life; provided, however, with respect to violent offenses as defined by the General Assembly pursuant to Section 15, Article I of the Constitution of South Carolina, 1895, magistrates may deny bail giving due weight to the evidence and to the nature and circumstances of the event, including, but not limited to, any charges pending against the person requesting bail. 'Violent offenses' as used in this section means the offenses contained in Section 16-1-60. If a person under lawful arrest on a charge not bailable is brought before a magistrate, the magistrate shall commit the person to jail. If the offense charged is bailable, the magistrate shall take recognizance with sufficient surety, if it is offered, in default whereof the person must be incarcerated.

(B) A person charged with a bailable offense must have a bond hearing within twenty-four hours of his arrest and must be released within a reasonable time, not to exceed four hours, after the bond is delivered to the incarcerating facility.

(C) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court, on the basis of the following information, may consider the nature and circumstances of an offense charged and the charged person's:

- (1) family ties;
- (2) employment;
- (3) financial resources;
- (4) character and mental condition;
- (5) length of residence in the community;
- (6) record of convictions; and
- (7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(D) A court shall consider:

- (1) a person's criminal record;
- (2) any charges pending against a person at the time release is requested;
- (3) all incident reports generated as a result of an offense charged;
- (4) whether a person is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and
- (5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(E) Prior to or at the time of the bond hearing, the arresting law enforcement agency shall provide the court with the following information:

- (1) the person's criminal record;

(2) any charges pending against the person at the time release is requested;

(3) all incident reports generated as a result of the offense charged; and

(4) any other information that will assist the court in determining conditions of release.

(F) The arresting law enforcement agency shall inform the court if any of the information required in subsections (C), (D), and (E) is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person's bond hearing. Notwithstanding the provisions of this subsection, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty-four hours after the arrest.

(G) A court hearing this matter has contempt powers to enforce these provisions."

Bond, conforming change

SECTION 12. Section 17-15-10 of the 1976 Code is amended to read:

"Section 17-15-10. (A) A person charged with a noncapital offense triable in either the magistrates, county or circuit court, shall, at his appearance before any of such courts, be ordered released pending trial on his own recognizance without surety in an amount specified by the court, unless the court determines in its discretion that such a release will not reasonably assure the appearance of the person as required, or unreasonable danger to the community or an individual will result. If such a determination is made by the court, it may impose any one or more of the following conditions of release:

(1) require the execution of an appearance bond in a specified amount with good and sufficient surety or sureties approved by the court;

(2) place the person in the custody of a designated person or organization agreeing to supervise him;

(3) place restrictions on the travel, association, or place of abode of the person during the period of release;

(4) impose any other conditions deemed reasonably necessary to assure appearance as required, including a condition that the person return to custody after specified hours.

(B) A person charged with the offense of burglary in the first degree pursuant to Section 16-11-311 may have his bond hearing for that charge in summary court unless the solicitor objects.”

Domestic violence, bond, court required to consider certain factors

SECTION 13. Section 16-25-120(A) and (B) of the 1976 Code is amended to read:

“(A) In addition to the provisions of Section 17-15-30, the court must consider the factors provided in subsection (B) when considering release of a person on bond who is charged with a violent offense, as defined in Section 16-1-60, when the victim of the offense is a household member, as defined in Section 16-25-10, and the person:

(1) is subject to the terms of a valid order of protection or restraining order at the time of the offense in this State or another state;
or

(2) has a previous conviction involving the violation of a valid order of protection or restraining order in this State or another state.

(B) The court must consider the following factors before release of a person on bond who is subject to the provisions of subsection (A):

(1) whether the person has a history of domestic violence, as defined in this article, or a history of other violent offenses, as defined in Section 16-1-60;

(2) the mental health of the person;

(3) whether the person has a history of violating the orders of a court or other governmental agency; and

(4) whether the person poses a potential threat to another person.”

Bond, amendment of an order, clarification as to court with jurisdiction over the offense may amend an order

SECTION 14. Section 17-15-50 of the 1976 Code is amended to read:

“Section 17-15-50. The court with jurisdiction of the offense, at any time after notice and hearing, may amend the order to impose additional or different conditions of release.”

Bond, revocation, ten-day summary court concurrent jurisdiction with the circuit court to revoke bond

SECTION 15. Section 17-15-55 of the 1976 Code, as last amended by Act 144 of 2014, is further amended by adding an appropriately lettered subsection at the end to read:

“() For the purpose of bond revocation only, a summary court has concurrent jurisdiction with the circuit court for ten days from the date bond is first set on a charge by the summary court to determine if bond should be revoked.”

Part IV

Social Policy

Domestic violence, warrantless arrest and search, investigation required to be documented on incident report form, discretionary arrest

SECTION 16. Section 16-25-70(A) and (B) of the 1976 Code, as last amended by Act 319 of 2008, is further amended to read:

“(A) A law enforcement officer may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony pursuant to the provisions of Section 16-25-20, 16-25-65, or 16-25-125, even if the act did not take place in the presence of the officer. The officer may, if necessary, verify the existence of probable cause related to a violation pursuant to the provisions of this chapter by telephone or radio communication with the appropriate law enforcement agency. A law enforcement agency must complete an investigation of an alleged violation of this chapter even if the law enforcement agency was not notified at the time the alleged violation occurred. The investigation must be documented on an incident report form which must be maintained by the investigating agency. If an arrest warrant is sought, the law enforcement agency must present the results of the investigation and any other relevant evidence to a magistrate who may issue an arrest warrant if probable cause is established.

(B) A law enforcement officer may arrest, with or without a warrant, a person at the person’s place of residence or elsewhere if physical

manifestations of injury to the alleged victim are present and the officer has probable cause to believe that the person is committing or has freshly committed a misdemeanor or felony under the provisions of Section 16-25-20 or 16-25-65 even if the act did not take place in the presence of the officer. A law enforcement officer may not make an arrest if he determines probable cause does not exist after consideration of the factors set forth in subsection (D) and observance that no physical manifestation of injury is present. The officer may, if necessary, verify the existence of an order of protection by telephone or radio communication with the appropriate law enforcement agency.”

Victims’ compensation, definition of “victim” revised

SECTION 17. Section 16-3-1110(8) of the 1976 Code is amended to read:

“(8) ‘Victim’ means a person who suffers direct or threatened physical, emotional, or financial harm as the result of an act by someone else, which is a crime. The term includes immediate family members of a homicide victim or of any other victim who is either incompetent or a minor and includes an intervenor. The term also includes a minor who is a witness to a domestic violence offense pursuant to Section 16-25-20 or Section 16-25-65.”

Department of Social Services, domestic violence victims’ access to childcare services

SECTION 18. The Department of Social Services in consultation with the South Carolina Voucher Program is directed to study current regulations and policies to ensure a domestic violence survivor may apply for childcare and receive childcare services while living in a traditional shelter or while sheltering in the home. The availability of such childcare must be designed to assist the survivor in receiving necessary services related to the care of the child in order to encourage participation in relevant court hearings if the survivor so chooses. The Department of Social Services and the South Carolina Voucher Program shall review relevant regulations as provided in this SECTION and report to the General Assembly by January 1, 2016, on whether current regulations are sufficient to meet the requirements of this SECTION or new regulations must be submitted to the General Assembly.

Pretrial Intervention Program, batterers' treatment program requirements

SECTION 19. Section 17-22-90(7) of the 1976 Code is amended to read:

“(7) if the offense is domestic violence pursuant to Section 16-25-20, agree in writing to successful completion of a batterer’s treatment program selected and approved by the Circuit Solicitor with jurisdiction over the offense or the Attorney General if the offense is prosecuted by the Attorney General’s Office. If the offender moves to a different circuit after entering a treatment program selected by the Circuit Solicitor, the Circuit Solicitor for the county in which the offender resides shall have the authority to select and approve the batterer’s treatment program.”

Domestic Violence Advisory Committee created

SECTION 20. Chapter 25, Title 16 of the 1976 Code is amended by adding:

“Article 3

Domestic Violence Advisory Committee

Section 16-25-310. For purposes of this article:

(1) ‘Committee’ means the Domestic Violence Advisory Committee.

(2) ‘Household member’ means a household member as defined in Section 16-25-10.

(3) ‘Meeting’ means both in-person meetings and meetings through telephone conferencing.

(4) ‘Provider of medical care’ means a licensed health care practitioner who provides, or a licensed health care facility through which is provided, medical evaluation or treatment, including dental and mental health evaluation or treatment.

(5) ‘Working day’ means Monday through Friday, excluding official state holidays.

Section 16-25-320. (A) There is created a multidisciplinary Domestic Violence Advisory Committee composed of:

(1) the Attorney General of the State of South Carolina, or a designee, who serves ex officio;

(2) the Director of the South Carolina Department of Social Services, or a designee, who serves ex officio;

(3) the Director of the South Carolina Department of Health and Environmental Control, or a designee, who serves ex officio;

(4) the Director of the South Carolina Criminal Justice Academy, or a designee, who serves ex officio;

(5) the Chief of the South Carolina Law Enforcement Division, or a designee, who serves ex officio;

(6) the Director of the South Carolina Department of Alcohol and Other Drug Abuse Services, or a designee, who serves ex officio;

(7) the Director of the South Carolina Department of Mental Health, or a designee, who serves ex officio;

(8) a county coroner or medical examiner, appointed by the Governor on the recommendation of the South Carolina Criminal Justice Academy, who serves ex officio;

(9) a solicitor, appointed by the Governor on the recommendation of the Attorney General, who serves ex officio;

(10) a sheriff, appointed by the Governor on the recommendation of the Sheriffs' Association;

(11) a victim advocate, appointed by the Governor on the recommendation of the State Office of Victim Assistance of the Office of the Governor;

(12) a physician with experience in treating victims of domestic violence, appointed by the Governor on the recommendation of the South Carolina Medical Association;

(13) two members of the public at large dedicated to the issue of domestic violence, appointed by the Governor;

(14) a police chief, appointed by the Governor on the recommendation of the Law Enforcement Officers' Association;

(15) one member of the South Carolina Senate, appointed by the Senate Judiciary Committee Chairman; and

(16) one member of the South Carolina House of Representatives, appointed by the House Judiciary Committee Chairman.

(B)(1) If an individual enumerated in subsection (A)(1) through (7) designates an employee to serve as the committee member, the designee must have administrative or program responsibilities for domestic violence.

(2) A member appointed by the Governor shall serve a term of four years and until a successor is appointed and qualifies.

(C) The members of the committee shall elect a chairman and vice chairman from among the membership by a majority vote. The chairman and vice chairman shall serve terms of two years.

(D) The committee shall hold meetings at least quarterly. A majority of the committee constitutes a quorum for the purpose of holding a meeting.

(E) Each ex officio member shall provide sufficient staff and administrative support to carry out the responsibilities of this article.

Section 16-25-330. (A) The purpose of the Domestic Violence Advisory Committee is to decrease the incidences of domestic violence by:

(1) developing an understanding of the causes and incidences of domestic violence;

(2) developing plans for and implementing changes within the agencies represented on the committee which will prevent domestic violence; and

(3) advising the Governor and the General Assembly on statutory, policy, and practice changes which will prevent domestic violence.

(B) To achieve its purpose, the committee shall:

(1) undertake annual statistical studies of the incidences and causes of domestic violence in this State, including an analysis of:

(a) community and public and private agency involvement with the victims and their families;

(b) whether the abuser has a previous criminal record involving domestic violence or assault and battery;

(c) recidivism rates;

(d) the presence of alcohol or drug use;

(e) whether the abuser has participated in a batterer treatment program or other similar treatment program and the name of the program;

(f) the success or failure rate of approved treatment programs;

(g) married versus unmarried rates of violence; and

(h) the rate of domestic violence per county;

(2) consider training, including cross-agency training, consultation, technical assistance needs, and service gaps that would decrease the likelihood of domestic violence;

(3) determine the need for changes to any statute, regulation, policy, or procedure to decrease the incidences of domestic violence and include proposals for changes to statutes, regulations, policies, and procedures in the committee's annual report;

(4) educate the public regarding the incidences and causes of domestic violence, specific steps the public can undertake to prevent domestic violence, and the support that civic, philanthropic, and public

service organizations can provide in assisting the committee to educate the public;

(5) develop and implement policies and procedures for its own governance and operation;

(6) submit to the Governor and the General Assembly a publicly available annual written report and any other reports prepared by the committee including, but not limited to, the committee's findings and recommendations; and

(7) review closed domestic violence cases selected by the Attorney General or solicitor's representative on the committee to provide the commission with the best opportunity to fulfill its duties under the section.

Section 16-25-340. Upon request of the committee and as necessary to carry out the committee's purpose and duties, the committee immediately must be provided:

(1) by a provider of medical care, access to information and records regarding a person whose death is being reviewed by the department pursuant to this article;

(2) access to all information and records maintained by any state, county, or local government agency including, but not limited to, birth certificates, law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and records, and information and records of social services and health agencies that provided services to the victim, alleged perpetrator, and other household members.

Section 16-25-350. When necessary in the discharge of the duties of the committee and upon application of the committee, the clerks of court shall issue a subpoena or subpoena duces tecum to any state, county, or local agency, board, or commission or to a representative of any state, county, or local agency, board, or commission or to a provider of medical care to compel the attendance of witnesses and production of documents, books, papers, correspondence, memoranda, and other relevant records to the discharge of the department's duties. Failure to obey a subpoena or subpoena duces tecum issued pursuant to this section may be punished as contempt.

Section 16-25-360. (A) Meetings of the committee are closed to the public and are not subject to Chapter 4, Title 30, the Freedom of Information Act, when the committee and department are discussing an individual case of domestic violence.

(B) Except as provided in subsection (C), meetings of the committee are open to the public and subject to the Freedom of Information Act when the committee is not discussing an individual case of domestic violence.

(C) Information identifying a victim or a household member, guardian, or caretaker of a victim, or an alleged or suspected perpetrator of domestic violence may not be disclosed during a public meeting, and information regarding the involvement of any agency with the victim, alleged perpetrator, and other household members may not be disclosed during a public meeting.

(D) Violation of this section is a misdemeanor and, upon conviction, a person must be fined not more than five hundred dollars or imprisoned not more than six months, or both.

Section 16-25-370. (A) All information and records acquired by the committee in the exercise of their purposes and duties pursuant to this article are confidential, exempt from disclosure under Chapter 4, Title 30, the Freedom of Information Act, and only may be disclosed as necessary to carry out the committee's and department's duties and purposes.

(B) Statistical compilations of data which do not contain information that would permit the identification of a person to be ascertained are public records.

(C) Reports of the committee which do not contain information that would permit the identification of a person to be ascertained are public information.

(D) Except as necessary to carry out the committee's purposes and duties, members of the committee and persons attending their meeting may not disclose what transpired at a meeting which is not public under Section 16-25-360 and may not disclose information, the disclosure of which is prohibited by this section.

(E) Members of the committee, persons attending a committee meeting, and persons who present information to the committee may not be required to disclose in any civil or criminal proceeding information presented in or opinions formed as a result of a meeting, except that information available from other sources is not immune from introduction into evidence through those sources solely because it was presented during proceedings of the committee or department or because it is maintained by the committee or department. Nothing in this subsection prevents a person from testifying to information obtained independently of the committee or which is public information.

(F) Information, documents, and records of the committee are not subject to subpoena, discovery, or the Freedom of Information Act, except that information, documents, and records otherwise available from other sources are not immune from subpoena, discovery, or the Freedom of Information Act through those sources solely because they were presented during proceedings of the committee or department or because they are maintained by the committee or department.

(G) Violation of this section is a misdemeanor and, upon conviction, a person must be fined not more than five hundred dollars or imprisoned for not more than six months, or both.”

Community Domestic Violence Coordinating Councils reconstituted

SECTION 21. Chapter 25, Title 16 of the 1976 Code is amended by adding:

“Article 5

Community Domestic Violence Coordinating Councils

Section 16-25-510. The circuit solicitor shall facilitate the development of community domestic violence coordinating councils in each county or judicial circuit based upon public-private sector collaboration.

Section 16-25-520. The purpose of a community domestic violence coordinating council is to:

- (1) increase the awareness and understanding of domestic violence and its consequences;
- (2) reduce the incidence of domestic violence in the county or area served; and
- (3) enhance and ensure the safety of battered individuals and their children.

Section 16-25-530. The duties and responsibilities of a community domestic violence coordinating council include, but are not limited to:

- (1) promoting effective strategies of intervention for identifying the existence of domestic violence and for intervention by public and private agencies;
- (2) establishing interdisciplinary and interagency protocols for intervention with survivors of domestic violence;

- (3) facilitating communication and cooperation among agencies and organizations that are responsible for addressing domestic violence;
- (4) monitoring, evaluating, and improving the quality and effectiveness of domestic violence services and protections in the community;
- (5) providing public education and prevention activities; and
- (6) providing professional training and continuing education activities.

Section 16-25-540. Membership on a community domestic violence coordinating council may include, but is not limited to, representatives from magistrates court, family court, law enforcement, solicitor's office, probation and parole, batterer intervention programs or services, nonprofit battered individual's program advocates, counseling services for children, legal services, victim assistance programs, the medical profession, substance abuse counseling programs, the clergy, survivors of domestic violence, local department of social services, and the education community. Members on the council shall develop memoranda of agreement among and between themselves to ensure clarity of roles and responsibilities in providing services to victims of domestic violence.

Section 16-25-550. Each community domestic violence coordinating council is responsible for generating revenue for its operation and administration.”

Health education, subject of domestic violence to be included

SECTION 22. Section 59-32-30(A)(2) of the 1976 Code is amended to read:

“(2) Beginning with the 1988-1989 school year, for grades six through eight, instruction in comprehensive health must include the following subjects: community health, consumer health, environmental health, growth and development, nutritional health, personal health, prevention and control of diseases and disorders, safety and accident prevention, substance use and abuse, dental health, mental and emotional health, and reproductive health education. Sexually transmitted diseases are to be included as a part of instruction. At the discretion of the local board, instruction in family life education or pregnancy prevention education or both may be included, but instruction in these subjects may not include an explanation of the methods of contraception before the

sixth grade. Beginning with the 2016-2017 school year, for grades six through eight, instruction in comprehensive health education also must include the subject of domestic violence.”

Repeal

SECTION 23. Section 43-1-260 of the 1976 Code is repealed.

Part V

Permanent Restraining Orders

Permanent restraining orders, emergency restraining orders

SECTION 24. Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Article 18

Permanent Restraining Orders

Section 16-3-1900. For purposes of this article:

(1) ‘Complainant’ means a victim of a criminal offense that occurred in this State, a competent adult who resides in this State on behalf of a minor child who is a victim of a criminal offense that occurred in this State, or a witness who assisted the prosecuting entity in the prosecution of a criminal offense that occurred in this State.

(2) ‘Conviction’ means a conviction, adjudication of delinquency, guilty plea, nolo contendere plea, or forfeiture of bail.

(3) ‘Criminal offense’ means an offense against the person of an individual when physical or psychological harm occurs, including both common law and statutory offenses contained in Sections 16-3-1700, 16-3-1710, 16-3-1720, 16-3-1730, 16-25-20, 16-25-30, 16-25-65 and 23-3-430; criminal sexual conduct offenses pled down to assault and battery of a high and aggravated nature; domestic violence offenses pled down to assault and battery or assault and battery of a high and aggravated nature; and the common law offense of attempt, punishable pursuant to Section 16-1-80.

(4) ‘Family’ means a spouse, child, parent, sibling, or a person who regularly resides in the same household.

(5) 'Respondent' means a person who was convicted of a criminal offense for which the victim was the subject of the crime or the witness who assisted the prosecuting entity in prosecuting the criminal offense.

(6) 'Victim' means:

(a) a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a criminal offense; or

(b) the spouse, parent, child, or lawful representative of a victim who is deceased, a minor, incompetent, or physically or psychologically incapacitated.

'Victim' does not include a person who is the subject of an investigation for, charged with, or has been convicted of the offense in question; a person, including a spouse, parent, child, or lawful representative, who is acting on behalf of a suspect, juvenile offender, or defendant, unless such actions are required by law; or a person who was imprisoned or engaged in an illegal act at the time of the offense.

(7) 'Witness' means a person who has been or is expected to be summoned to testify for the prosecution, or who by reason of having relevant information is subject to being called or likely to be called as a witness for the prosecution, whether or not any action or proceeding has been commenced.

Section 16-3-1910. (A) The circuit court and family court have jurisdiction over an action seeking a permanent restraining order.

(B) To seek a permanent restraining order, a person must:

(1) request the order in general sessions court or family court, as applicable, at the time the respondent is convicted for the criminal offense committed against the complainant; or

(2) file a summons and complaint in common pleas court in the county in which:

(a) the respondent resides when the action commences;

(b) the criminal offense occurred; or

(c) the complainant resides, if the respondent is a nonresident of the State or cannot be found.

(C) The following persons may seek a permanent restraining order:

(1) a victim of a criminal offense that occurred in this State;

(2) a competent adult who resides in this State on behalf of a minor child who is a victim of a criminal offense that occurred in this State; or

(3) a witness who assisted the prosecuting entity in the prosecution of a criminal offense that occurred in this State.

(D) A complaint must:

(1) state that the respondent was a person convicted of a criminal offense for which the victim was the subject of the crime or for which the witness assisted the prosecuting entity;

(2) state when and where the conviction took place, and the name of the prosecuting entity and court;

(3) be verified; and

(4) inform the respondent of his right to retain counsel to represent the respondent at the hearing on the complaint.

(E) A complainant shall provide his address to the court and to any appropriate law enforcement agencies. The complainant's address must be kept under seal, omitted from all documents filed with the court, and is not subject to Freedom of Information Act requests pursuant to Section 30-4-10, et seq. The complainant may designate an alternative address to receive notice of motions or pleadings from the respondent.

(F) The circuit court must provide forms to facilitate the preparation and filing of a summons and complaint for a permanent restraining order by a complainant not represented by counsel. The court must not charge a fee for filing a summons and complaint for a permanent restraining order.

(G) A complainant shall serve his summons and complaint for a permanent restraining order along with a notice of the date, time, and location of the hearing on the complaint pursuant to Rule 4 of the South Carolina Rules of Civil Procedure. The summons must require the respondent to answer or otherwise plead within thirty days of the date of service.

(H) The court may enter a permanent restraining order by default if the respondent was served in accordance with the provisions of this section and fails to answer as directed, or fails to appear on a subsequent appearance or hearing date agreed to by the parties or set by the court.

(I) The hearing on a permanent restraining order may be done electronically via closed circuit television or through other electronic means when possible. If the respondent is confined in a Department of Corrections facility, the complainant may come to the Department of Probation, Parole and Pardon Services in Richland County to have the hearing held electronically via closed circuit television or through other electronic means.

(J) Upon a finding that the respondent was convicted of a criminal offense for which the victim was the subject of the crime or for which the witness assisted the prosecuting entity, as applicable, the court may issue a permanent restraining order. In determining whether to issue a permanent restraining order, physical injury to the victim or witness is not required.

(K) The terms of a permanent restraining order must protect the victim or witness and may include enjoining the respondent from:

(1) abusing, threatening to abuse, or molesting the victim, witness, or members of the victim's or witness' family;

(2) entering or attempting to enter the victim's or witness' place of residence, employment, education, or other location; and

(3) communicating or attempting to communicate with the victim, witness, or members of the victim's or witness' family in a way that would violate the provisions of this section.

(L) A permanent restraining order must conspicuously bear the following language: 'Violation of this order is a felony criminal offense punishable by up to five years in prison.'

(M)(1) A permanent restraining order remains in effect for a period of time to be determined by the judge. If a victim or witness is a minor at the time a permanent restraining order is issued on the minor's behalf, the victim or witness, upon reaching the age of eighteen, may file a motion with the circuit court to have the permanent restraining order removed.

(2) The court may modify the terms of a permanent restraining order upon request of the complainant, including extending the duration of the order or lifting the order.

(N) Notwithstanding another provision of law, a permanent restraining order is enforceable throughout this State.

(O) Law enforcement officers shall arrest a respondent who is acting in violation of a permanent restraining order after service and notice of the order is provided. A respondent who is in violation of a permanent restraining order is guilty of a felony, if the underlying conviction that was the basis for the permanent restraining order was a felony and, upon conviction, must be imprisoned not more than five years. If the underlying conviction that was the basis for the permanent restraining order was a misdemeanor, a respondent who is in violation of a permanent restraining order is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than three years, or both.

(P) Permanent restraining orders are protection orders for purposes of Section 20-4-320, the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, as long as all other criteria of Article 3, Chapter 4, Title 20 are met. However, permanent restraining orders are not orders of protection for purposes of Section 16-25-30.

(Q) The remedies provided by this section are not exclusive, but are additional to other remedies provided by law.

Section 16-3-1920. (A) The magistrates court has jurisdiction over an action seeking an emergency restraining order.

(B) An action for an emergency restraining order must be filed in the county in which:

- (1) the respondent resides when the action commences;
- (2) the criminal offense occurred; or
- (3) the complainant resides, if the respondent is a nonresident of the State or cannot be found.

(C) A summons and complaint for an emergency restraining order may be filed by:

- (1) a victim of a criminal offense that occurred in this State;
- (2) a competent adult who resides in this State on behalf of a minor child who is a victim of a criminal offense that occurred in this State; or
- (3) a witness who assisted the prosecuting entity in the prosecution of a criminal offense that occurred in this State.

(D) The complaint must:

- (1) state that the respondent was convicted of a criminal offense for which the victim was the subject of the crime or for which the witness assisted the prosecuting entity;
- (2) state when and where the conviction took place, and the name of the prosecuting entity and court;
- (3) be verified; and
- (4) inform the respondent of his right to retain counsel to represent the respondent at the hearing on the complaint.

(E) A complainant shall provide his address to the court and to any appropriate law enforcement agencies. The complainant's address must be kept under seal, omitted from all documents filed with the court, and is not subject to Freedom of Information Act requests pursuant to Section 30-4-10, et seq. The complainant may designate an alternative address to receive notice of motions or pleadings from the respondent.

(F) The court must provide forms to facilitate the preparation and filing of a summons and complaint for an emergency restraining order by a complainant not represented by counsel. The court must not charge a fee for filing a summons and complaint for an emergency restraining order.

(G)(1) Except as provided in subsection (H), the court shall hold a hearing on an emergency restraining order within fifteen days of the filing of a summons and complaint, but not sooner than five days after service has been perfected upon the respondent.

(2) The court shall serve a copy of the summons and complaint upon the respondent at least five days before the hearing in the same

manner required for service as provided in the South Carolina Rules of Civil Procedure.

(3) The hearing may be done electronically via closed circuit television or through other electronic means when possible. If the respondent is confined in a Department of Corrections facility, the complainant may come to the Department of Probation, Parole and Pardon Services in Richland County to have the hearing held electronically via closed circuit television or through other electronic means.

(4) The court may issue an emergency restraining order upon a finding that:

(a) the respondent was convicted of a criminal offense for which the victim was the subject of the crime or for which the witness assisted the prosecuting entity, as applicable; and

(b) a restraining order has expired, is set to expire, or is not available and the common pleas court is not in session for the complainant to obtain a permanent restraining order.

In determining whether to issue an emergency restraining order, physical injury to the victim or witness is not required.

(H)(1) Within twenty-four hours after the filing of a summons and complaint seeking an emergency restraining order, the court may hold an emergency hearing and issue an emergency restraining order without giving the respondent notice of the motion for the order if:

(a) the respondent was convicted of a criminal offense for which the victim was the subject of the crime or for which the witness assisted the prosecuting entity, as applicable;

(b) a restraining order has expired, is set to expire, or is not available and the common pleas court is not in session for the complainant to obtain a permanent restraining order;

(c) it clearly appears from specific facts shown by a verified complaint or affidavit that immediate injury, loss, or damage will result to the victim or witness before the respondent can be heard; and

(d) the complainant certifies to the court that one of the following has occurred:

(i) efforts have been made to serve the notice; or

(ii) there is good cause to grant the remedy because the harm that the remedy is intended to prevent would likely occur if the respondent were given prior notice of the complainant's efforts to obtain judicial relief.

In determining whether to issue an emergency restraining order, physical injury to the victim or witness is not required.

(2) An emergency restraining order granted without notice must be endorsed with the date and hour of issuance and entered on the record with the magistrates court. The order must be served upon the respondent together with a copy of the summons, complaint, and a Rule to Show Cause why the order should not be extended until the hearing for a permanent restraining order.

(I) The terms of an emergency restraining order must protect the victim or witness and may include temporarily enjoining the respondent from:

(1) abusing, threatening to abuse, or molesting the victim, witness, or members of the victim's or witness' family;

(2) entering or attempting to enter the victim's or witness' place of residence, employment, education, or other location; and

(3) communicating or attempting to communicate with the victim, witness, or members of the victim's or witness' family in a way that would violate the provisions of this section.

(J) An emergency restraining order conspicuously must bear the following language: 'Violation of this order is a felony criminal offense punishable by up to five years in prison.'

(K) The court shall serve the respondent with a certified copy of the emergency restraining order and provide a copy to the complainant and to the local law enforcement agencies having jurisdiction over the area where the victim or witness resides. Service must be made without charge to the complainant.

(L)(1) An emergency restraining order remains in effect until a hearing on a restraining order. However, if a complainant does not seek a permanent restraining order pursuant to Section 16-3-1910 within forty-five days of the issuance of an emergency restraining order, the emergency restraining order no longer remains in effect.

(2) The court may modify the terms of an emergency restraining order.

(M) Notwithstanding another provision of law, an emergency restraining order is enforceable throughout this State.

(N) Law enforcement officers shall arrest a respondent who is acting in violation of an emergency restraining order after service and notice of the order is provided. An arrest warrant is not required. A respondent who is in violation of an emergency restraining order is guilty of a felony, if the underlying conviction that was the basis for the emergency restraining order was a felony and, upon conviction, must be imprisoned not more than five years. If the underlying conviction that was the basis for the emergency restraining order was a misdemeanor, a respondent who is in violation of an emergency restraining order is guilty of a

misdeemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than three years, or both.

(O) Emergency restraining orders are protection orders for purposes of Section 20-4-320, the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act, as long as all other criteria of Article 3, Chapter 4, Title 20 are met. However, permanent restraining orders are not orders of protection for purposes of Section 16-25-30.

(P) The remedies provided by this section are not exclusive but are additional to other remedies provided by law.”

Part VI

Expungement

Expungement, first offense, third degree domestic violence offenses included

SECTION 25. Section 22-5-910 of the 1976 Code, as last amended by Act 276 of 2014, is further amended to read:

“Section 22-5-910. (A) Following a first offense conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this subsection does not apply to:

- (1) an offense involving the operation of a motor vehicle; or
- (2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized.

(B) Following a first offense conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) If the defendant has had no other conviction during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), the circuit court may issue an order

expunging the records including any associated bench warrant. No person may have his records expunged under this section more than once. A person may have his record expunged even though the conviction occurred prior to June 1, 1992.

(D) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(E) As used in this section, 'conviction' includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail."

Part VII

Savings Clause, Severability Clause, and Effective Date

Savings clause

SECTION 26. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

Severability clause

SECTION 27. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this Act, and each and every section, subsection, paragraph, subparagraph,

sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 28. This act takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2015.

Approved the 4th day of June, 2015.

No. 59

(R90, S78)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “FORFEITED LANDS EMERGENCY DEVELOPMENT ACT” BY ADDING SECTION 12-59-140 SO AS TO AUTHORIZE THE COUNTY COUNCIL TO PETITION THE DEPARTMENT OF REVENUE TO ALLOW THE COUNTY’S FORFEITED LAND COMMISSION TO UTILIZE EMERGENCY PROCEDURES, TO SPECIFY THE PROCESS BY WHICH THE PETITION IS SUBMITTED, AND TO SPECIFY THE EMERGENCY PROCEDURES; AND BY ADDING SECTION 12-59-150 SO AS TO PROHIBIT AN IMMEDIATE FAMILY MEMBER OF A COUNTY FORFEITED LAND COMMISSION MEMBER FROM PURCHASING LAND FROM THE FORFEITED LAND COMMISSION ON WHICH THEIR RELATIVE SERVES, AND TO PROVIDE EXCEPTIONS.

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

Citation

SECTION 1. This act may be referred to and cited as the “Forfeited Lands Emergency Development Act”.

Emergency procedures for county forfeited land commission

SECTION 2. Article 1, Chapter 59, Title 12 of the 1976 Code is amended by adding:

“Section 12-59-140. (A) The county council may petition the Department of Revenue for authority to use the procedures provided for in this section when the number and percentage of subdivided properties in the county that have been bid into the commission have, and are reasonably continued to have:

(1) a significant adverse effect on county ad valorem tax collections that severely affect continued essential public services in the county; or

(2) a significant adverse effect on economic development and employment in the county resulting from the limited number of properties available for sale and improvement.

(B) For purposes of this section, ‘subdivided properties’ refer to a parcel or parcels of real property, residential or commercial, made up of multiple lots.

(C) The petition to the Department of Revenue must provide for:

(1) all necessary documentation to support the past and anticipated future adverse impacts, including historical data on the number and percentage of properties bid into the forfeited land commission;

(2) the loss of ad valorem tax revenues associated with these properties;

(3) the impact of any millage increases imposed by the county to compensate for such lost ad valorem tax revenues;

(4) the past and projected future impact on the ability of the county to deliver essential public services; and

(5) the past and projected future impact on county development and employment opportunities.

(D) If the Department of Revenue approves the petition, the county’s forfeited land commission is authorized to utilize the emergency procedures contained in this section for a period not to exceed five years from the date of approval. This authorization may be extended for additional one-year increments, not to exceed two one-year extensions. Petitions for extensions must contain the same types of documentation specified in subsection (C).

(E) Notwithstanding any other provision of law:

(1) The forfeited land commission of any county may, at its discretion, establish a revolving fund to pay for its legal and other expenses. This fund shall be established and maintained by the county

treasurer from a portion of the proceeds of the sale of forfeited lands in an amount not exceeding fifty percent of the sale price of any forfeited land, in whole or in part. Legal and other expenses for which the funds may be expended may not include compensation to any members of the commission, but may include:

(a) payment of legal or other expenses in connection with the commission's decision to accept or reject a forfeited land to be held as an asset of the county;

(b) payment of legal or other expenses in connection with the commission's decision to obtain clear title to a forfeited land pursuant to Section 12-61-10;

(c) payment of a commission to a certified realtor or broker not to exceed three percent of the sales price of any forfeited land, in whole or in part;

(d) the cost of advertising the sale of forfeited lands, including the cost of any multiple realty listing established or provided by commercial realtors or brokers; and

(e) the cost of any clean up of a site, including demolition and disposal costs, intended to make the property salable.

(2) The acquisition of clear title to forfeited lands shall be considered an industrial or commercial development project pursuant to Chapter 29, Title 4, for which a county council may issue special revenue bonds for the purpose of initial funding of revolving funds under this section. Payment of the principal and interest for such bonds may be made from the proceeds of the sale of the forfeited lands.

(3) The forfeited land commission of a county that has established a revolving fund under this section shall dissolve or reduce the amount of funds held by the county treasurer in the fund when it is no longer required for the timely and effective marketing and sale of forfeited lands. The released funds will be deposited into the general fund of the county not later than thirty days from the date of decision by the commission or the date of the expiration of the authorization and, if necessary, may be used to complete any payment of principal and interest remaining from the sale of any special revenue bonds used for the initial establishment of the revolving fund.

(4) The authorized representative of a forfeited land commission that elects to clear tax titles pursuant to Section 12-61-10 may bring multiple actions to the court of common pleas in a single suit, if all of the properties included in the suit were previously owned by a single, individual, partnership, or corporation.

(5) The payment of the expenses of forfeited land commissions exercising authority under this section shall include the collection of its

expenses as a part of the sale price of forfeited lands by former owners pursuant to Section 12-59-60 and the disposition of the proceeds of land sales pursuant to Section 12-59-100.

(6) Deductions from 'value' pursuant to Section 12-24-30(B) shall include any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.

(7) Investments by county treasurers under Section 12-45-220(A) may include sums held by the treasurer on behalf of a forfeited land commission under this section.

(F) The provisions of this section do not apply to property for which legal ownership by the defaulting taxpayer was acquired solely through the laws of intestacy through more than one generation.”

Certain purchasers prohibited from buying forfeited land

SECTION 3. Article 1, Chapter 59, Title 12 of the 1976 Code is amended by adding:

“Section 12-59-150. An immediate family member of a county forfeited land commission member may not purchase land from the forfeited land commission on which their relative serves, unless the sale is through a competitive bid process or a listing open to members of the general public which has been made available for at least ten days. For purposes of this section, an immediate family member is a spouse, parent, sibling, or child of a forfeited land commission member.”

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 60

(R92, S389)

AN ACT TO AMEND CHAPTER 37, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA BUSINESS DEVELOPMENT CORPORATIONS, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CORPORATIONS ARE ORGANIZED, REGULATED, AND PERMITTED TO OPERATE.

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

Business Development Corporation revisions

SECTION 1. Chapter 37, Title 33 of the 1976 Code is amended to read:

“CHAPTER 37

Business Development Corporations

Article 1

General Provisions

Section 33-37-10. As used in this chapter:

(1) ‘Corporation’ means a South Carolina business development corporation created pursuant to this chapter.

(2) ‘Area of operations’ means the entirety of the areas that comprise Federal Reserve Districts Five and Six as the geographic area in which the corporation is authorized to transact business pursuant to this chapter.

(3) ‘Financial institution’ means any banking corporation or trust company, building and loan association, insurance company or related corporation, partnership, foundation, federal or state agency, or other institution engaged primarily in lending or investing funds including, without limitation, the Small Business Administration, an agency of the United States Government.

(4) ‘Member’ means a financial institution authorized to do business in this State which undertakes to lend money to a corporation created pursuant to this chapter, upon its call and as provided by this chapter.

(5) ‘Board of directors’ means the board of directors of the corporation created pursuant to this chapter.

(6) 'Loan call' means the right of the corporation to call for loans by the members to the corporation as provided in Section 33-37-460 of this chapter.

(7) 'Loan call agreement' means the loan agreement between the corporation and its members describing the terms, conditions, and loan limits of the corporation's right to make loan calls to its members.

(8) 'Loan limit' means, for a member, the maximum amount subject to loan call at any one time by the corporation to the member as provided in the loan call agreement.

Section 33-37-20. The corporation shall not deposit any of its funds in any banking institution unless the institution has been designated as a depository by a vote of a majority of the directors present at an authorized meeting of the board of directors, exclusive of any director who is an officer or director of the depository so designated.

Section 33-37-30. RESERVED

Section 33-37-40. RESERVED

Section 33-37-50. The corporation may have offices in those places within or outside of the State, other than the location of the principal office as set forth in the declaration of charter as required in Section 33-37-210, as may be fixed by the board of directors.

Section 33-37-60. Under no circumstances is the credit of the State pledged in this chapter.

Section 33-37-70. The corporation and its subsidiary corporation are not subject to taxes based upon or measured by income which are levied now or later by the State. The securities, evidences of indebtedness, and shares of the capital stock issued by the corporation and its subsidiary corporation, their transfer, income from them, and deposits of financial institutions invested in them are free at all times from taxation within the State. The corporation and its subsidiary corporation are not subject to a corporation license tax or fee imposed by Chapter 20, Title 12. Notwithstanding the above provisions, should the corporation or any of the corporation's subsidiaries apply for and receive a charter to operate as a bank, then the corporation or the subsidiary chartered as a bank is subject to all taxes or license fees applicable to banks.

Section 33-37-80. Any stockholder, member, or other holder of any securities, evidences of indebtedness, or shares of the capital stock of the corporation or any of its subsidiaries who realizes a loss from the sale, redemption or other disposition of any securities, evidences of indebtedness, or shares of the capital stock of the corporation, including any such loss realized on a partial or complete liquidation of the corporation, and who is not entitled to deduct such loss in computing any of the stockholder's, member's or other holder's taxes to the State, must be entitled to credit against any taxes subsequently becoming due to the State from the stockholder, member or other holder a percentage of such loss equivalent to the highest rate of tax assessed for the year in which the loss occurs upon mercantile and business corporations.

Article 3

Charter and Amendments; Organization; Powers

Section 33-37-210. Twenty-five or more persons, a majority of whom shall be residents of this State, who may desire to create a business development corporation under the provisions of this chapter for the purpose of promoting, developing, and advancing the prosperity and economic welfare of the State and, to that end, to exercise the powers and privileges provided in this chapter, may be incorporated in the following manner. Those persons shall, by declaration of charter filed with the Secretary of State, under their hands and seals, set forth:

- (1) the name of the corporation, which shall include the words 'Business Development Corporation of South Carolina';
- (2) the location of the principal office of the corporation; and
- (3) the purposes for which the corporation is founded, which must be to: (i) promote, stimulate, develop, and advance the business prosperity and economic welfare of the corporation's area of operations and its citizens; (ii) encourage and assist through loans, investments, or other business transactions, in the location of new business and industry in its area of operations, and to rehabilitate and assist existing business and industry; (iii) stimulate and assist in the expansion of all kinds of business activity which will tend to promote the business development and maintain the economic stability of its area of operations, provide maximum opportunities for employment, encourage thrift, and improve the standard of living of the citizens of its area of operations; (iv) cooperate and act in conjunction with other organizations, public or private, in the promotion and advancement of industrial, commercial, agricultural, and recreational developments in its area of operations; and

(v) provide financing for the promotion, development, and conduct of all kinds of business activity in its area of operations. However, in no event shall the corporation or its subsidiaries use state or federal funds provided for use exclusively in South Carolina in any other state as long as the programs providing these funds exist in South Carolina.

Section 33-37-220. The declaration of charter shall state:

- (a) the amount of total authorized capital stock and the number of shares in which it is divided;
- (b) the par value of each share;
- (c) the amount of capital stock with which the corporation will commence business;
- (d) if there is more than one class of stock, a description of the different classes; and
- (e) the names and post office addresses of the subscribers of stock and the number of shares subscribed by each. The aggregate of the subscription is the amount of capital with which the corporation will commence business. The declaration of charter may also contain any provision consistent with the laws of this State for the regulation of the affairs of the corporation or creating, defining, limiting, and regulating its powers. The declaration of charter must be in accordance with the provisions of Section 33-2-102.

Section 33-37-230. If a corporation organized pursuant to this chapter shall fail to begin business within three years from the effective date of its charter, then the charter shall become null and void.

Section 33-37-240. The first meeting of the corporation must be called by a notice signed by three or more of the incorporators, stating the time, place, and purpose of the meeting, a copy of the notice must be mailed or delivered to each incorporator at least five days before the day appointed for the meeting. The first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There must be recorded in the minutes of the meeting a copy of the notice or the unanimous agreement of the incorporators.

At the first meeting the incorporators shall organize by choosing by ballot a temporary clerk, by the adoption of bylaws, by the election by ballot of directors, and by action upon those other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk must be sworn and shall make and attest a record of the proceedings. Ten of the incorporators shall be a quorum for the transaction of business.

Section 33-37-250. In furtherance of the purposes for which the corporation is founded and in addition to the powers conferred on business corporations by this title, the corporation, subject to the restrictions and limitations contained in this chapter, may:

- (1) elect, appoint, and employ officers, agents, and employees;
- (2) make contracts and incur liabilities for any of the purposes of the corporation, except that the corporation may not incur secondary liability by way of guaranty or endorsement of the obligations of any person, firm, corporation, joint-stock company, association, or trust, or in any other manner;
- (3) borrow money only from (i) the members, (ii) the Small Business Administration, an agency of the United States Government, and (iii) other lending sources approved by the board of directors of the corporation for the purposes of the corporation, issue its bonds, debentures, notes, or other evidences of indebtedness, whether secured or unsecured, and secure them by mortgage, pledge, deed of trust, or other lien on its property, franchises, rights and privileges of every kind and nature, or any part of them or interest in them, without securing stockholder or member approval. Except as provided in Section 33-37-465 and item (9), a loan to the corporation may not be secured in any manner unless all outstanding loans to the corporation are secured equally and ratably in proportion to the unpaid balance of the loans and in the same manner;
- (4) make loans or participate with the Small Business Administration, an agency of the United States Government, in loans to any person, firm, corporation, joint-stock company, association, or trust and establish and regulate the terms and conditions of the loans and the charges for interest and service connected with them;
- (5) purchase, receive, hold, lease, or otherwise acquire and sell, convey, transfer, lease, or otherwise dispose of real and personal property, together with rights and privileges incidental and appurtenant to it and the use of it including, but not limited to, real or personal property acquired by the corporation in the satisfaction of debts or enforcement of obligations;
- (6) acquire all or part of the good will, business rights, real and personal property, and other assets, of any persons, firms, corporations, joint-stock companies, associations, or trusts, and to assume, undertake, or pay the obligations, debts, and liabilities of the person, firm, corporation, joint-stock company, association, or trust;
- (7) acquire improved or unimproved real estate for the purpose of constructing industrial plants or other business establishments or for the

purpose of disposing of it to others for the construction of industrial plants or other business establishments, and to transfer, lease, or otherwise dispose of industrial plants or business establishments;

(8) acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of the stock, shares, bonds, debentures, notes, or other securities and evidences of interest in or indebtedness of any person, firm, corporation, joint-stock company, association, or trust, and to exercise all the rights, powers, and privileges of ownership, including the right to vote, while the owner or holder;

(9) mortgage, pledge, or otherwise encumber a property right or thing of value acquired pursuant to the powers contained in items (5) through (8), as security for the payment of a part of the purchase price of it;

(10) cooperate with and avail itself of the facilities of the Department of Commerce and similar governmental agencies, including the Small Business Administration, an agency of the United States Government, and cooperate with and assist and otherwise encourage organizations in the various communities of the State in the promotion, assistance, and development of the business prosperity and economic welfare of those communities or of the corporation's area of operations or of any part of them; and

(11) do all acts and things necessary or convenient to carry out the powers expressly granted in this chapter.

Section 33-37-260. The charter may be amended by the votes of the stockholders and the members of the corporation voting separately by classes. The amendments require approval by the affirmative vote of two-thirds of the votes to which the stockholders are entitled and two-thirds of the votes to which the members are entitled. Provisions of the charter setting forth the classes and authorized shares of stock of the corporation may be amended by the affirmative vote of a majority of the votes to which the stockholders are entitled. If the charter so provides, the board of directors shall have the authority to set the terms of a class or series of stock as provided by Section 33-6-102. No amendment of the charter which is inconsistent with the general purposes expressed in this chapter or which eliminates or curtails the right of the Secretary of State to examine the corporation or the obligation of the corporation to make reports as provided by law may be made without amendment of this chapter. No amendment of the charter which increases the obligation of a member to make loans to the corporation, makes a change in the principal amount, interest rate, or maturity date or in the security or credit position of an outstanding loan of a member to the corporation,

affects a member's right to withdraw from membership as provided in Section 33-37-430, or affects a member's voting rights as provided in Sections 33-37-440 and 33-37-450 may be made without the consent of each member affected by the amendment.

Section 33-37-270. Within thirty days after any meeting at which an amendment of the charter has been adopted, articles of amendment signed and sworn to by the president, treasurer, and a majority of the directors, setting forth the amendment and the due adoption of the amendment, must be submitted to the Secretary of State, who shall examine them and, if he finds that they conform to the requirements of this chapter, shall so certify and endorse his approval on it. Thereupon, the articles of amendment must be filed in the Office of the Secretary of State, and no such amendment shall take effect until the articles of amendment have been filed as is required above.

Section 33-37-280. In addition to the powers conferred on the corporation by Section 33-37-250, the corporation may organize and incorporate or create pursuant to this title one or more subsidiary business entities as the board of directors may direct, and these entities shall have all those powers conferred on or permitted to them by this title or, subject to required regulatory approval, Title 34. However, these subsidiary entities are not subject to any restrictions or limitations provided for in this chapter which are applicable to the corporation, except those restrictions and limitations as may be included in the subsidiary entity's articles of incorporation or other applicable governing documents.

Article 5

Members and Stockholders; Loans to Corporation

Section 33-37-410. In addition to other persons and notwithstanding any provision of general or special law or any provision in their respective charters, agreements of association, articles of organization, or trust indentures:

(1) All domestic corporations organized for the purpose of carrying on business within this State, including without implied limitation, public utility companies and insurance and casualty companies, foreign corporations licensed to do business in the State, and all trusts, may acquire, purchase, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of bonds, securities, or other evidences of

indebtedness created by or the shares of the capital stock of the corporation and while owners of the stock may exercise all the rights, powers, and privileges of ownership, including the right to vote on it, all without the approval of a regulatory authority of the State.

(2) All financial institutions may become members of the corporation and make loans to the corporation as provided in this chapter.

(3) A financial institution which does not become a member of the corporation may not acquire any shares of the capital stock of the corporation. In the event a nonmember financial institution becomes an owner of shares in the corporation but does not become a member, these shares shall automatically become nonvoting shares and may not be considered for the purpose of determining a quorum.

(4) Each financial institution which becomes a member of the corporation may acquire, purchase, hold, sell, assign, transfer, mortgage, pledge, or otherwise dispose of bonds, securities, or other evidences of indebtedness created by or the shares of the capital stock of the corporation and while owners of the stock may exercise all the rights, powers, and privileges of ownership, including the right to vote on it, all without the approval of a regulatory authority of the State. The amount of the capital stock of the corporation which may be acquired by a member pursuant to the authority granted in this section may not exceed five percent of the capital and surplus of the member. The amount of capital stock of the corporation which a member may acquire pursuant to the authority granted in this section is in addition to the amount of capital stock in corporations which the member otherwise is authorized to acquire. A shareholder may acquire or hold more than ten percent of the outstanding shares of the corporation, however all shares in excess of ten percent automatically become nonvoting shares.

Section 33-37-420. Any financial institution may request membership in the corporation by making application to the board of directors on that form and in that manner as the board of directors may require, and the membership becomes effective upon acceptance of the application by the board.

Section 33-37-430. Membership in the corporation must be for the duration of the corporation; provided, that upon written notice given to the corporation three years in advance a member may withdraw from membership in the corporation at the expiration date of the notice.

Section 33-37-440. The stockholders and the members of the corporation shall have the following powers of the corporation:

- (1) to elect directors;
- (2) to make, amend, and repeal bylaws;
- (3) to amend the charter; and
- (4) to exercise those powers of the corporation as may be conferred on the stockholders and the members by the bylaws.

Section 33-37-450. (A) As to all matters requiring action by the members and the stockholders of the corporation, the members and the holders of each class of stock, of which there are then shares authorized and outstanding for which votes are entitled to be cast, shall vote separately on the matters by classes and, except as otherwise provided in this chapter, these matters require the affirmative vote of a majority of the votes to which the members present or represented at the meeting are entitled and the affirmative vote of a majority of the votes entitled to be cast with respect to the shares of each class of stock of which there are holders present or represented at the meeting.

(B) Unless otherwise provided in the charter of the corporation, each stockholder has one vote, in person or by proxy, for each share of capital stock held by him, and each member has one vote, in person or by proxy. However, a member having a loan limit of more than one thousand dollars has one additional vote, in person or by proxy, for each additional one thousand dollars of the member's loan limit as determined pursuant to the loan call agreement with the corporation as provided in Section 33-37-460.

Section 33-37-460. Each member of the corporation must make loans to the corporation when called upon pursuant to a written loan call agreement approved by the board of directors of the corporation and entered into between the corporation and all members. The loan call agreement must describe the mutual agreement of the corporation and the members as to the loan limits of each member, the method for determining the loan limits, the terms and conditions of each member's rights and obligations pertaining to loan calls by the corporation, and the corporation's rights to make loan calls of the members. The loan call agreement may be modified and amended unilaterally by the corporation only for the purpose of adding new members as parties to the loan call agreement if the new members execute and deliver addendums to the loan call agreement binding them to all terms, conditions, and loan limits of the agreement. The corporation and any member may agree mutually to increase the loan limit of the member if all other members have the

opportunity to increase their loan limits in the same proportion or percentage relative to their original loan limits as provided in the loan call agreement. The loan call agreement is subject to the following further conditions and limitations:

(1) All loan limits must be established at the thousand dollar amount nearest to the amount computed in accordance with this section.

(2) A loan to the corporation under the loan call agreement may not be made if, immediately after the loan, the total amount of the obligations of the corporation under the loan call agreement exceeds ten times the greater of the net worth of the corporation or the amount then paid in on the outstanding capital stock of the corporation.

(3) The total amount outstanding on loans to the corporation made by a member at any one time under the loan call agreement may not exceed:

(a) ten percent of the total amount then outstanding or committed, or both, under the loan call agreement; or

(b) any federal or state statutory or regulatory limitations applicable to the members.

(4) Subject to item (3)(a), each loan call made by the corporation must be prorated among the members of the corporation in substantially the same proportion that the loan limit of each member bears to the aggregate of the loan limits of all members. Loan calls may require all members to fund the loan call contemporaneously with the loan call or, alternatively, may require that the loan call be funded on a revolving basis in periodic disbursements by groups of members as designated by the corporation on a rotating basis so that, in a single loan call, the disbursement by one designated group may retire at a future date the outstanding balance of another group of members.

(5) All loans to the corporation by members must be evidenced by bonds, debentures, notes, or other evidences of indebtedness of the corporation which are freely transferable at all times. For administrative purposes, loans made by members pursuant to loan calls by the corporation must be funded by one or more members, designated by the corporation, which shall sell participation interests to other members in the proportions provided in this section.

(6) A member is not obligated to make loans to the corporation pursuant to calls made after the withdrawal of the member.

Section 33-37-465. A member may make short-term loans to the corporation independently of the loan calls made pursuant to Section 33-37-460. These short-term loans are not subject to the limitations and restrictions described in Section 33-37-460. When the purpose of the

short-term loan is to provide funds to the corporation for disbursement of a loan, the corporation may grant to the member funding the short-term loan a security interest in or collateral assignment of the loan on the condition that the security interest or collateral assignment is terminated upon payment of the short-term loan.

Section 33-37-470. The board of directors have the power to issue shares of capital stock of the corporation in the classes, series, and denominations set forth in the charter of the corporation, to the same extent and subject to the same restrictions as are otherwise applicable to business corporations organized under the laws of South Carolina under Chapters 1 through 20 of this title. However, the corporation may not issue shares of any series or class of stock with rights, restrictions, or other attributes which would impair or limit the rights of members under this chapter or impair or limit the rights given to stockholders generally under this chapter.

Article 7

Directors and Officers

Section 33-37-610. The business and affairs of the corporation must be managed and conducted by a board of directors, a president and treasurer and those other officers and agents as the corporation by its bylaws shall authorize.

Section 33-37-620. The board of directors shall consist of such number, not more than twenty-one, as must be determined in the first instance by the incorporators and thereafter annually by the members and the stockholders of the corporation. The board of directors may exercise all the powers of the corporation except those as are conferred by law or by the bylaws of the corporation upon the stockholders or members and shall choose and appoint all the agents and officers of the corporation and fill all vacancies except vacancies in the office of director, which must be filled as provided in Section 33-37-630. The board of directors must be elected as provided in Section 33-37-630.

Section 33-37-630. The board of directors must be elected in the first instance by the incorporators and after that time at each annual meeting of the corporation or, if no annual meeting is held in any year, at the time fixed by the bylaws, at a special meeting held in lieu of the annual meeting. At each annual meeting, or at each special meeting held in lieu

of the annual meeting, the members of the corporation shall elect two-thirds of the board of directors, and the stockholders shall elect the remaining directors in the manner prescribed in the charter of the corporation. The directors must hold office until the next annual meeting of the corporation or special meeting held in lieu of the annual meeting after their election and until their successors are elected and qualified unless sooner removed in accordance with the provisions of the bylaws. A vacancy in the office of a director elected by the members must be filled by the directors elected by the members, and a vacancy in the office of a director elected by the stockholders must be filled by the directors elected by the stockholders.

Section 33-37-640. Directors and officers are not responsible for losses unless the losses have been occasioned by the wilful misconduct of those directors and officers.

Article 9

Application of General Corporation Law

Section 33-37-910. Chapters 1 through 20 of this title apply to every corporation organized pursuant to this chapter, except as otherwise provided in Chapters 1 through 20 of this title or by this chapter. If there is a conflict between the provisions of Chapters 1 through 20 of this title and Chapter 37 with respect to a corporation organized under this chapter, this chapter controls.

Article 10

Capital Access Program

Section 33-37-1010. For purposes of this article:

- (1) 'CAP' means the Capital Access Program created in this article.
- (2) 'BDC' means Business Development Corporation of South Carolina.
- (3) 'Financial institution' means a bank, trust company, savings bank, savings and loan association, or cooperative bank chartered by the State or a national banking association, federal savings and loan association, or federal savings bank, if that financial institution has offices located in South Carolina.
- (4) 'Participating financial institution' means a financial institution participating in the Capital Access Program.

(5) 'Small business' means:

(a) a retail or service business with annual sales not exceeding two million dollars;

(b) a wholesale business with annual sales not exceeding five million dollars;

(c) a manufacturing business with no more than fifty employees;
or

(d) another business with annual revenue not exceeding two million dollars.

(6) 'State fund' and 'state fund account' means the funds appropriated by the General Assembly of South Carolina for the CAP, provided to BDC as custodian for the State of South Carolina, and deposited by BDC into one or more interest-bearing trust accounts maintained by it as custodian for the State of South Carolina.

(7) 'Loss reserve account' means one or more interest-bearing trust accounts maintained by BDC for holding and administering the loan loss reserve pursuant to this article.

Section 33-37-1020. (A) Upon appropriation of funds by the General Assembly for the CAP in the minimum initial sum of two million five hundred thousand dollars, those funds and funds resulting from later appropriations to the state fund must be provided to BDC for deposit in the state fund account.

(B) BDC shall establish the CAP to provide a loan loss reserve from the state fund to assist participating financial institutions making loans to small businesses located in South Carolina that otherwise find it difficult to obtain regular bank financing.

(C) The assistance must be provided by BDC through transfers by it from a state fund account into a loss reserve account maintained by, in the name of, and controlled by BDC as custodian to provide loan loss reserves for loans made to those small businesses.

Section 33-37-1030. A financial institution desiring to become a participating financial institution shall execute an agreement in a form BDC prescribes, containing the terms and provisions provided in Section 33-37-1040 and other terms and provisions BDC considers necessary or appropriate.

Section 33-37-1040. A participating financial institution originating a loan to a small business pursuant to this article shall:

(1) use its existing business and banking network to market and perpetuate the CAP so as to promote economic development among small businesses in South Carolina;

(2) provide financing to small businesses for their business purposes including, without limitation, expansion, start-up, purchase of fixed assets or inventory, facility or technology upgrading, and working capital;

(3) limit loans outstanding to one small business borrower pursuant to this article and the CAP to an aggregate balance outstanding of two hundred fifty thousand dollars or a lesser amount the BDC determines, in the exercise of its discretion for the benefit of the CAP and the small business community at large in this State;

(4) limit loans made pursuant to this article and under the CAP to those that are not guaranteed or otherwise assisted by another governmental entity or program;

(5) set aside an amount of at least one and one-half percent but no more than three and one-half percent of the principal amount of the loan, into the loss reserve account;

(6) obtain from the small business an amount equal to the reserve contribution made by the participating financial institution with respect to the loan;

(7) forward the funds collected and determined pursuant to items (5) and (6) to BDC for deposit into the loss reserve account together with a written report in the form and with the content BDC prescribes; and

(8) report annually to BDC, in the manner and with the supporting information BDC prescribes, the outstanding balance of loans made by it pursuant to the CAP, and a projection and estimate of loans it anticipates making pursuant to the program in the succeeding year.

Section 33-37-1050. After receipt of the funds and report provided in Section 33-37-1040(7), BDC shall transfer from the state fund account to the loss reserve account an amount equal to one hundred fifty percent of the total of the contributions of the participating financial institution and the small business. BDC shall maintain accurate records to determine the allocation and allocable share of each participating financial institution in and to the loan loss reserves in the loss reserve account and shall provide a report of the allocation to each participating financial institution annually. BDC also shall provide the report to a participating financial institution upon its written request during the year, but not more often than quarterly, and to the South Carolina Department of Commerce quarterly. In addition, the BDC shall provide

an internal quarterly report on the project job creation and capital investment associated with each loan.

Section 33-37-1060. If the participating financial institution suffers a loss on a loan made pursuant to the CAP and this article, it may request that all or a portion of its allocated loan reserve in the loss reserve account be applied to the loan. Upon receipt by BDC of a certification of loss by the participating financial institution, BDC shall release the funds in the account to repay the loan in whole or in part, in an amount not to exceed the actual loss incurred by the participating financial institution. BDC shall prescribe the form and content of the certification report.

Section 33-37-1070. Earnings or interest from the principal of the state fund account and the loss reserve account must be paid monthly to BDC. In the event the interest paid to the BDC amounts to less than fifty thousand dollars in any year, the difference between the amount paid from interest and fifty thousand dollars must be paid to the BDC from the state fund account, if available, in January of the following year:

(1) as compensation for its administration and management of the CAP and the accounts; and

(2) for economic development in South Carolina for the purposes and within the meanings set forth in this chapter and in the corporate charter of BDC.

Section 33-37-1080. If a participating financial institution that elects to discontinue its participation in the CAP has funds on deposit in the loss reserve account, the funds must be forfeited by the institution to the state fund and used in the CAP as loss reserves as provided in this article.

Section 33-37-1090. An independent certified public accountant, as elected annually by the Board of Directors of the BDC, shall conduct an annual certified audit of its management, administration, and recordkeeping in connection with the CAP and provide the audit to the South Carolina Board of Financial Institutions upon its request, the General Assembly upon its request, and the South Carolina Department of Commerce. Annual reports to the South Carolina Department of Commerce and the General Assembly also must include projected capital investment and job creation associated with each CAP loan provided.

Section 33-37-1100. If a loan is not made by participating financial institutions for three consecutive years and the General Assembly does not appropriate additional funds for the program for those three consecutive years, BDC may pay over to the participating financial institutions their allocable shares of funds in the loss reserve account and pay over to the State of South Carolina, as directed by the South Carolina Board of Financial Institutions, funds held in the state fund account.”

Time effective

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

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 61

(R94, H3156)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 63 ENACTING THE “UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT” SO AS TO ADDRESS ISSUES OF CUSTODIAL RESPONSIBILITY WHEN A PARENT IN THE UNIFORMED SERVICE IS BEING DEPLOYED; TO PROVIDE THAT A COURT MUST HAVE JURISDICTION PURSUANT TO THE UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT TO ISSUE AN ORDER UNDER THIS ARTICLE; TO REQUIRE PROMPT NOTICE OF DEPLOYMENT TO THE OTHER PARENT; TO PROVIDE THAT THE CUSTODIAL RESPONSIBILITIES OF A DEPLOYING PARENT MAY BE ASSIGNED FOR THE DURATION OF THE DEPLOYMENT BY A TEMPORARY AGREEMENT ENTERED INTO BY THE PARENTS OR WITH THE DEPLOYING PARENT’S CONSENT, BY A COURT ISSUING A TEMPORARY ORDER GRANTING CUSTODIAL RESPONSIBILITIES AND TO FURTHER PROVIDE CERTAIN REQUIREMENTS AND LIMITATIONS OF AN AGREEMENT OR COURT ORDER; TO PROVIDE FOR THE TERMINATION

OF A TEMPORARY AGREEMENT OR A TEMPORARY ORDER; TO PROVIDE THAT THIS ARTICLE SUPERSEDES THE FEDERAL ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT, EXCEPT CERTAIN PROVISIONS IN THAT ACT; AND TO PROVIDE THAT THIS ARTICLE DOES NOT AFFECT THE VALIDITY OF A TEMPORARY COURT ORDER CONCERNING CUSTODIAL RESPONSIBILITY DURING DEPLOYMENT ENTERED BEFORE THIS ARTICLE'S EFFECTIVE DATE.

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

Child custody and visitation, Uniform Deployed Parents Custody and Visitation Act

SECTION 1. Chapter 15, Title 63 of the 1976 Code is amended by adding:

“Article 5

Uniform Deployed Parents Custody and Visitation Act

Subarticle 1

General Provisions

Section 63-15-500. This chapter may be cited as the ‘Uniform Deployed Parents Custody and Visitation Act’.

Section 63-15-502. As used in this article:

(1) ‘Adult’ means an individual who is at least eighteen years of age or an emancipated minor.

(2) ‘Caretaking authority’ means the right to live with and care for a child on a day-to-day basis, including physical custody, parenting time, right to access, and visitation.

(3) ‘Child’ means:

(a) an unemancipated individual who has not attained eighteen years of age; or

(b) an adult son or daughter by birth or adoption or under the law of this State, other than this article, who is the subject of an existing court order concerning custodial responsibility.

(4) 'Close and substantial relationship' means a relationship in which a significant bond exists between a child and a nonparent.

(5) 'Court' means an entity authorized under the law of this State, other than this article, to establish, enforce, or modify a decision regarding custodial responsibility.

(6) 'Custodial responsibility' is a comprehensive term that includes any and all powers and duties relating to caretaking authority and decision-making authority for a child. The term includes custody, physical custody, legal custody, parenting time, right to access, visitation, and the authority to designate limited contact with a child.

(7) 'Decision-making authority' means the power to make important decisions regarding a child, including decisions regarding the child's education, religious training, health care, extra-curricular activities, and travel. The term does not include day-to-day decisions that necessarily accompany a grant of caretaking authority.

(8) 'Deploying parent' means a service member, who is deployed or has been notified of impending deployment, and is:

(a) a parent of a child under the law of this State other than this article; or

(b) an individual other than a parent who has custodial responsibility of a child under the law of this State other than this article;

(9) 'Deployment' means the movement or mobilization of a service member to a location for more than ninety days but fewer than eighteen months pursuant to an official order that:

(a) is designated as unaccompanied;

(b) does not authorize dependent travel; or

(c) otherwise does not permit the movement of family members to that location.

(10) 'Family member' includes a sibling, aunt, uncle, cousin, stepparent, or grandparent of a child and an individual recognized to be in a familial relationship with a child under the law of this State other than this article.

(11) 'Limited contact' means the opportunity for a nonparent to visit with a child for a limited period of time. The term includes authority to take the child to a place other than the residence of the child.

(12) 'Nonparent' means an individual other than a deploying parent or other parent.

(13) 'Other parent' means an individual who, in common with a deploying parent, is:

(a) the parent of a child under the law of this State other than this article; or

(b) an individual other than a parent with custodial responsibility of a child under the law of this State other than this article.

(14) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(15) 'Return from deployment' means the conclusion of a service member's deployment as specified in uniformed service orders.

(16) 'Service member' means a member of a uniformed service.

(17) 'Sign' means, with present intent to authenticate or adopt a record to:

(a) execute or adopt a tangible symbol; or

(b) attach to or logically associate with the record an electronic symbol, sound, or process.

(18) 'State' means a state of the United States, the District of Columbia, Puerto Rico, and the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States.

(19) 'Uniformed service' means:

(a) active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States;

(b) the Merchant Marine, the commissioned corps of the Public Health Service or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or

(c) the National Guard.

Section 63-15-504. In addition to other relief provided by the law of this State, other than this article, if a court finds that a party to a proceeding under this article has acted in bad faith or intentionally failed to comply with this article or a court order issued pursuant to this article, the court may assess reasonable attorney's fees and costs of the opposing party and order other appropriate relief.

Section 63-15-506. (A) A court may issue an order regarding custodial responsibility pursuant to this article only if the court has jurisdiction pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act. If the court has issued a temporary order regarding custodial responsibility pursuant to Subarticle 3, the residence of the deploying parent is not changed by reason of the deployment for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act during the deployment.

(B) If a court has issued a permanent order regarding custodial responsibility before notice of deployment and the parents modify that

order temporarily by agreement pursuant to Subarticle 2, the residence of the deploying parent is not changed by reason of the deployment for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

(C) If a court in another state has issued a temporary order regarding custodial responsibility as a result of impending or current deployment, the residence of the deploying parent is not changed by reason of the deployment for the purposes of the Uniform Child Custody Jurisdiction and Enforcement Act.

(D) This section does not prohibit the exercise of temporary emergency jurisdiction by a court pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act.

Section 63-15-508. (A) Except as provided in subsection (D), and subject to subsection (C), a deploying parent shall notify in a record the other parent of a pending deployment not later than seven days after receiving notice of deployment unless reasonably prevented from doing so by the circumstances of service. If the circumstances of service prevent providing notification within seven days, such notification must be made as soon as reasonably possible thereafter.

(B) Except as provided in subsection (D), and subject to subsection (C), each parent shall provide in a record the other parent with a plan for fulfilling that parent's share of custodial responsibility during deployment as soon as reasonably possible after receiving notice of deployment.

(C) If an existing court order prohibits disclosure of the address or contact information of the other parent, a notification of deployment pursuant to subsection (A) or notification of a plan for the custodial responsibility during deployment pursuant to subsection (B) may be made only to the issuing court. If the address of the other parent is available to the issuing court, the court shall forward the notification to the other parent. The court shall keep confidential the address or contact information of the other parent.

(D) Notice in a record is not required if the parents are living in the same residence and there is actual notice of the deployment or plan.

(E) In a proceeding regarding custodial responsibility between parents, a court may consider the reasonableness of a parent's efforts to comply with this section.

Section 63-15-510. (A) Except as otherwise provided in subsection (B), an individual to whom custodial responsibility has been assigned or granted during deployment pursuant to Subarticle 2 or 3 shall notify the

deploying parent and any other individual with custodial responsibility of any change of mailing address or residence until the assignment or grant is terminated. The individual shall provide the notice to any court that has issued an existing custody or child support order concerning the child.

(B) If an existing court or order prohibits disclosure of the address or contact information of an individual to whom custodial responsibility has been assigned or granted, a notification of change of mailing address or residence pursuant to subsection (A) may be made only to the court that issued the order. The court shall keep confidential the mailing address or residence of the individual to whom custodial responsibility has been assigned or granted.

Section 63-15-512. In a proceeding for custodial responsibility of a child of a service member, a court may not consider a parent's past deployment or possible future deployment in itself in determining the best interest of the child but may consider any significant impact on the best interest of the child of the parent's past or possible future deployment.

Subarticle 2

Agreement Addressing Custodial Responsibility During Deployment

Section 63-15-514. (A) The parents of a child may enter into a temporary agreement granting custodial responsibility during deployment.

(B) An agreement under subsection (A) must be:

- (1) in writing; and
- (2) signed by both parents and any nonparent to whom custodial responsibility is granted.

(C) An agreement under subsection (A), if feasible, must:

- (1) identify to the extent feasible the destination, duration, and conditions of the deployment that is the basis for the agreement;
- (2) specify the allocation of caretaking authority among the deploying parent, the other parent, and any nonparent, if applicable;
- (3) specify a decision-making authority that accompanies a grant of caretaking authority;
- (4) specify any grant of limited contact to a nonparent;

(5) if the agreement shares custodial responsibility between the other parent and a nonparent or between two nonparents, provide a process to resolve any dispute that may arise;

(6) specify the frequency, duration, and means, including electronic means, by which the deploying parent will have contact with the child; any role to be played by the other parent in facilitating the contact; and allocation of any costs of communications;

(7) specify the contact between the deploying parent and child during the time the deploying parent is on leave or is otherwise available;

(8) acknowledge that any party's existing child-support obligation cannot be modified by the agreement and that changing the terms of the obligation during deployment requires modification in the appropriate court;

(9) provide that the agreement terminates following the deploying parent's return from deployment according to the procedures in Subarticle 4; and

(10) if the agreement must be filed pursuant to Section 63-15-522, specify which parent shall file the agreement.

(D) The omission of an item in subsection (C) does not invalidate an agreement entered into pursuant to this section.

Section 63-15-516. (A) An agreement under this subarticle is temporary and terminates pursuant to Subarticle 4 following the return from deployment of the deployed parent, unless the agreement has been terminated before that time by court order or modification of the agreement pursuant to Section 63-15-518. The agreement derives from the parent's custodial responsibility and does not create an independent, continuing right to caretaking authority, decision-making authority, or limited contact in an individual to whom custodial responsibility is given.

(B) A nonparent given caretaking authority, decision-making authority, or limited contact by an agreement under this subarticle has standing to enforce the agreement until it has been terminated pursuant to an agreement of the parents under Section 63-15-518, under Subarticle 4, or by court order.

Section 63-15-518. (A) The parents may modify an agreement regarding custodial responsibility made pursuant to this article by mutual consent.

(B) If an agreement under subsection (A) is modified before deployment of a deploying parent, the modification must be in writing

and signed by both parents and any nonparent who will exercise custodial responsibility under the modified agreement.

(C) If an agreement under subsection (A) is modified during deployment of a deploying parent, the modification must be agreed to in a record by both parents and any nonparent who will exercise custodial responsibility under the modified agreement.

Section 63-15-520. If no other parent possesses custodial responsibility under the law of this State, other than this article, or if an existing court order prohibits contact between the child and the other parent, a deploying parent, by power of attorney, may delegate all or part of his or her custodial responsibility to an adult nonparent for the period of deployment. The power of attorney is revocable by the deploying parent through a revocation of the power of attorney signed by the deploying parent.

Section 63-15-522. An agreement or power of attorney made under this subarticle must be filed within a reasonable period of time with any court that has entered an existing order on custodial responsibility or child support concerning the child. The case number and heading of the existing case concerning custodial responsibility or child support must be provided to the court with the agreement or power of attorney.

Subarticle 3

Judicial Procedure for Granting Custodial Responsibility During Deployment

Section 63-15-524. (A) After a deploying parent receives notice of deployment and during the deployment, a court may issue a temporary order granting custodial responsibility unless prohibited by the Servicemembers Civil Relief Act, 50 U.S.C. Appx. Sections 521-522. A court may not issue a permanent order granting custodial responsibility without the consent of the deploying parent.

(B) At any time after a deploying parent receives notice of deployment, either parent may file a motion regarding custodial responsibility of a child during deployment. The motion must be filed in an existing proceeding for custodial responsibility of the child with jurisdiction pursuant to Section 63-15-506 or, if there is no existing proceeding in a court with jurisdiction pursuant to Section 63-15-506, in a new action for granting custodial responsibility during deployment.

Section 63-15-526. If a motion to grant custodial responsibility is filed before a deploying parent deploys, the court shall conduct an expedited hearing.

Section 63-15-528. In a proceeding brought pursuant to this subarticle, a party or witness who is not reasonably available to appear personally may appear and provide testimony and present evidence by electronic means unless the court finds good cause to require a personal appearance.

Section 63-15-530. In a proceeding for a grant of custodial responsibility pursuant to this subarticle, the following rules apply:

(1) A prior judicial order designating custodial responsibility of a child in the event of deployment is binding on the court unless the circumstances meet the requirements of the law of this State, other than this article, for modifying a judicial order regarding custodial responsibility.

(2) The court shall enforce a prior written agreement between the parents for designating custodial responsibility of a child in the event of deployment, including a prior written agreement executed pursuant to Subarticle 2, unless the court finds the agreement contrary to the best interest of the child.

Section 63-15-532. (A) On the motion of a deploying parent and in accordance with the law of this State other than this article, a court may grant caretaking authority of a child to a nonparent who is an adult family member of the child or an adult with whom the child has a close and substantial relationship if it is in the best interest of the child.

(B) Unless the grant of caretaking authority to a nonparent under subsection (A) is agreed to by the other parent, the grant is limited to an amount of time not greater than:

(1) the time granted to the deploying parent in an existing permanent custody order, except that the court may add unusual travel time necessary to transport the child; or

(2) in the absence of an existing permanent custody order, the amount of time that the deploying parent habitually cared for the child before being notified of deployment, except that the court may add unusual travel time necessary to transport the child.

(C) A court may grant part of the deploying parent's decision-making authority for a child to a nonparent who is an adult family member of the child or an adult with whom the child has a close and substantial relationship if the deploying parent is unable to exercise that authority.

When a court grants the authority to a nonparent, the court shall specify the decision-making power that will and will not be granted, including applicable health, educational, and religious decisions.

Section 63-15-534. On motion of a deploying parent and in accordance with the law of this State, other than this article, a court shall grant limited contact with a child to a nonparent who is either a family member of the child or an individual with whom the child has a close and substantial relationship, unless the court finds that the contact would be contrary to the best interest of the child.

Section 63-15-536. (A) A grant made pursuant to this subarticle is temporary and terminates pursuant to Subarticle 4 following the return from deployment of the deployed parent, unless the grant has been terminated before that time by court order. The grant does not create an independent, continuing right to caretaking authority, decision-making authority, or limited contact in an individual to whom it is granted.

(B) A nonparent granted caretaking authority, decision-making authority, or limited contact pursuant to this article has standing to enforce the grant until it is terminated pursuant to Subarticle 4 or by court order.

Section 63-15-538. (A) An order granting custodial responsibility pursuant to this article must:

- (1) designate the order as temporary; and
- (2) identify to the extent feasible the destination, duration, and conditions of the deployment.

(B) If applicable, a temporary order for custodial responsibility must:

- (1) specify the allocation of caretaking authority, decision-making authority, or limited contact among the deploying parent, the other parent, and any nonparent;
- (2) if the order divides caretaking or decision-making authority between individuals or grants caretaking authority to one individual and limited contact to another, provide a process to resolve any significant dispute that may arise;
- (3) provide for liberal communication between the deploying parent and the child during deployment, including through electronic means, unless contrary to the best interest of the child, and allocate any costs of communications;
- (4) provide for liberal contact between the deploying parent and the child during the time the deploying parent is on leave or is otherwise available, unless contrary to the best interest of the child;

(5) provide for reasonable contact between the deploying parent and the child following return from deployment until the temporary order is terminated, which may include more time than the deploying parent spent with the child before entry of the temporary order; and

(6) provide that the order will terminate following return from deployment according to the procedures pursuant to Subarticle 4.

Section 63-15-540. If a court has issued an order providing for grant of caretaking authority pursuant to this subarticle or an agreement granting caretaking authority has been executed pursuant to Subarticle 2, the court may enter a temporary order for child support consistent with the law of this State, other than this article, if the court has jurisdiction under the Uniform Interstate Family Support Act.

Section 63-15-542. (A) Except for an order in accordance with Section 63-15-530, or as otherwise provided in subsection (B), and consistent with the Servicemembers Civil Relief Act, 50 U.S.C. Appx. Sections 521-522, on motion of a deploying parent or other parent or any nonparent to whom caretaking authority, decision-making authority, or limited contact has been granted, the court may modify or terminate a grant of caretaking authority, decision-making authority, or limited contact made pursuant to this article if the modification or termination is consistent with this article and the court finds it is in the best interest of the child. Any modification must be temporary and terminates following the conclusion of deployment of the deployed parent according to the procedures in Subarticle 4, unless the grant has been terminated before that time by court order.

(B) On motion of a deploying parent, the court shall terminate a grant of limited contact.

Subarticle 4

Return From Deployment

Section 63-15-544. (A) At any time following return from deployment, a temporary agreement granting custodial responsibility pursuant to Subarticle 2 may be terminated by an agreement to terminate signed by the deploying parent and the other parent.

(B) The temporary agreement granting custodial responsibility terminates:

(1) if the agreement to terminate specifies a date for termination, on that date; or

(2) if the agreement to terminate does not specify a date, on the date the agreement to terminate is signed by both parents.

(C) In the absence of an agreement to terminate, the temporary agreement granting custodial responsibility terminates sixty days from the date of the deploying parent's giving notice to the other parent of having returned from deployment.

(D) If the temporary agreement granting custodial responsibility was filed with a court pursuant to Section 63-15-522, an agreement to terminate the temporary agreement also must be filed with that court within a reasonable period of time after the signing of the agreement. The case number and heading of the existing custodial responsibility or child support case must be provided to the court with the agreement to terminate.

Section 63-15-546. At any time following return from deployment, the deploying parent and the other parent may file with the court an agreement to terminate a temporary order for custodial responsibility issued pursuant to Subarticle 3. After an agreement has been filed, the court shall issue an order terminating the temporary order on the date specified in the agreement. If no date is specified, the court shall issue the order immediately.

Section 63-15-548. Following return from deployment of a deploying parent until a temporary agreement or order for custodial responsibility established pursuant to Subarticle 2 or 3 is terminated, the court shall enter a temporary order granting the deploying parent reasonable contact with the child unless it is contrary to the best interest of the child, even if the time exceeds the time the deploying parent spent with the child before deployment.

Section 63-15-550. (A) A temporary order for custodial responsibility issued pursuant to Subarticle 3 shall terminate, if no agreement between the parties to terminate a temporary order for custodial responsibility has been filed, sixty days from the date of the deploying parent's giving notice of having returned from deployment to the other parent and any nonparent granted custodial responsibility.

(B) Any proceedings seeking to prevent termination of a temporary order for custodial responsibility are governed by the law of this State other than this article.

Section 63-15-552. In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 63-15-554. This article modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001, et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section 7003(b).

Section 63-15-556. This article does not affect the validity of a temporary court order concerning custodial responsibility during deployment that was entered before the effective date of this article.”

Time effective

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

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 62

(R95, H3548)

AN ACT TO AMEND SECTION 63-7-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTIFICATION AND TRANSFER OF REPORTS OF CHILD ABUSE OR NEGLECT, SO AS TO PROVIDE THAT IF THE ALLEGED ABUSED OR NEGLECTED CHILD IS A MEMBER OF AN ACTIVE DUTY MILITARY FAMILY, THE COUNTY DEPARTMENT OF SOCIAL SERVICES SHALL NOTIFY CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; TO AMEND SECTION 63-7-920, RELATING TO INVESTIGATIONS AND CASE DETERMINATIONS OF THE DEPARTMENT OF

SOCIAL SERVICES, SO AS TO PROVIDE THAT THE DEPARTMENT OR LAW ENFORCEMENT, OR BOTH, MAY COLLECT INFORMATION CONCERNING THE MILITARY AFFILIATION OF THE PERSON HAVING CUSTODY OR CONTROL OF THE CHILD SUBJECT TO AN INVESTIGATION AND MAY SHARE THIS INFORMATION WITH THE APPROPRIATE MILITARY AUTHORITIES; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY AND RELEASE OF RECORDS AND INFORMATION, SO AS TO MAKE TECHNICAL CORRECTIONS AND TO AUTHORIZE THE DEPARTMENT OF SOCIAL SERVICES TO GRANT ACCESS TO THE RECORDS OF AN INDICATED CASE TO CERTAIN DESIGNATED MILITARY OFFICIALS AT THE INSTALLATION WHERE THE ACTIVE DUTY SERVICE MEMBER, WHO IS THE SPONSOR OF THE ALLEGED ABUSED OR NEGLECTED CHILD, IS ASSIGNED; AND TO AMEND SECTION 63-11-80, RELATING TO CONFIDENTIAL INFORMATION WITHIN CHILD WELFARE AGENCIES, SO AS TO PROVIDE THAT AN OFFICER, AGENT OR EMPLOYEE OF THE DEPARTMENT OR A CHILD WELFARE AGENCY SHALL NOT DISCLOSE, DIRECTLY OR INDIRECTLY, INFORMATION LEARNED ABOUT A CHILD, THE CHILD'S PARENTS OR RELATIVES, OR OTHER PERSONS HAVING CUSTODY OR CONTROL OF THE CHILD, EXCEPT IN CASES INVOLVING A CHILD IN THE CUSTODY OR CONTROL OF PERSONS WHO HAVE MILITARY AFFILIATION.

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

County Department of Social Services to notify designated military officials when an alleged abused or neglected child is an active duty military family member

SECTION 1. Section 63-7-320 of the 1976 Code is amended by adding subsection (C) at the end to read:

“(C) In the event the alleged abused or neglected child is a member of an active duty military family, concurrent with the transfer of the report, the county department of social services shall notify the designated authorities at the military installation where the active duty military

sponsor is assigned, pursuant to the memorandum of understanding or agreement with the military installation's command authority."

County Department of Social Services or law enforcement may collect and share information concerning military affiliation of person having custody of a child who is the subject of an investigation

SECTION 2. Section 63-7-920 of the 1976 Code is amended by adding subsection (F) at the end to read:

"(F) The department or law enforcement, or both, may collect information concerning the military affiliation of the person having custody or control of the child subject to an investigation and may share this information with the appropriate military authorities pursuant to Section 63-11-80."

Department of Social Services may grant access to certain records with designated military officials at the installation where the sponsor of an alleged abused or neglected child is assigned

SECTION 3. Section 63-7-1990(B)(23) of the 1976 Code is amended to read:

"(23) the Division of Guardian ad Litem, Office of the Governor, for purposes of certifying that no potential employee or volunteer is the subject of an indicated report or an affirmative determination; and

(24) the designated authorities at the military installation where the active duty service member, who is the sponsor of the alleged abused or neglected child, is assigned. The authorities are designated in the memorandum of understanding or agreement between county protective services and the military installation's command authority."

Prohibition against certain disclosures of information, exception

SECTION 4. Section 63-11-80 of the 1976 Code is amended to read:

"Section 63-11-80. An officer, agent or employee of the department or a child welfare agency shall not disclose, directly or indirectly, information learned about a child, the child's parents or relatives, or other persons having custody or control of the child, except in cases

involving a child in the custody or control of persons who have military affiliation.”

Time effective

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 63

(R96, H3583)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 23 TO CHAPTER 35, TITLE 11 SO AS TO PROHIBIT THE STATE OR A POLITICAL SUBDIVISION OF THE STATE FROM ACCEPTING A PROPOSAL FROM OR PROCURING GOODS OR SERVICES FROM A BUSINESS WHICH ENGAGES IN THE BOYCOTT OF A PERSON OR AN ENTITY BASED ON RACE, COLOR, RELIGION, GENDER, OR NATIONAL ORIGIN; TO AMEND SECTION 11-57-320, RELATING TO THE EXCEPTION TO CONTRACT PROHIBITION ON A CASE-BY-CASE BASIS, SO AS TO REMOVE THE CASE-BY-CASE BASIS REQUIREMENT, AND TO PROVIDE THAT THIS SECTION APPLIES TO INVESTMENT ACTIVITIES MADE BEFORE JANUARY 1, 2015; TO AMEND SECTION 11-57-330, RELATING TO THE CERTIFICATION REQUIREMENT TO CONTRACT WITH THE STATE, SO AS TO PROVIDE THAT THE REQUIREMENT DOES NOT APPLY TO CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS, NOR CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS AND EXTERNAL PROCUREMENT ACTIVITIES; TO AMEND SECTION 11-57-510, RELATING TO THE CERTIFICATION REQUIREMENT IN THE BIDDING PROCESS, SO AS TO PROVIDE THAT THE REQUIREMENT DOES NOT APPLY TO CONTRACTS BETWEEN PUBLIC PROCUREMENT UNITS, NOR CONTRACTS BETWEEN PUBLIC PROCUREMENT

UNITS AND EXTERNAL PROCUREMENT ACTIVITIES; BY ADDING SECTION 11-57-50 SO AS TO PROVIDE THAT FAILURE TO COMPLY WITH A PROVISION OF THIS CHAPTER IS NOT GROUNDS FOR CERTAIN PROTESTS; AND TO AMEND SECTION 11-57-40, RELATING TO CERTAIN CONTRACTS AND PROCUREMENTS TO WHICH THE IRAN DIVESTMENT ACT DOES NOT APPLY, SO AS TO PROVIDE THAT IT DOES NOT APPLY TO A PROCUREMENT OR CONTRACT VALUED AT TEN THOUSAND DOLLARS OR LESS.

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

Prohibition of contracting with discriminatory businesses

SECTION 1. Chapter 35, Title 11 of the 1976 Code is amended by adding:

“Article 23

Statewide Provisions

Section 11-35-5300. (A) A public entity may not enter into a contract with a business to acquire or dispose of supplies, services, information technology, or construction unless the contract includes a representation that the business is not currently engaged in, and an agreement that the business will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with whom South Carolina can enjoy open trade, as defined in this article.

(B) For purposes of this section:

(1) ‘Boycott’ means to blacklist, divest from, or otherwise refuse to deal with a person or firm when the action is based on race, color, religion, gender, or national origin of the targeted person or entity. ‘Boycott’ does not include:

(a) a decision based on business or economic reasons, or the specific conduct of a targeted person or firm;

(b) a boycott against a public entity of a foreign state when the boycott is applied in a nondiscriminatory manner; and

(c) conduct necessary to comply with applicable law in the business’s home jurisdiction.

(2) 'Public entity' means the State, or any political subdivision of the State, including a school district or agency, department, institution, or other public entity of them.

(3) A 'jurisdiction with whom South Carolina can enjoy open trade' includes World Trade Organization members and those with which the United States has free trade or other agreements aimed at ensuring open and nondiscriminatory trade relations.

(C) This section does not apply if a business fails to meet the requirements of subsection (A) but offers to provide the goods or services for at least twenty percent less than the lowest certifying business. Also, this section does not apply to contracts with a total potential value of less than ten thousand dollars.

(D) Failure to comply with a provision of this section is not grounds for a protest filed pursuant to Section 11-35-4210 or any other preaward protest process appearing in a procurement ordinance adopted by a political subdivision pursuant to Section 11-35-50 or Section 11-35-70, or similar law."

Iran Divestment Act revised

SECTION 2. A. Sections 11-57-320 and 11-57-330 of the 1976 Code, both as added by Act 267 of 2014, are amended to read:

"Section 11-57-320. Notwithstanding Section 11-57-310, a person engaged in investment activities in Iran as described in Section 11-57-300, may contract with the State if:

(1) the investment activities in Iran were made before January 1, 2015, the investment activities in Iran have not been expanded or renewed after the effective date of this act, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or

(2) the state agency makes a determination that the commodities or services are necessary to perform its functions and that, absent such an exemption, the state agency would be unable to obtain the commodities or services for which the contract is offered. Such determination shall be entered into the procurement record.

Section 11-57-330. (A) A state agency or entity shall require a person that attempts to contract with the State, including a contract renewal or assumption, to certify, at the time the bid is submitted or the contract is entered into, renewed, or assigned, that the person or the assignee is not

identified on a list created pursuant to Section 11-57-310. A state agency shall include certification information in the procurement record. This section does not apply to and such certification is not required for contracts between public procurement units, nor contracts between public procurement units and external procurement activities, as that term is defined in Section 11-35-4610.

(B) A person who contracts with the State shall not enter into a subcontract, on the contract with the state agency or entity, with any person that is identified on a list created pursuant to Section 11-57-310.

(C) Upon receiving information that a person who has made the certification required by subsection (A) is in violation thereof, the state agency or entity shall review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of this act within ninety days after the determination of such violation, then the state agency or entity shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.”

B. Section 11-57-510 of the 1976 Code, as added by Act 267 of 2014, is amended to read:

“Section 11-57-510. (A) Effective January 1, 2015, every bid or proposal made to a political subdivision of the State or any public department, agency, or official thereof where competitive bidding is required by statute, rule, regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury: ‘By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to Section 11-57-310.’ This section does not apply to and such certification is not required for contracts between public procurement units, nor contracts between public procurement units and external procurement activities, as that term is defined in Section 11-35-4610.

(B) Notwithstanding subsection (A), the statement of noninvestment in the Iranian energy sector may be submitted electronically.

(C) A bid shall not be considered for award nor shall any award be made where the condition set forth in subsection (A) has not been

complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. A political subdivision may award a bid to a bidder who cannot make the certification pursuant to subsection (A) if:

(1) the investment activities in Iran were made before January 1, 2015, the investment activities in Iran have not been expanded or renewed after the effective date of this act, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or

(2) the political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.”

C. Article 1, Chapter 57, Title 11 of the 1976 Code is amended by adding:

“Section 11-57-50. Failure to comply with a provision of this chapter is not grounds for a protest filed pursuant to Section 11-35-4210 or any other preaward protest process appearing in a procurement ordinance adopted by a political subdivision pursuant to Section 11-35-50 or Section 11-35-70, or similar law.”

Applicability of Iran Divestment Act increased threshold

SECTION 3. Section 11-57-40 of the 1976 Code, as added by Act 267 of 2014, is amended to read:

“Section 11-57-40. This chapter does not apply to a procurement or contract valued at ten thousand dollars or less.”

Severability

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act,

and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 5. This act takes effect upon approval by the Governor and does not apply to contracts entered into before the effective date of this act.

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 64

(R98, H3772)

AN ACT TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

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

Member reappointments to successive terms permitted

SECTION 1. Section 38-79-260 of the 1976 Code is amended to read:

“Section 38-79-260. The association is governed by a board of thirteen directors, all of whom must be appointed by the Governor. The Governor shall appoint five health care providers after consultation with the South Carolina Medical Association, the South Carolina Dental Association, and the South Carolina Health Alliance; four insurance representatives after consultation with the insurance industry; one

consumer representative who is unaffiliated with the insurance or health care industries or the medical or legal professions; and two licensed insurance agents or brokers. The professional associations listed and the insurance industry may nominate qualified individuals to the Governor for his consideration. The Governor may also receive nominations for appointments to the board from any other individual, group, or association. Notices of vacancies on the board must be published in newspapers of general statewide circulation. The director or his designee shall serve as an ex officio member of the board. The board shall develop a plan of operation which is subject to the approval of the director or his designee as provided in this article. The plan of operation shall provide for staggered terms of the members of the board. The approved plan of operation of the association may make provision for combining insurers under common ownership or management into groups for voting, assessment, and all other purposes and may provide that not more than one of the officers or employees of a group may serve as a director at any one time. The board shall elect a chairman and other necessary officers for two-year terms. A vacancy must be filled for the unexpired portion of the term only. The Governor may receive recommendations from any individual, group, or association for any vacancy on the board. The board must meet at the call of the chairman or a majority of the members of the board, but in any event it must meet at least once a year.”

Time effective

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

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 65

(R111, H3266)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE “TRESPASSER RESPONSIBILITY ACT” WHICH PROVIDES A LIMITATION ON LIABILITY BY

LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

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

Limitation on liability of land possessors to trespassers

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

“CHAPTER 82

Limitation on Liability of Land Possessors to Trespassers

Trespasser Responsibility Act

Section 15-82-10. (A) As used in this section, the terms:

(1) ‘Possessor of land’ means the possessor of any fee, reversionary, or easement interest in real property, including an owner, lessee, or other lawful occupant.

(2) ‘Trespasser’ means a person who enters or remains on the land of another without permission or without legal privilege.

(B) A possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury.

(C) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to children or a person with an intellectual disability who are trespassing thereon caused by an artificial condition upon the land if:

(1) the place where the condition exists is one upon which the possessor knows or has reason to know that children or persons with an intellectual disability are likely to trespass;

(2) the condition is one of which the possessor knows or has reason to know and which he realizes or should realize will involve an unreasonable risk of death or serious bodily harm to children or persons with an intellectual disability;

(3) the person because of his youth or intellectual disability does not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it;

(4) the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared with the risk to children or the persons with an intellectual disability who are involved; and

(5) the possessor fails to exercise reasonable care to eliminate the danger or otherwise to protect the children or the persons with an intellectual disability.

(D) For the purposes of subsection (C), 'intellectual disability' has the same meaning as provided for in Section 44-20-30(12).

(E) This chapter does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.

(F) The provisions of this chapter do not affect any right, privilege, or provision of the South Carolina Tort Claims Act pursuant to Chapter 78, Title 15."

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 66

(R113, H3882)

AN ACT TO AMEND SECTION 59-67-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATORY PHYSICAL EXAMINATIONS OF PUBLIC SCHOOL BUS DRIVERS, SO AS TO PROVIDE THE EXAMINATIONS MUST MEET CERTAIN FEDERAL REQUIREMENTS IN ADDITION TO STATE REQUIREMENTS, TO PROVIDE THE EXAMINATIONS MUST BE CERTIFIED BY MEDICAL EXAMINERS, AND TO DELETE EXISTING PROVISIONS REQUIRING THIS CERTIFICATION INSTEAD BE MADE BY PHYSICIANS, NURSE PRACTITIONERS, OR PHYSICIAN'S ASSISTANTS.

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

Examination criteria revised

SECTION 1. Section 59-67-160 of the 1976 Code, as added by Act 351 of 2006, is amended to read:

“Section 59-67-160. A school bus driver shall have a physical examination that meets the requirements of the Federal Motor Carrier Safety Regulations (FMCSR), 49 C.F.R. 391.41, and meets the certification requirements of this section, certified by a medical examiner as defined in 49 C.F.R. 390.5, before the testing required to operate a school bus and at least every two years after that. The certification must be made on forms provided by the State Department of Education or the United States Department of Transportation. The school bus driver candidate shall provide the testing administrator with the certified physical examination before taking the school bus driver physical performance test and the commercial driver’s license skills test. The school bus driver candidate shall provide a copy of the certification to the employing school district. A school district may require additional physical examinations as the district determines to be appropriate. The State assumes no responsibility for the cost of physical examinations required by districts.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 67

(R115, H4260)

AN ACT TO AMEND SECTION 7-7-200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN COLLETON COUNTY, SO AS TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND

**AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS
OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.**

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

Colleton County voting precincts designated

SECTION 1. Section 7-7-200 of the 1976 Code, as last amended by Act 193 of 2012, is further amended to read:

“Section 7-7-200. (A) In Colleton County there are the following voting precincts:

Ashton-Lodge

Bells

Berea-Smoaks

Canadys

Cottageville

Edisto

Green Pond

Hendersonville

Horse Pen

Hudson Mill

Jacksonboro

Maple Cane

Mashawville

Peniel

Peeples

Petits

Rice Patch

Ritter

Round O

Ruffin

Sidneys

Sniders

Stokes

Walterboro No. 1

Walterboro No. 2

Walterboro No. 3

Walterboro No. 4

Walterboro No. 5

Walterboro No. 6

Williams

Edisto Beach
Wolfe Creek

(B) The precinct lines defining the precincts provided for in subsection (A) are as shown on maps filed with the Colleton County Board of Voter Registration and Elections as provided and maintained by the Revenue and Fiscal Affairs Office designated as document P-29-15.

(C) The polling places for the precincts provided in this section must be determined by the Colleton County Board of Voter Registration and Elections with the approval of a majority of the Colleton County Legislative Delegation.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 68

(R97, H3725)

AN ACT TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR CERTIFIED HISTORIC STRUCTURES, SO AS TO PROVIDE THAT A TAXPAYER MAY ELECT A TWENTY-FIVE PERCENT TAX CREDIT IN LIEU OF THE TEN PERCENT TAX CREDIT, NOT TO EXCEED ONE MILLION DOLLARS FOR EACH CERTIFIED HISTORIC STRUCTURE, TO PROVIDE FOR THE TIME PERIOD IN WHICH THE CREDIT MUST BE TAKEN, AND TO PROVIDE THAT THE TAX CREDIT MAY BE ASSIGNED; TO AMEND SECTION 12-67-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR “STATE-OWNED ABANDONED BUILDING”; TO AMEND SECTION 12-67-140, RELATING TO ELIGIBILITY FOR THE ABANDONED BUILDING TAX CREDIT, SO AS TO INCLUDE INSURANCE PREMIUM TAXES AS ONE OF THE TAXES

AGAINST WHICH A CREDIT CAN BE CLAIMED, TO PROVIDE FOR THE TIME PERIOD IN WHICH THE CREDIT MUST BE TAKEN, AND TO REMOVE A LIMITATION RELATED TO THE AMOUNT A TAXPAYER'S TAX LIABILITY MAY BE REDUCED; AND BY ADDING SECTION 12-67-160 SO AS TO PROVIDE FOR THE MANNER IN WHICH A TAXPAYER MAY APPLY TO OBTAIN CERTIFICATION OF THE ABANDONED BUILDING SITE.

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

Additional option for certified historic structure tax credit

SECTION 1. Section 12-6-3535 of the 1976 Code is amended to read:

“Section 12-6-3535. (A)(1) A taxpayer who is allowed a federal income tax credit pursuant to Section 47 of the Internal Revenue Code for making qualified rehabilitation expenditures for a certified historic structure located in this State is allowed to claim a credit against a combination of income taxes and license fees imposed by this title. For the purposes of this section, ‘qualified rehabilitation expenditures’ and ‘certified historic structures’ are defined as provided in the Internal Revenue Code Section 47 and the applicable treasury regulations. Except as provided in item (2), the amount of the credit is ten percent of the expenditures that qualify for the federal credit. To claim the credit allowed by this subsection, a taxpayer filing a paper return must attach a copy of the section of the federal income tax return showing the credit claimed, along with other information that the Department of Revenue determines is necessary for the calculation of the credit provided by this subsection.

(2) A taxpayer may elect a twenty-five percent tax credit in lieu of the ten percent tax credit, not to exceed one million dollars for each certified historic structure.

(B) A taxpayer who is not eligible for a federal income tax credit under Section 47 of the Internal Revenue Code and who makes rehabilitation expenses for a certified historic residential structure located in this State is allowed to claim a credit against the tax imposed by this chapter. The amount of the credit is twenty-five percent of the rehabilitation expenses. To claim the credit allowed by this subsection, a taxpayer filing a paper return must attach a copy of the certification obtained from the State Historic Preservation Officer verifying that the historic structure has been rehabilitated in accordance with this

subsection, along with all information that the Department of Revenue determines is necessary for the calculation of the credit provided by this subsection. A taxpayer filing an electronic return shall keep a copy of the certification with his tax records.

For the purposes of subsections (B) through (F):

(1) 'Certified historic residential structure' means an owner-occupied residence that is:

(a) listed individually in the National Register of Historic Places;

(b) considered by the State Historic Preservation Officer to contribute to the historic significance of a National Register Historic District;

(c) considered by the State Historic Preservation Officer to meet the criteria for individual listing in the National Register of Historic Places; or

(d) an outbuilding of an otherwise eligible property considered by the State Historic Preservation Officer to contribute to the historic significance of the property.

(2) 'Certified rehabilitation' means repairs or alterations consistent with the Secretary of the Interior's Standards for Rehabilitation and certified as such by the State Historic Preservation Officer before commencement of the work. The review by the State Historic Preservation Officer shall include all repairs, alterations, rehabilitation, and new construction on the certified historic residential structure and the property on which it is located. To qualify for the credit, the taxpayer shall receive documentation from the State Historic Preservation Officer verifying that the completed project was rehabilitated in accordance with the standards for rehabilitation. The rehabilitation expenses must, within a thirty-six-month period, exceed fifteen thousand dollars. A taxpayer shall not take more than one credit on the same certified historic residential structure within ten years.

(3) 'Rehabilitation expenses' means expenses incurred by the taxpayer in the certified rehabilitation of a certified historic residential structure that are paid before the credit is claimed including preservation and rehabilitation work done to the exterior of a certified historic residential structure, repair and stabilization of historic structural systems, restoration of historic plaster, energy efficiency measures except insulation in frame walls, repairs or rehabilitation of heating, air-conditioning, or ventilating systems, repairs or rehabilitation of electrical or plumbing systems exclusive of new electrical appliances and electrical or plumbing fixtures, and architectural and engineering fees.

'Rehabilitation expenses' do not include the cost of acquiring or marketing the property, the cost of new construction beyond the volume of the existing certified historic residential structure, the value of an owner's personal labor, or the cost of personal property.

(4) 'State Historic Preservation Officer' means the Director of the Department of Archives and History or the director's designee who administers the historic preservation programs within the State.

(5) 'Owner-occupied residence' means a building or portion of a building in which the taxpayer has an ownership interest, in whole or in part, in fee, by life estate, or as the income beneficiary of a property trust, that is, after being placed in service, the residence of the taxpayer and is not:

- (a) actively used in a trade or business;
- (b) held for the production of income; or
- (c) held for sales or disposition in the ordinary course of the taxpayer's trade or business.

(C)(1) The entire credit may not be taken for the taxable year in which the property is placed in service but must be taken in equal installments over a three-year period beginning with the year in which the property is placed in service. 'Placed in service' means the rehabilitation is completed and allows for the intended use. Any unused portion of any credit installment may be carried forward for the succeeding five years.

(2) The credit earned pursuant to this section by an 'S' corporation owing corporate level income tax must be used first at the entity level. Remaining credit passes through to each shareholder in a percentage equal to each shareholder's percentage of stock ownership. The credit earned pursuant to this section by a general partnership, limited partnership, limited liability company, or other pass-through entity, as defined in Section 12-6-545, must be passed through to its partners and may be allocated among partners, including, without limitation, an allocation of the entire credit to one partner, in a manner agreed by the partners. As used in this item the term 'partner' means a partner, member, or owner of an interest in the pass-through entity, as applicable. If the taxpayer makes a pass-through election under Section 50(d) of the Internal Revenue Code, the taxpayer may elect to pass the credit claimed pursuant to this section to the tenant of the eligible structure or to retain the credit.

(D) Additional work done by the taxpayer while the credit is being claimed, for a period of up to five years, must be consistent with the Secretary of the Interior's Standards for Rehabilitation. During this period the State Historic Preservation Officer may review additional work to the certified historic structure or certified historic residential

structure and has the right to inspect certified historic structures and certified historic residential structures. If additional work is not consistent with the Standards for Rehabilitation, the taxpayer and Department of Revenue must be notified in writing and any unused portion of the credit, including carry forward, is forfeited.

(E) The South Carolina Department of Archives and History shall develop an application and may promulgate regulations, including the establishment of fees, needed to administer the certification process. The Department of Revenue may promulgate regulations, including the establishment of fees, to administer the tax credit.

(F) A taxpayer may appeal a decision of the State Historic Preservation Officer to a committee of the State Review Board appointed by the chairperson.”

Definition

SECTION 2. Section 12-67-120 of the 1976 Code, as added by Act 57 of 2013, is amended by adding an item at the end to read:

“(8) ‘State-owned abandoned building’ means an abandoned building and its ancillary service buildings or a project consisting of one or more abandoned buildings, the aggregate size of which is greater than fifty thousand square feet, that has been abandoned for more than five years, and, prior to the taxpayer’s acquisition of such building, was most recently owned by the State, or an agency, instrumentality, or political subdivision of the State. For purposes of this definition, the taxpayer shall include any entity under common control or common ownership with the taxpayer.”

Abandoned building rehabilitation tax credit revised

SECTION 3. Section 12-67-140(A) and (B) of the 1976 Code, as added by Act 57 of 2013, is amended to read:

“(A) Subject to the terms and conditions of this chapter, a taxpayer who rehabilitates an abandoned building is eligible for either:

(1) a credit against income taxes imposed pursuant to Chapter 6 and Chapter 11 of this title, corporate license fees pursuant to Chapter 20 of this title, taxes on associations pursuant to Chapter 13 of this title, or insurance premium taxes, including retaliatory taxes, imposed by Chapter 7, Title 38, or a combination of them; or

(2) a credit against real property taxes levied by local taxing entities.

(B) If the taxpayer elects to receive the credit pursuant to subsection (A)(1), the following provisions apply:

(1) The taxpayer shall file with the department a Notice of Intent to Rehabilitate before incurring its first rehabilitation expenses at the building site. Failure to provide the Notice of Intent to Rehabilitate results in qualification of only those rehabilitation expenses incurred after the notice is provided.

(2) The amount of the credit is equal to twenty-five percent of the actual rehabilitation expenses incurred at the building site if the actual rehabilitation expenses incurred in rehabilitating the building site are between eighty percent and one hundred twenty-five percent of the estimated rehabilitation expenses set forth in the Notice of Intent to Rehabilitate. If the actual rehabilitation expenses exceed one hundred twenty-five percent of the estimated expenses set forth in the Notice of Intent to Rehabilitate, the taxpayer qualifies for the credit based on one hundred twenty-five percent of the estimated expenses as opposed to the actual expenses it incurred in rehabilitating the building site. If the actual rehabilitation expenses are below eighty percent of the estimated rehabilitation expenses, the credit is not allowed.

(3)(a) The entire credit is earned in the taxable year in which the applicable phase or portion of the building site is placed in service but must be taken in equal installments over a three-year period beginning with the tax year in which the applicable phase or portion of the building site is placed in service. Unused credit may be carried forward for the succeeding five years.

(b) The entire credit earned pursuant to this subsection may not exceed five hundred thousand dollars for any taxpayer in a tax year for each abandoned building site. The limitation provided in this subitem applies to each unit or parcel deemed to be an abandoned building site.

(4) If the taxpayer qualifies for both the credit allowed by this section and the credit allowed pursuant to the Textiles Communities Revitalization Act or the Retail Facilities Revitalization Act, the taxpayer only may claim one of the three credits. However, the taxpayer is not disqualified from claiming any other tax credit in conjunction with the credit allowed by this section.

(5)(a) If the taxpayer leases the building site, or part of the building site, the taxpayer may transfer any applicable remaining credit associated with the rehabilitation expenses incurred with respect to that part of the site to the lessee of the site. If a taxpayer sells the building site, or any phase or portion of the building site, the taxpayer may

transfer all or part of the remaining credit, associated with the rehabilitation expenses incurred with respect to that phase or portion of the site, to the purchaser of the applicable portion of the building site.

(b) To the extent that the taxpayer transfers the credit, the taxpayer shall notify the department of the transfer in the manner the department prescribes.

(6) To the extent that the taxpayer is a partnership or a limited liability company taxed as a partnership, the credit may be passed through to the partners or members and may be allocated among any of its partners or members including, without limitation, an allocation of the entire credit to one partner or member, without regard to any provision of the Internal Revenue Code or regulations promulgated pursuant thereto, that may be interpreted as contrary to the allocation, including, without limitation, the treatment of the allocation as a disguised sale.”

Certification of abandoned building site

SECTION 4. Chapter 67, Title 12 of the 1976 Code is amended by adding:

“Section 12-67-160. (A) Notwithstanding any other provision of law, the taxpayer may apply to the municipality or county in which the abandoned building is located for a certification of the abandoned building site made by ordinance or binding resolution of the governing body of the municipality or county. The certification must include findings that the:

(1) abandoned building site was an abandoned building as defined in Section 12-67-120(1); and

(2) geographic area of the abandoned building site is consistent with Section 12-67-120(2).

(B) The taxpayer may apply to the municipality or county in which the state-owned abandoned building is located for a certification of the state-owned abandoned building site made by ordinance or binding resolution of the governing body of the municipality or county. The certification must include findings that the:

(1) state-owned abandoned building site was a state-owned abandoned building as defined in Section 12-67-120(8); and

(2) geographic area of the state-owned abandoned building site is consistent with Section 12-67-120(8).

(C) The taxpayer conclusively may rely upon the certification in determining the credit allowed; provided, however, that if the taxpayer

is relying upon the certification, the taxpayer shall include a copy of the certification on the first return for which the credit is claimed.”

Time effective

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 3rd day of June, 2015.

Approved the 9th day of June, 2015.

No. 69

(R112, H3568)

AN ACT TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT CERTAIN CONSTRUCTION MATERIALS USED BY AN ENTITY ORGANIZED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AS A NONPROFIT ORGANIZATION, TO EXPAND THE EXEMPTION FOR PARTS AND SUPPLIES USED BY PERSONS ENGAGED IN THE BUSINESS OF REPAIRING OR RECONDITIONING AIRCRAFT, AND TO EXEMPT CERTAIN CHILDREN’S CLOTHING SOLD TO A PRIVATE CHARITABLE ORGANIZATION EXEMPT FROM FEDERAL AND STATE INCOME TAX AND TO PROVIDE EXCEPTIONS.

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

Sales tax exemption for certain construction materials

SECTION 1. Section 12-36-2120 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“() construction materials used by an entity organized under Section 501(c)(3) of the Internal Revenue Code as a nonprofit corporation to build, rehabilitate, or repair a home for the benefit of an individual or family in need. For purposes of this item, ‘an individual or family in

need' means an individual or family, as applicable, whose income is less than or equal to eighty percent of the county median income."

Expanding the sales tax exemption for aircraft parts and supplies

SECTION 2. Section 12-36-2120(52) of the 1976 Code is amended to read:

"(52) parts and supplies used by persons engaged in the business of repairing or reconditioning aircraft. This exemption does not extend to tools and other equipment not attached to or that do not become a part of the aircraft;"

Sales tax exemption for certain children's clothing

SECTION 3. Section 12-36-2120 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"() children's clothing sold to a private charitable organization exempt from federal and state income tax, except for private schools, for the sole purpose of distribution by that organization to needy children. For purposes of this item:

(a) 'clothing' means those items exempt from sales and use tax pursuant to item (57)(a)(i) and (iii) of this section; and

(b) 'needy children' means children eligible for free meals under the National School Lunch Program of the United States Department of Agriculture."

Time effective

SECTION 4. This act takes effect January 1, 2016.

Ratified the 4th day of June, 2015.

Approved the 9th day of June, 2015.

No. 70

(R99, S11)

AN ACT TO AMEND SECTION 30-4-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVISIONS IN THE FREEDOM OF INFORMATION ACT CONCERNING REQUIRED NOTICE FOR MEETINGS OF PUBLIC BODIES, SO AS TO PROVIDE PUBLIC BODIES SHALL POST AGENDAS FOR ALL REGULARLY SCHEDULED MEETINGS AND SPECIAL MEETINGS, TO PROVIDE THE TIME AND MANNER FOR POSTING THESE AGENDAS AND NOTICES OF MEETINGS, TO SPECIFY CONTENTS REQUIRED FOR THESE MEETING NOTICES, AND TO PROVIDE FOR THE MANNER IN WHICH THESE AGENDAS SUBSEQUENTLY MAY BE AMENDED.

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

Meeting notice and agenda requirements

SECTION 1. Section 30-4-80 of the 1976 Code is amended to read:

“Section 30-4-80. (A) All public bodies, except as provided in subsections (B) and (C) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. An agenda for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the body, if any, at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board or website, if any, public notice for any called, special, or rescheduled meetings. Such notice must include the agenda, date, time, and place of the meeting, and must be posted as early as is practicable but not later than twenty-four hours before the meeting. This requirement does not apply to emergency meetings of public bodies. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and

voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda. Nothing herein relieves a public body of any notice requirement with regard to any statutorily required public hearing.

(B) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

(C) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (A), must make reasonable and timely efforts to give notice of their meetings.

(D) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

(E) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 71

(R100, S47)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240 SO AS TO DEFINE THE TERM “BODY-WORN CAMERA”; TO REQUIRE ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS TO IMPLEMENT THE USE OF BODY-WORN CAMERAS PURSUANT TO GUIDELINES ESTABLISHED BY THE LAW ENFORCEMENT TRAINING COUNCIL; TO REQUIRE STATE AND LOCAL LAW ENFORCEMENT AGENCIES TO SUBMIT POLICIES AND PROCEDURES RELATED TO THE USE OF BODY-WORN CAMERAS TO THE LAW ENFORCEMENT TRAINING COUNCIL FOR REVIEW, APPROVAL, OR DISAPPROVAL; TO ESTABLISH A “BODY-WORN CAMERAS FUND”; AND TO PROVIDE THAT DATA RECORDED BY A BODY-WORN CAMERA IS NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT.

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

Body-worn cameras, definition, guidelines and policies and procedures, fund, data release

SECTION 1. Chapter 1, Title 23 of the 1976 Code is amended by adding:

“Section 23-1-240. (A) For purposes of this section, ‘body-worn camera’ means an electronic device worn on a person’s body that records both audio and video data.

(B) State and local law enforcement agencies, under the direction of the Law Enforcement Training Council, shall implement the use of body-worn cameras pursuant to guidelines established by the Law Enforcement Training Council.

(C) Within one hundred eighty days after the effective date of this section, the Law Enforcement Training Council shall conduct a thorough study of the use, implementation procedures, costs, and other related aspects associated with body-worn cameras in jurisdictions with body-worn cameras currently in use or which begin their use during this period. The Law Enforcement Training Council shall develop guidelines for the use of body-worn cameras by state and local law

enforcement agencies within one hundred eighty days of the effective date of this act. The guidelines must include, but are not limited to, specifying which law enforcement officers must wear body-worn cameras, when body-worn cameras must be worn and activated, restrictions on the use of body-worn cameras, the process to obtain consent of victims and witnesses before using body-worn cameras during an interview, the retention and release of data recorded by body-worn cameras, and access to the data recorded by body-worn cameras pursuant to subsection (G). The Law Enforcement Training Council shall provide the guidelines to state and local law enforcement agencies. The General Assembly may terminate all or part of the guidelines by resolution.

(D) State and local law enforcement agencies shall develop policies and procedures for the use of body-worn cameras pursuant to the guidelines established by the Law Enforcement Training Council. The agencies shall submit the policies and procedures to the Law Enforcement Training Council within two hundred seventy days of the effective date of this act. The Law Enforcement Training Council shall review and approve or disapprove of the policies and procedures. If the Law Enforcement Training Council disapproves of the policies and procedures, the law enforcement agency shall modify and resubmit the policies and procedures. The Law Enforcement Training Council, by three hundred sixty days from the effective date of this section, shall submit a report to the General Assembly which must include recommendations for statutory provisions necessary to ensure the provisions of this section are appropriately and efficiently managed and carried out and the fiscal impact associated with the use of body-worn cameras as required by this section, updated continuously as necessary.

(E)(1) A 'Body-Worn Cameras Fund' is established within the Department of Public Safety for the purpose of assisting state and local law enforcement agencies, the Attorney General's office, solicitors' offices, and public defenders' offices in implementing the provisions of this section, including, but not limited to, the initial purchase, maintenance, and replacement of body-worn cameras and ongoing costs related to the maintenance and storage of data recorded by body-worn cameras. The Public Safety Coordinating Council shall oversee the fund, and shall, within one hundred eighty days of the effective date of this act, establish a process for the application for and disbursement of monies to state and local law enforcement agencies, the Attorney General's office, solicitors' offices, and public defenders' offices. The Public Safety Coordinating Council shall disburse the funds in a fair and equitable manner, taking into consideration priorities in funding.

(2) Upon approval of a state or local law enforcement agency's policies and procedures by the Law Enforcement Training Council, the agency may apply to the Public Safety Coordinating Council for funding to implement the agency's use of body-worn cameras pursuant to this section, including, but not limited to, the initial purchase, maintenance, and replacement of body-worn cameras and ongoing costs related to the maintenance and storage of data recorded by body-worn cameras. A state or local law enforcement agency is not required to implement the use of body-worn cameras pursuant to this section until the agency has received full funding.

(F) Nothing in this section prohibits a state or local law enforcement agency's use of body-worn cameras pursuant to the agency's existing policies and procedures and funding while the agency is awaiting receipt of the Law Enforcement Training Council's guidelines, approval of the agency's policies and procedures by the Law Enforcement Training Council, and funding from the Public Safety Coordinating Council. Such an agency is eligible to apply to the Public Safety Coordinating Council for reimbursement, including, but not limited to, the initial purchase, maintenance, and replacement of body-worn cameras and ongoing costs related to maintenance and storage of data recorded by body-worn cameras.

(G)(1) Data recorded by a body-worn camera is not a public record subject to disclosure under the Freedom of Information Act.

(2) The State Law Enforcement Division, the Attorney General, and a circuit solicitor may request and must receive data recorded by a body-worn camera for any legitimate criminal justice purpose.

(3) A law enforcement agency, the State Law Enforcement Division, the Attorney General, or a circuit solicitor may release data recorded by a body-worn camera in its discretion.

(4) A law enforcement agency may request and must receive data recorded by a body-worn camera if the recording is relevant to an internal investigation regarding misconduct or disciplinary action of a law enforcement officer.

(5) In addition to the persons who may request and must receive data recorded by a body-worn camera provided in item (2), the following are also entitled to request and receive such data pursuant to the South Carolina Rules of Criminal Procedure, the South Carolina Rules of Civil Procedure, or a court order:

- (a) a person who is the subject of the recording;
- (b) a criminal defendant if the recording is relevant to a pending criminal action;

- (c) a civil litigant if the recording is relevant to a pending civil action;
- (d) a person whose property has been seized or damaged in relation to, or is otherwise involved with, a crime to which the recording is related;
- (e) a parent or legal guardian of a minor or incapacitated person described in subitem (a) or (b); and
- (f) an attorney for a person described in subitems (a) through (e).”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 10th day of June, 2015.

No. 72

(R101, S176)

AN ACT TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES, SO AS TO PROVIDE FOR RESPONSIBILITIES OF PHYSICIANS, FUNERAL HOMES, AND FUNERAL DIRECTORS AND TO ESTABLISH PENALTIES FOR NONCOMPLIANCE; TO AMEND SECTION 32-8-325, RELATING TO PREREQUISITES BEFORE CREMATING HUMAN REMAINS, SO AS TO PROVIDE FOR THE USE OF ELECTRONICALLY FILED DEATH CERTIFICATES TO MEET CERTAIN PREREQUISITES; AND TO AMEND SECTION 32-8-340, RELATING TO THE TIME THAT MUST ELAPSE BEFORE CREMATING HUMAN REMAINS, SO AS TO ALLOW USE OF INFORMATION PROVIDED ON ELECTRONICALLY FILED DEATH CERTIFICATES TO CALCULATE THE TIME OF DEATH.

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

Death certificates, electronic filing

SECTION 1. Section 44-63-74(A) of the 1976 Code is amended to read:

“(A)(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after death.

(2) The funeral director or other person acting as the funeral director who first assumes custody of a dead body shall file a death certificate. He also shall obtain:

(a) the personal data of the decedent from the next of kin or the best qualified person or source available; and

(b) the medical certification of cause of death as provided in department regulations.

(3) Medical certifications of cause of death must be completed and returned to the funeral home director within forty-eight hours after receipt of notice of the death by the physician in charge of the patient’s care for the illness or condition which resulted in death, except when an inquiry is required by a coroner or medical examiner. If the cause of death cannot be determined within forty-eight hours after death, the medical certification must be entered as pending, and the physician, medical examiner, or coroner shall submit a supplemental report to the state registrar on a form furnished by or approved by him as soon as practicable. The supplemental report shall be made a part of the death certificate. If the forty-eight hour period terminates on a weekend, federal holiday, or state holiday, the physician must file the certification by the end of the next business day. In the absence of this physician or with his approval, the certificate may be completed by his associate physician, the chief medical officer of the institution in which the death occurred, or by the pathologist who performed an autopsy upon the decedent.

(4) Death certificates must be transmitted electronically between the funeral home director and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer

than twelve funerals per year are exempt from the requirement to file electronically but must comply with the requirements of items (2) or (3), as applicable.

(5)(a) A physician who fails to certify the cause of death within forty-eight hours, without good cause shown, may be assessed an administrative penalty for violating item (3). The department shall notify the Board of Medical Examiners if a penalty is assessed. Each day after the initial forty-eight hour period shall constitute an additional violation.

(b) A funeral home or funeral director who fails to file a death certificate or collect data or collect medical certification of cause of death as required in items (1), (2), or both, without good cause shown, may be assessed an administrative penalty for violating the respective item. However, the department must not assess a penalty against a funeral home or funeral director for the delay or inability to collect personal data of the decedent pursuant to item (2)(a). The department shall notify the Board of Funeral Services if a penalty is assessed. Each day after the initial five day period in item (1) shall constitute an additional violation of that item.

(c) A physician, funeral director, or funeral home that is required to file electronically pursuant to item (4) but who fails to file accordingly may be assessed an administrative penalty for violating item (4).

(d) The administrative penalties are:

(i) two hundred fifty dollars for a first violation or a warning letter;

(ii) five hundred dollars for a second violation; and

(iii) one thousand dollars for a third or subsequent violation.

(e) The department shall retain any administrative penalties collected pursuant to this subsection and must allocate all of these funds to the Bureau of Vital Statistics for its use.”

Crematory authorities, use of electronic death certificates before accepting body for cremation

SECTION 2. Section 32-8-325(A)(1) of the 1976 Code is amended to read:

“(A) A crematory authority shall not cremate human remains until it has received all of the following:

(1) An abstract of information from a filed death certificate available on the electronic vital records system or a certified copy of the death certificate; however, if the decedent was pronounced dead during

hours the department was not open to the public, a completed copy of the death certificate, excluding the signature of the State Registrar of Vital Statistics, signed by the attending physician, coroner, or medical examiner must be provided to the crematory authority; the death certificate signed by the registrar must be filed the next working day of the department and a certified copy must be provided to the crematory authority.”

Cremation, use of electronic death certificates to calculate time of death

SECTION 3. Section 32-8-340(A) of the 1976 Code is amended to read:

“(A) Human remains may not be cremated before twenty-four hours have elapsed from the time of death as indicated on the attending physician’s, medical examiner’s, coroner’s certificate of death, or an abstract of information from a filed death certificate available on the electronic vital records system. However, if it is known that the decedent had an infectious or dangerous disease and if the time requirement is waived in writing by the attending physician, medical examiner, or coroner in the county in which the death occurred, the remains may be cremated before twenty-four hours have elapsed.”

Time effective

SECTION 4. This act takes effect January 1, 2016.

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 73

(R102, S179)

AN ACT TO AMEND SECTION 61-6-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF ALCOHOLIC LIQUORS, SO AS TO INCLUDE POWDERED OR CRYSTALLINE ALCOHOLS WHEN

HYDROLYZED IN THE DEFINITION OF ALCOHOLIC LIQUORS; AND TO AMEND SECTION 61-6-4157, RELATING TO THE PROHIBITION TO POSSESS, USE, SELL, OR PURCHASE POWDERED ALCOHOL, SO AS TO INCLUDE BOTH POWDERED AND CRYSTALLINE ALCOHOL WHEN HYDROLYZED.

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

Alcoholic liquors defined, powdered or crystalline alcohol added

SECTION 1. Section 61-6-20(1) of the 1976 Code is amended to read:

“Section 61-6-20. As used in the ABC Act, unless the context clearly requires otherwise:

(1)(a) ‘Alcoholic liquors’ or ‘alcoholic beverages’ means any spirituous malt, vinous, fermented, brewed (whether lager or rice beer), or other liquors or a compound or mixture of them, including, but not limited to, a powdered or crystalline alcohol, by whatever name called or known, which contains alcohol and is used as a beverage for human consumption, but does not include:

(i) wine when manufactured or made for home consumption and which is not sold by the maker of the wine or by another person; or

(ii) a beverage declared by statute to be nonalcoholic or nonintoxicating.

(b) ‘Alcoholic liquor by the drink’ or ‘alcoholic beverage by the drink’ means a drink poured from a container of alcoholic liquor, without regard to the size of the container for consumption on the premises of a business licensed pursuant to Article 5 of this chapter.

(c) ‘Powdered or crystalline alcohol’ means a powdered or crystalline product prepared or sold for either direct use or reconstitution for human consumption that contains any amount of alcohol when hydrolyzed.”

Prohibition on powdered alcohol, crystalline alcohol added

SECTION 2. Section 61-6-4157 of the 1976 Code, as added by Act 253 of 2014, is amended to read:

“Section 61-6-4157. (A) As used in this section, ‘powdered or crystalline alcohol’ is alcohol prepared or sold in a powdered or

crystalline form that contains any amount of alcohol when hydrolyzed for either direct use or reconstitution for human consumption.

(B)(1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess powdered or crystalline alcohol.

(2) It is unlawful for a holder of a license pursuant to the provisions of this chapter for on-premises or off-premises consumption of alcoholic liquors to use powdered or crystalline alcohol as an alcoholic beverage.

(3) Any person or license holder that violates this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(a) for a first offense, by a fine of not more than three hundred dollars or imprisonment for not more than thirty days, or both;

(b) for a second offense, by a fine of not more than seven hundred fifty dollars or imprisonment for not more than six months, or both;

(c) for a third or subsequent offense, by a fine of not more than three thousand dollars or imprisonment for not more than two years, or both.

(C) This section does not apply to the use of powdered or crystalline alcohol for commercial uses specifically approved by state law, or for bona fide research purposes by a:

(1) health care provider that operates primarily for the purpose of conducting scientific research;

(2) state institution;

(3) private college or university; or

(4) pharmaceutical or biotechnology company.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 5th day of June, 2015.

No. 74

(R103, S183)

AN ACT TO AMEND SECTION 16-3-2020, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAFFICKING IN PERSONS OFFENSES, SO AS TO PROVIDE THAT A PERSON IS CONSIDERED A TRAFFICKER IF THE PERSON GIVES OR OFFERS ANYTHING OF VALUE TO ANOTHER PERSON TO ENGAGE IN COMMERCIAL SEXUAL ACTIVITY KNOWING THAT THE OTHER PERSON IS A VICTIM OF TRAFFICKING IN PERSONS, TO PROVIDE THAT A VICTIM CONVICTED OF A TRAFFICKING IN PERSONS VIOLATION OR PROSTITUTION MAY MOTION THE COURT TO VACATE THE CONVICTION, AND TO PROVIDE THAT A VICTIM IS NOT SUBJECT TO PROSECUTION FOR TRAFFICKING IN PERSONS OR PROSTITUTION IF THE VICTIM WAS A MINOR AT THE TIME OF THE OFFENSE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 16-3-2030, RELATING TO BUSINESSES AND TRAFFICKING IN PERSONS, SO AS TO PROVIDE THAT A COURT MAY CONSIDER DISGORGEMENT OF PROFIT FROM A BUSINESS INVOLVED IN TRAFFICKING IN PERSONS AND DISBARMENT FROM GOVERNMENT CONTRACTS; TO AMEND SECTION 16-3-2040, RELATING TO RESTITUTION FOR VICTIMS OF TRAFFICKING IN PERSONS, SO AS TO PROVIDE THAT THE COURT MAY ORDER RESTITUTION IN AN AMOUNT REPRESENTING THE VALUE OF THE VICTIM'S LABOR OR SERVICES AND INCLUDE ATTORNEY'S FEES; TO AMEND SECTION 16-3-2050, AS AMENDED, RELATING TO THE TASK FORCE ON TRAFFICKING IN PERSONS, SO AS TO PROVIDE THAT THE TASK FORCE MAY MAKE GRANTS OR CONTRACTS TO DEVELOP OR EXPAND VICTIMS' SERVICE PROGRAMS.

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

Trafficking in persons, persons considered traffickers, vacating convictions of certain victims of trafficking in persons

SECTION 1. Section 16-3-2020 of the 1976 Code, as added by Act 258 of 2012, is amended to read:

“Section 16-3-2020. (A) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, knowing that the victim will be subjected to sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in this subsection, is guilty of trafficking in persons.

(B) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, for the purposes of sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in subsection (A), is guilty of trafficking in persons.

(C) For a first offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than fifteen years.

(D) For a second offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

(E) For a third or subsequent offense, the person is guilty of a felony, and, upon conviction, must be imprisoned not more than forty-five years.

(F) If the victim of an offense contained in this section is under the age of eighteen, an additional term of fifteen years may be imposed in addition and must be consecutive to the penalty prescribed for a violation of this section.

(G) A person who aids, abets, or conspires with another person to violate the criminal provisions of this section must be punished in the same manner as provided for the principal offender and is considered a trafficker. A person is considered a trafficker if he knowingly gives, agrees to give, or offers to give anything of value so that any person may engage in commercial sexual activity with another person when he knows that the other person is a victim of trafficking in persons.

(H) A business owner who uses his business in a way that participates in a violation of this article, upon conviction, must be imprisoned for not more than ten years in addition to the penalties provided in this section for each violation.

(I) A plea of guilty or the legal equivalent entered pursuant to a provision of this article by an offender entitles the victim of trafficking in persons to all benefits, rights, and compensation granted pursuant to Section 16-3-1110.

(J) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if

the offenses were committed as a direct result of, or incidental or related to, trafficking. A victim of trafficking in persons convicted of a violation of this article or prostitution may motion the court to vacate the conviction and expunge the record of the conviction. The court may grant the motion on a finding that the person's participation in the offense was a direct result of being a victim. A victim of trafficking in persons is not subject to prosecution pursuant to this article or prostitution, if the victim was a minor at the time of the offense and committed the offense as a direct result of, or incidental or related to, trafficking.

(K) Evidence of the following facts or conditions do not constitute a defense in a prosecution for a violation of this article, nor does the evidence preclude a finding of a violation:

(1) the victim's sexual history or history of commercial sexual activity, the specific instances of the victim's sexual conduct, opinion evidence of the victim's sexual conduct, and reputation evidence of the victim's sexual conduct;

(2) the victim's connection by blood or marriage to a defendant in the case or to anyone involved in the victim's trafficking;

(3) the implied or express consent of a victim to acts which violate the provisions of this section do not constitute a defense to violations of this section;

(4) age of consent to sex, legal age of marriage, or other discretionary age; and

(5) mistake as to the victim's age, even if the mistake is reasonable.

(L) A person who violates the provisions of this section may be prosecuted by the State Grand Jury, pursuant to Section 14-7-1600, when a victim is trafficked in more than one county or a trafficker commits the offense of trafficking in persons in more than one county."

Trafficking in persons, businesses, loss of profits and government contracts

SECTION 2. Section 16-3-2030(A) of the 1976 Code, as added by Act 258 of 2012, is amended to read:

“(A) The principal owners of a business, a business entity, including a corporation, partnership, charitable organization, or another legal entity, that knowingly aids or participates in an offense provided in this article is criminally liable for the offense and will be subject to a fine or loss of business license in the State, or both. In addition, the court may consider

disgorgement of profit from activity in violation of this article and disbarment from state and local government contracts.”

Trafficking in persons, restitution, value of victim’s services and attorney’s fees included

SECTION 3. Section 16-3-2040(D) of the 1976 Code, as added by Act 258 of 2012, is amended to read:

“(D) Restitution for this section, pursuant to Section 16-3-1270, means payment for all injuries, specific losses, and expenses, including, but not limited to, attorney’s fees, sustained by a crime victim resulting from an offender’s criminal conduct pursuant to Section 16-3-1110(12)(a). In addition, the court may order an amount representing the value of the victim’s labor or services.”

Trafficking in persons task force, grants or contracts to expand victims’ service programs

SECTION 4. Section 16-3-2050 of the 1976 Code, as last amended by Act 7 of 2015, is amended by adding an appropriately lettered subsection to read:

“() To the extent that funds are appropriated, the task force may make grants to or contract with a state agency, local government, or private victim’s service organization to develop or expand service programs for victims. A recipient of a grant or contract shall report annually to the task force the number and demographic information of all victims receiving services pursuant to the grant or contract.”

Severability clause

SECTION 5. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases,

or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 6. This act takes effect upon approval by the Governor

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 75

(R105, S250)

AN ACT TO AMEND SECTION 63-7-380, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, IN PART, TO THE RIGHT OF CERTAIN MEDICAL PROFESSIONALS WITHOUT PARENTAL CONSENT TO PERFORM MEDICAL EXAMINATIONS ON AND RELEASE MEDICAL RECORDS ABOUT A CHILD WHO IS THE SUBJECT OF AN ABUSE OR NEGLECT REPORT, SO AS TO IDENTIFY TO WHOM PRIMARY CARE PHYSICIANS, CONSULTING PHYSICIANS, AND HOSPITAL FACILITIES MAY OR MUST RELEASE THE MEDICAL RECORDS; TO AMEND SECTION 63-7-1990, AS AMENDED, RELATING TO CONFIDENTIALITY OF CHILD ABUSE AND NEGLECT RECORDS MAINTAINED BY THE DEPARTMENT OF SOCIAL SERVICES, SO AS TO ALLOW SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM CHILD ABUSE HEALTH CARE PROVIDERS TO HAVE ACCESS TO CERTAIN INFORMATION ABOUT INDICATED CASES AND TO REQUIRE THE DEPARTMENT TO SHARE INFORMATION RELATING TO AN INDICATED CASE WITH A CHILD'S PRIMARY OR SPECIALTY HEALTH CARE PROVIDER; AND TO AMEND SECTION 63-7-2000, RELATING TO RETENTION OF RECORDS ON UNFOUNDED CASES OF REPORTED CHILD ABUSE OR NEGLECT, SO AS TO AUTHORIZE THE DEPARTMENT TO RELEASE A SUMMARY OF THE ALLEGATIONS AND INVESTIGATION OUTCOME TO

**SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL
RESPONSE SYSTEM CHILD ABUSE HEALTH CARE
PROVIDERS.**

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

**Child abuse or neglect, release of medical records by health care
providers without parental consent**

SECTION 1. Section 63-7-380 of the 1976 Code is amended to read:

“Section 63-7-380. A person required to report under Section 63-7-310 may take, or cause to be taken, color photographs of the areas of trauma visible on a child who is the subject of a report and, if medically indicated, a physician may cause to be performed a radiological examination or other medical examinations or tests of the child without the consent of the child's parents or guardians. Copies of all photographs, negatives, radiological, and other medical reports must be sent to the department at the time a report pursuant to Section 63-7-310 is made, or as soon as reasonably possible after the report is made. Upon written request of the consulting care physician or the hospital facility and without consent of the child's parent or legal guardian, the primary care physician shall release the medical records, radiologic imaging, photos, and all other health information only to the consulting care physician and the hospital facility. The consulting care physician and the hospital facility only may release the records to law enforcement in accordance with the Health Insurance Portability and Accountability Act, 45 C.F.R. 164.512(b).”

**Child abuse or neglect, access to indicated case records by child
advocacy medical response system providers**

SECTION 2. Section 63-7-1990(B) of the 1976 Code is amended by adding:

“(24) a South Carolina Children's Advocacy Medical Response System child abuse health care provider or his designee for the evaluation of a child for suspected abuse or neglect.”

Child abuse or neglect, access to information about indicated cases by child advocacy medical response system providers and certain medical professionals

SECTION 3. Section 63-7-1990 of the 1976 Code is amended by adding:

“(N) The department is authorized to provide a summary of referrals and the outcome of the referrals made to a contracted service agency or program addressing identified risks affecting the stability of the family to a South Carolina Children’s Advocacy Medical Response System child abuse health care provider or his designee.

(O) The department shall notify and share information relating to the outcome of an indicated investigation or other contracted services and programs addressing identified risks affecting the stability of the family with the physicians involved in the ongoing primary or specialty health care of the child.”

Child abuse or neglect, access to information about unfounded cases by child advocacy medical response system providers

SECTION 4. Section 63-7-2000 of the 1976 Code is amended by adding:

“(F) The department is authorized to release a summary of the allegations and outcome of an investigation for unfounded cases regarding a child and family to a South Carolina Children’s Advocacy Medical Response System child abuse health care provider or his designee for evaluation of the child for suspected abuse or neglect.”

Time effective

SECTION 5. This act takes effect upon approval by the Governor.

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 76

(R106, S341)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-65 SO AS TO REQUIRE EVERY HOSPITAL AND BIRTH CENTER IN THE STATE TO PROVIDE EDUCATIONAL INFORMATION ON SICKLE CELL DISEASE AND SICKLE CELL TRAIT AND ASSOCIATED COMPLICATIONS TO THE PARENTS OF EACH NEWBORN BABY WHO IS AT HIGH RISK FOR SICKLE CELL DISEASE OR SICKLE CELL TRAIT DELIVERED IN THE HOSPITAL OR BIRTH CENTER.

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

Hospitals and birth centers required to provide sickle cell education

SECTION 1. Chapter 37, Title 44 of the 1976 Code is amended by adding:

“Section 44-37-65. Every hospital and birth center in this State shall provide the parents of each newborn baby who is at high risk for sickle cell disease or sickle cell trait delivered in the hospital or birth center, educational information on sickle cell disease and sickle cell trait and associated complications.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 77

(R107, S407)

AN ACT TO AMEND SECTION 41-27-265, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CORPORATE OFFICERS EXEMPTION FROM UNEMPLOYMENT BENEFITS ABSENT EMPLOYER ELECTION, SO AS TO PROVIDE THAT CORPORATE OFFICERS ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE CORPORATION ELECTS TO OPT OUT OF THE COVERAGE AND TO PROVIDE FOR THE OPT OUT PROCESS, TO PROVIDE THAT THE SECTION ALSO APPLIES TO INDIVIDUALS WHO OWN TWENTY-FIVE PERCENT OR MORE STOCK IN A CORPORATION OR OTHERWISE EXERCISE AN OWNERSHIP INTEREST IN A CORPORATION, TO PROVIDE THAT PERSONS WITH A TWENTY-FIVE PERCENT OWNERSHIP INTEREST IN ANY OTHER BUSINESS ENTITY FORMED UNDER THE LAWS OF THIS STATE ARE ELIGIBLE FOR UNEMPLOYMENT BENEFITS UNLESS THE BUSINESS ENTITY ELECTS TO OPT OUT OF THE COVERAGE, TO PROVIDE THAT NEWLY-FORMED BUSINESS ENTITIES WITH PERSONS QUALIFIED FOR UNEMPLOYMENT BENEFITS UNDER THIS SECTION MUST REGISTER WITH THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE EACH QUALIFIED PERSON WHO THE ENTITY SEEKS TO EXEMPT; AND TO AMEND CHAPTER 41, TITLE 41, RELATING TO OFFENSES, PENALTIES, AND VIOLATIONS CONCERNING UNEMPLOYMENT BENEFITS, SO AS TO INCREASE PENALTIES FOR VIOLATIONS OF PROVISIONS CONTAINED IN CHAPTERS 27 THROUGH 41 OF TITLE 41, TO PROVIDE FINAL DECISIONS CONCERNING UNEMPLOYMENT BENEFITS OVERPAYMENTS ARE FINAL FOR ALL PURPOSES AND PROCEEDINGS, AND TO PROVIDE THE DEPARTMENT MAY RECOVER CERTAIN FINES THROUGH ACTION IN THE ADMINISTRATIVE LAW COURT; TO MAKE PROVISIONS OF SECTION 1 APPLICABLE RETROACTIVELY TO JANUARY 1, 2015, AND TO PROVIDE CREDIT AGAINST FUTURE CONTRIBUTIONS FOR EMPLOYERS WHOSE CONTRIBUTION RATES CONSEQUENTLY ARE REDUCED.

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

Opt out from benefits required, new business registration

SECTION 1. Section 41-27-265(A) and (B) of the 1976 Code, as added by Act 266 of 2014, is amended to read:

“(A)(1) Solely for purposes of this section, ‘corporate officer’ shall mean a person appointed or otherwise serving as an officer for a corporation pursuant to Article 4, Chapter 8, Title 33, a person who owns twenty-five percent or more of the shares of a corporation, or a person who otherwise exercises an ownership interest in a corporation. Solely for the purposes of this title, services performed by a corporate officer shall be considered services in employment unless a corporation elects not to cover all of its corporate officers under item (2). If an employer elects not to cover its corporate officers under item (2), the employer must notify its corporate officers in writing that they are ineligible for unemployment benefits. However, if the employer fails to provide notice, the individual’s status as a corporate officer is unchanged and the person remains ineligible for unemployment benefits.

(2) An employer may elect not to cover its corporate officers by providing the department with a written election that all services performed by its corporate officers shall not be deemed to constitute employment for all purposes related to Chapters 27 through 41 of this title for at least two calendar years. To make the election, a corporation with qualifying corporate officers pursuant to item (1) must register with the department all qualifying corporate officers exempt from coverage. The registration must be in a format prescribed by the department. Registration forms received and approved by the department on or before January fifteenth must become effective the first day of the calendar year and must remain in effect for at least two consecutive calendar years. Registration forms received and approved by the department after January fifteenth, must become effective January first of the following year, and must remain in effect for at least two consecutive calendar years. Exemptions from coverage shall not be eligible for a refund or credit for contributions paid for corporate officers before the effective date of the exemption.

(B)(1) Solely for the purposes of this title, services performed by a person who has at least a twenty-five percent ownership interest in a business entity formed pursuant to the laws of this State, other than a corporation, shall be considered services in employment unless the entity

elects not to cover a person with at least a twenty-five percent ownership interest in the entity.

(2) A person who has an ownership interest of at least twenty-five percent in a business entity formed pursuant to the laws of this State, other than a corporation, may elect not to cover himself by providing the department with a written election that all services performed by the person shall not be deemed to constitute employment for all purposes related to Chapters 27 through 41 of this title for at least two calendar years. The election must be in a format prescribed by the department. Election forms received and approved by the department on or before January fifteenth must become effective the first day of the calendar year and must remain in effect for at least two consecutive calendar years. Registration forms received and approved by the department after January 15, 2015, must become effective January 1, 2016, and must remain in effect for at least two consecutive calendar years. Exemptions from coverage must not be retroactive and the business entity requesting the exemption shall not be eligible for a refund or credit for contributions paid for persons before the effective date of the exemption.

(3) A newly formed business entity with qualifying persons pursuant to items (1) and (2) must register with the department each person it elects to exempt within thirty calendar days after becoming an employer under Chapters 27 through 41 of this title. Registration forms received and approved by the department must become effective on and after the date of approval and must remain in effect for at least two consecutive calendar years.”

Penalties and procedures revised

SECTION 2. Chapter 41, Title 41 of the 1976 Code is amended to read:

“CHAPTER 41

Employment and Workforce-Offenses, Penalties and Liabilities

Section 41-41-10. Whoever makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to obtain or to increase any benefits or other payment under Chapters 27 through 41 of this title or under an employment security or unemployment compensation law of any other state, the Federal Government, or of a foreign government, either for himself or for any other person, shall be punished by a fine of not less than fifty nor more than two hundred fifty dollars or by imprisonment for not longer

than thirty days and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

Section 41-41-20. (A) A claimant found by the department knowingly to have made a false statement or who knowingly failed to disclose a material fact when filing a compensable claim to establish his right to or increase the amount of his benefits is ineligible to receive benefits for any week for which the claim was filed and is ineligible to receive further benefits for not less than ten and not more than fifty-two consecutive weeks as determined by the department according to the circumstances of the case, these weeks to commence with the date of the determination.

(B) If the department finds that a fraudulent misrepresentation has been made by a claimant with the object of obtaining benefits under this chapter to which he was not entitled, in addition to any other penalty or prosecution provided under this chapter, the department may make a determination that there must be deducted from benefits to which the claimant might become entitled during this present benefit year or the next subsequent benefit year, or both, an amount not less than two and one-half times his weekly benefit amount and not more than his maximum benefit amount payable in a benefit year, as determined under Chapter 35. This deduction takes effect on the date of the determination. An appeal from this determination must be made in the manner prescribed in Article 5, Chapter 35.

Section 41-41-30. Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false or who knowingly fails to disclose a material fact to prevent or reduce the payment of benefits to any individual entitled thereto or to avoid becoming or remaining subject thereto or to avoid or reduce any contribution or other payment required from any employing unit under Chapters 27 through 41 of this title shall be punished by a fine of not less than fifty nor more than two hundred fifty dollars or by imprisonment for not longer than thirty days, and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

Section 41-41-40. (A)(1) A person who has received a sum as benefits under Chapters 27 through 41 while conditions for the receipt of benefits imposed by these chapters were not fulfilled or while he was disqualified from receiving benefits is liable to repay the department for

the unemployment compensation fund a sum equal to the amount received by him.

(2) If full repayment of benefits, to which an individual was determined not entitled, has not been made, the sum must be deducted from future benefits payable to him under Chapters 27 through 41, and the sum must be collectible in the manner provided in Sections 41-31-380 through 41-31-400 for the collection of past due contributions.

(3) The department may attempt collection of overpayments through the South Carolina Department of Revenue in accordance with Section 12-56-10, et seq. If the overpayment is collectible in accordance with Section 12-56-60, the department shall add to the amount of the overpayment a collection fee of not more than fifty dollars for each collection attempt to defray administrative costs. Notwithstanding another provision of law, a final decision of the department or court establishing the character and amount of overpayment is final for all purposes and proceedings.

(4) The department may attempt collection of overpayment through the federal Unemployment Compensation Treasury Offset Program (UCTOP). If the overpayment is collectible, the department shall add to the amount of the overpayment a collection fee not to exceed the administrative costs set by this program.

(5) Notwithstanding any other provision of this section, no action to enforce recovery or recoupment of any overpayment may begin after five years from the date of the final determination for nonfraudulent overpayments nor after eight years from the date of the final determination for fraudulent overpayments.

(B)(1) A person who is overpaid any amounts as benefits under Chapters 27 through 41 is liable to repay those amounts, except as otherwise provided by this subsection.

(2) Upon written request by the person submitted to the department within the statutory appeal period from the issuance of the determination of overpayment, the department may waive repayment if the department finds that the:

(a) overpayment was not due to fraud, misrepresentation, or wilful nondisclosure on the part of the person;

(b) overpayment was received without fault on the part of the person; and

(c) recovery of the overpayment from the person would be contrary to equity and good conscience.

(3) Decisions denying waiver requests are subject to the appeal provisions of Chapter 35.

(C) A person who has received a sum as benefits under the comparable unemployment law of any other state while conditions imposed by that law were not fulfilled or while he was disqualified from receiving benefits by that law is liable to repay the department for the corresponding unemployment compensation fund of the other state a sum equal to the amount received by him if the other state has entered into an Interstate Reciprocal Overpayment Recovery Agreement with the State and has furnished the department with verification of the overpayment as required by the agreement. Recovery of overpayments under this subsection are not subject to the provisions of subsections (A)(3) and (B).

(D) Upon the determination of fraudulent overpayments by the department, an employer from whose account the overpayment was debited must be credited for the amount of the overpayment regardless of the outcome of the action for recoupment or recovery of the overpayment. This section shall not apply to employers whose accounts are subject to the provisions of Section 41-31-810 or 41-31-620.

Section 41-41-45. (A) Notwithstanding any other provision of law, if the department determines that an improper payment from its unemployment compensation fund or from any federal unemployment compensation fund was made to any individual due to a false statement or failure to disclose a material fact pursuant to Sections 41-41-10 and 41-41-20, the department will assess a monetary penalty of thirty-three percent of the amount of the overpayment.

(B) The notice of the determination or decision informing the individual of the overpayment must include:

- (1) the claimant's appeal rights;
- (2) the penalty amount;
- (3) an explanation of the reason for the overpayment; and
- (4) the reason the penalty has been applied.

(C) The recovered amounts shall be applied with priority to:

- (1) the principal amount of the overpayment to the unemployment compensation fund;
- (2) sixty percent of the monetary penalty to the unemployment compensation fund;
- (3) the remaining forty percent of the monetary penalty to promote unemployment compensation integrity; and
- (4) any remaining amounts to interest.

(D) Offset of future unemployment insurance benefits shall not be applied to the monetary penalty or interest associated with an overpayment.

(E) The monetary penalty will be assessed on any fraudulent overpayment determined by the department.

Section 41-41-50. An employing unit or person who wilfully violates a provision of Chapters 27 through 41 of this title or an order, rule, or regulation under this title, the violation of which is made unlawful or the observance of which is required under the terms of these chapters, is liable to a penalty of two thousand dollars, to be recovered by the department in an appropriate action in the South Carolina Administrative Law Court, and also is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than fifty dollars but not more than two hundred fifty dollars or imprisonment for not longer than thirty days, and, with regard to both civil and criminal penalties, each day the violation continues is considered a separate offense.”

Time effective, retroactive application, credits against future employer contributions

SECTION 3. This act takes effect upon approval by the Governor. The provisions contained in SECTION 1 shall retroactively apply to contribution rates calculated and imposed on or after January 1, 2015. Where the application of SECTION 1 would result in the reduction of contribution rates on an employer, the department shall credit that amount against future contributions from that employer until the credit is exhausted.

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 78

(R109, S754)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-23-15 SO AS TO INCREASE THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT.

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

Murrell's Inlet-Garden City Fire District expanded

SECTION 1. Article 1, Chapter 23, Title 4 of the 1976 Code is amended by adding:

“Section 4-23-15. Notwithstanding the boundaries of the Murrell's Inlet-Garden City Fire District set forth in Section 4-23-10, as of January 1, 2016, the boundaries of the district also include that area shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document F-43-51-15.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 79

(R117, H3154)

AN ACT TO AMEND SECTION 7-13-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO REVISE THE DATES BY WHICH CANDIDATES FOR PRESIDENT AND VICE PRESIDENT MUST BE CERTIFIED; TO AMEND SECTION 7-15-10, AS AMENDED, RELATING TO THE DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 7-15-20, AS AMENDED, RELATING TO THE LIBERAL CONSTRUCTION OF CHAPTER 15, TITLE 7, SO AS TO INCLUDE THE NEW ARTICLE 9; TO AMEND SECTION 7-15-310, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO ARTICLE 5, CHAPTER 15, TITLE 7, SO AS TO MAKE TECHNICAL CORRECTIONS; BY ADDING ARTICLE 9 TO CHAPTER 15, TITLE 7 SO AS TO ENACT THE

“SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT”, TO DEFINE NECESSARY TERMS, AND PROVIDE REGISTRATION AND ABSENTEE VOTING ALTERNATIVES FOR CERTAIN MILITARY AND OVERSEAS VOTERS; AND TO REPEAL SECTIONS 7-15-400, 7-15-405, 7-15-406, AND 7-15-460 ALL RELATING TO ABSENTEE REGISTRATION AND VOTING.

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

Certification of candidates for President and Vice President

SECTION 1. Section 7-13-350(B) of the 1976 Code, as last amended by Act 3 of 2003, is further is amended to read:

“(B) Candidates for President and Vice President must be certified not later than twelve o’clock noon on the first Tuesday following the first Monday in September to the State Election Commission.”

Duties of State Election Commission

SECTION 2. Section 7-15-10 of the 1976 Code, as last amended by Act 434 of 1996, is further amended to read:

“Section 7-15-10. The State Election Commission is responsible for carrying out the provisions of this chapter. The commission may promulgate regulations, and must have drafted, printed, and distributed all forms that are required to make it possible for persons eligible to vote by absentee ballot in primary, general, and special elections. Regulations promulgated pursuant to this section must be promulgated in accordance with the Administrative Procedures Act.”

Construction

SECTION 3. Section 7-15-20 of the 1976 Code, as last amended by Act 280 of 1982, is further amended to read:

“Section 7-15-20. Article 3, Article 5, and Article 9 of this chapter shall be liberally construed in order to effectuate their purposes.”

Definitions

SECTION 4. Section 7-15-310 of the 1976 Code, as last amended by Act 392 of 2000, is further amended to read:

“Section 7-15-310. As used in this article:

(1) ‘Members of the Armed Forces of the United States’ means members of the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, the United States Coast Guard, or any of their respective components.

(2) ‘Members of the Merchant Marine of the United States’ means all officers and men engaged in maritime service on board ships.

(3) ‘Students’ means all persons residing outside of the counties of their respective residences, enrolled in an institution of learning.

(4) ‘Physically disabled person’ means a person who, because of injury or illness, cannot be present in person at his voting place on election day.

(5) ‘Registration form’ means Standard Form 76, or a subsequent form replacing it, authorized by the federal government or the state form described in Section 7-15-120.

(6) ‘Persons in employment’ means those persons who by virtue of their employment obligations are unable to vote in person.

(7) ‘Authorized representative’ means a registered elector who, with the voter’s permission, acts on behalf of a voter unable to go to the polls because of illness or disability resulting in his confinement in a hospital, sanatorium, nursing home, or place of residence, or a voter unable because of a physical handicap to go to his polling place or because of a handicap is unable to vote at his polling place due to existing architectural barriers which that deny him physical access to the polling place, voting booth, or voting apparatus or machinery. Under no circumstance shall a candidate or a member of a candidate’s paid campaign staff or volunteers reimbursed for the time they expend on campaign activity be considered an ‘authorized representative’ of an elector desiring to vote by absentee ballot.

(8) ‘Immediate family’ means a person’s spouse, parents, children, brothers, sisters, grandparents, grandchildren, and mothers-in-law, fathers-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in-law.

(9) ‘Overseas citizen’ means a citizen of the United States residing outside of the United States as specified by Section 7-15-110.”

South Carolina Uniform Military and Overseas Voters Act

SECTION 5. Chapter 15, Title 7 of the 1976 Code is amended by adding:

“Article 9

South Carolina Uniform Military and Overseas Voters

Section 7-15-600. This article may be cited as the ‘South Carolina Uniform Military and Overseas Voters Act’.

Section 7-15-610. As used in this article:

(1) ‘Members of the Armed Forces of the United States’ means members of the United States Army, the United States Navy, the United States Marine Corps, the United States Air Force, the United States Coast Guard, or any of their respective components.

(2) ‘Members of the Merchant Marine of the United States’ means all officers and men engaged in maritime service on board ships.

(3) ‘Registration form’ means Standard Form 76, or a subsequent form replacing it, authorized by the federal government or the state form described in Section 7-15-120.

(4) ‘Overseas citizen’ means a citizen of the United States residing outside of the United States who is a:

(a) member of the Armed Forces of the United States;

(b) member of the Merchant Marine of the United States;

(c) person serving with the American Red Cross or the United Service Organizations (USO) attached to and serving with the Armed Forces of the United States outside of the county of his residence in South Carolina;

(d) members or employees of any department of the United States Government serving overseas;

(e) citizen of the United States residing outside the United States:

(i) if he last resided in South Carolina immediately before his departure from the United States;

(ii) if he could have met all qualifications to vote in federal elections in South Carolina even though while residing outside the United States he does not have a place of abode or other address in South Carolina; even if his intent to return to South Carolina may be uncertain, as long as he has complied with all applicable South Carolina qualifications and requirements which are consistent with the Uniformed and Overseas Absentee Voting Act (Public Law 99-410).

(5) 'Covered voter' means:

(a) a uniformed-service voter or an overseas voter who is registered to vote in this State;

(b) a uniformed-service voter whose voting residence is in this State and who otherwise satisfies this state's voter eligibility requirements;

(c) an overseas voter who, before leaving the United States, was last eligible to vote in this State and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements;

(d) an overseas voter who, before leaving the United States, would have been last eligible to vote in this State had the voter then been of voting age and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements; or

(e) an overseas voter who was born outside the United States, is not described in subitem (c) or (d), and, except for a state residency requirement, otherwise satisfies this state's voter eligibility requirements, if:

(i) the last place where a parent or legal guardian of the voter was, or under this article would have been, eligible to vote before leaving the United States is within this State; and

(ii) the voter has not previously registered to vote in any other state.

(6) 'Dependent' means an individual recognized as a dependent by a uniformed service.

(7) 'Federal postcard application' means the application prescribed under Section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff(b)(2), or its successor.

(8) 'Federal write-in absentee ballot' means the ballot described in Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act, 42 U.S.C. Section 1973ff-2, or its successor.

(9) 'Military-overseas ballot' means:

(a) a federal write-in absentee ballot;

(b) a ballot specifically prepared or distributed for use by a covered voter in accordance with this article; or

(c) a ballot cast by a covered voter in accordance with this article.

(10) 'Overseas voter' means a United States citizen who resides outside the United States.

(11) 'Uniformed service' means:

(a) active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States;

(b) the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or

(c) the National Guard or organized militia.

(12) 'Uniformed-service voter' means an individual who is qualified to vote and is:

(a) a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty;

(b) a member of the Merchant Marine, the commissioned corps of the Public Health Service, or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States;

(c) a member on activated status of the National Guard or organized militia; or

(d) a spouse or dependent of a member referred to in this item.

Section 7-15-620. Notwithstanding other provisions of law, a voter who meets the requirements of this article may utilize the absentee ballot process established by this article, or as otherwise permitted by state or federal law.

Section 7-15-630. (A) A qualified elector of this State who is eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the 42 U.S.C. Section 1973ff, et seq., or its successor, may apply not earlier than ninety days before an election for a special write-in absentee ballot. This ballot must be used for each general and special election and primaries for federal offices, statewide offices, and members of the General Assembly.

(B) The application for a special write-in absentee ballot may be made on the federal postcard application form, or its electronic equivalent or on a form prescribed by the State Election Commission.

(C) In order to qualify for a special write-in absentee ballot, the voter must state that he is unable to vote by regular absentee ballot or in person due to requirements of military service or due to living in isolated areas or extremely remote areas of the world. This statement may be made on the federal postcard application or on a form prepared by the State Election Commission and supplied and returned with the special write-in absentee ballot.

(D) Upon receipt of this application, the county board of voter registration and elections shall issue the special write-in absentee ballot which must be prescribed and provided by the State Election Commission. The ballot shall list the offices for election in the general

election. It may list the candidates for office if known at the time of election. This ballot shall permit the elector to vote by writing in a party preference for each federal, state, and local office, the names of specific candidates for each federal, state, and local office, or the name of the person whom the voter prefers for each office.

(E) A qualified elector may alternatively submit a federal write-in absentee ballot for any federal, state, or local office or state or local ballot measure.

Section 7-15-640. (A) A covered voter may use a federal postcard application, the federal postcard application's electronic equivalent, or another method approved by the federal government or the State Election Commission to apply to register to vote.

(B) A covered voter may use the declaration accompanying a federal write-in absentee ballot to apply to register to vote simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received before the closure of the registration books for that election pursuant to Section 7-5-120, 7-5-150 or 7-5-155, as appropriate. If the declaration is received after that date, it must be treated as an application to register to vote for subsequent elections.

(C) The Executive Director of the State Election Commission shall ensure that the election commission's electronic transmission system is capable of accepting both a federal postcard application and any other approved electronic registration application sent to the appropriate election official. The voter may use the electronic transmission system or any other approved method to register to vote.

Section 7-15-650. (A) For the qualified electors of this State who are eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the 42 U.S.C. Section 1973ff, et seq., or its successor, an absentee ballot with an absentee instant runoff ballot for each potential second primary must be sent to the elector at least forty-five days prior to the primary election.

(B) The absentee instant runoff ballots for second primaries must be prepared by the authority charged with conducting the election.

(C) The absentee instant runoff ballot for a second primary shall permit the elector to vote his order of preference for each candidate for each office by indicating a rank next to the candidate's name on the ballot. However, the elector shall not be required to indicate his preference for more than one candidate on the ballot if he so chooses.

(D) The special absentee ballot shall be designated as an 'absentee instant runoff ballot' and be clearly distinguishable from the regular absentee ballot.

(E) Instructions explaining the absentee instant runoff voting process must be provided with the ballot to the qualified elector.

(F) The State Election Commission shall promulgate regulations necessary for the implementation of this section.

Section 7-15-660. An overseas voter who is registering to vote, and who is eligible to vote in this State shall use, and must be assigned to, the voting precinct of the address of the voter's last place of residence in this State, or in the case of a voter described by Section 7-15-610(5)(e), the address of the voter's parent's or legal guardian's place of last residence in this State. If that address is no longer a recognized residential address, the overseas voter must be assigned an address within the voting precinct of the last place of residence for voting purposes.

Section 7-15-670. (A) A covered voter may use the declaration accompanying a federal write-in absentee ballot as an application for a military-overseas ballot simultaneously with the submission of the federal write-in absentee ballot, if the declaration is received by the appropriate election official by seven o'clock p.m. on election day.

(B) To receive the benefits of this article, a covered voter must inform the appropriate election official that the voter is a covered voter. Methods of informing the appropriate election official that a voter is a covered voter include:

(1) the use of a federal postcard application or federal write-in absentee ballot;

(2) the use of an overseas address on an approved voter registration application or ballot application; and

(3) the inclusion on an approved voter registration application or ballot application of other information sufficient to identify the voter as a covered voter.

Section 7-15-680. An absentee ballot must be sent to a covered voter, upon the voter's request, at least forty-five days prior to any election. However, if a ballot application from a covered voter arrives within the forty-five day period, an absentee ballot must be sent to the covered voter no later than five o'clock p.m. on the next business day after the application arrives.

Section 7-15-690. (A) To ensure that all South Carolina residents eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the 42 U.S.C. Section 1973ff, et seq., or its successor, have the opportunity to receive and cast any ballot they would have been eligible to cast if they resided in and had remained in South Carolina, the State Election Commission must, in cooperation with United States government agencies, take all steps and action as may be necessary including, but not limited to, electronic transmissions of Standard Form 76A, or its successor form, issued by the federal government as an application for voter registration and an application for absentee ballots and electronic transmissions of absentee ballots for all elections for federal, state, and local offices to voters in accordance with his preferred method of transmission.

(B) The State Election Commission shall promulgate regulations necessary for the implementation of this section.

Section 7-15-700. (A) A valid military-overseas ballot must be counted if it is delivered to the address that the State Election Commission or county board of voter registration and elections, as appropriate, has specified by the close of business on the business day before the county canvass.

(B) If, at the time of completing a military-overseas ballot and balloting materials, the voter has declared under penalty of perjury that the ballot was timely submitted, the ballot may not be rejected on the basis that it has a late postmark, an unreadable postmark, or no postmark as long as the ballot was received in accordance with subsection (A).

Section 7-15-710. A military-overseas ballot must include, or be accompanied by, a declaration signed by the voter that a material misstatement of fact in completing the ballot may be grounds for a conviction of perjury under the laws of the United States or this State.

Section 7-15-720. The Executive Director of the State Election Commission, in coordination with the county boards of voter registration and elections shall implement an electronic free-access system by which a covered voter may determine whether:

- (1) the voter's federal postcard application or other registration or military-overseas ballot application has been received and accepted; or
- (2) the voter's military-overseas ballot has been received and the current status of the ballot.

Section 7-15-730. (A) The county board of voter registration and elections or the State Election Commission, as appropriate, shall request an electronic-mail address from each covered voter who registers to vote after the effective date of this article. An electronic-mail address provided by a covered voter may not be made available to the public or any individual or organization other than an employee or official with the county board of voter registration and elections or the State Election Commission, and is exempt from disclosure under the Freedom of Information Act of this State. The electronic-mail address may be used only for official communication with the covered voter about the voting process, including transmitting military-overseas ballots and election materials if the voter has requested electronic transmission, and verifying the covered voter's mailing address and physical location. The request for an electronic-mail address must describe the purposes for which the electronic-mail address may be used and include a statement that any other use or disclosure of the electronic-mail address is prohibited.

(B) A covered voter who provides an electronic-mail address may request that the voter's application for a military-overseas ballot be considered a standing request for electronic delivery of a ballot for all elections held through December thirty-first of the year following the calendar year of the date of the application or another shorter period the voter specifies, including for any runoff elections that occur as a result of those elections. An election official or employee shall provide a military-overseas ballot to a covered voter who makes a standing request for each election to which the request is applicable. A covered voter who is entitled to receive a military-overseas ballot for a primary election under this subsection is entitled to receive a military-overseas ballot for the general election.

Section 7-15-740. (A) At least one hundred days before a regularly scheduled election and as soon as practicable before an election not regularly scheduled, the Executive Director of the State Election Commission shall prepare appropriate election notices to be used in conjunction with a federal write-in absentee ballot. The election notice must contain a list of all of the ballot measures and federal, state, and local offices that as of that date the official expects to be on the ballot on the date of the election. The notice also must contain specific instructions for how a voter is to indicate on the federal write-in absentee ballot the voter's choice for each office to be filled and for each ballot measure to be contested.

(B) A covered voter may request a copy of an election notice. The executive director shall send the notice to the voter by facsimile, electronic mail, or regular mail, as the voter requests.

(C) As soon as ballot styles are certified, and not later than the date ballots are required to be transmitted to voters pursuant to Article 5, Chapter 15, the executive director shall update the notice with the certified candidates for each office and ballot measure questions and make the updated notice publicly available.

(D) A county board of voter registration and elections that maintains an online website shall make the election notice available by linking to the State Election Commission website.

Section 7-15-750. (A) If a covered voter's mistake or omission in the completion of a document pursuant to this article does not prevent determining whether a covered voter is eligible to vote, the mistake or omission does not invalidate the document. Failure to satisfy a nonsubstantive requirement, such as using paper or envelopes of a specified size or weight, does not invalidate a document submitted pursuant to this article. In a write-in ballot authorized by this article or in a vote for a write-in candidate on a regular ballot, if the intention of the voter is discernable pursuant to the laws of this State, an abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party must be accepted as a valid vote.

(B) Notarization is not required for the execution of a document pursuant to this article. An authentication, other than the declaration specified in Section 7-15-710, or the declaration on the federal postcard application and federal write-in absentee ballot, is not required for execution of a document pursuant to this article. The declaration and any information in the declaration may be compared with information on file to ascertain the validity of the document.

Section 7-15-760. A court may issue an injunction or grant other equitable relief appropriate to ensure substantial compliance with, or enforce, this article on application by:

- (1) a covered voter alleging a grievance under this article; or
- (2) an election official in this State."

Repeal

SECTION 6. Sections 7-15-400, 7-15-405, 7-15-406, and 7-15-460 are repealed.

Severability clause

SECTION 7. The provisions of this act are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Time effective

SECTION 8. This act takes effect upon approval by the Governor.

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 80

(R118, H3305)

AN ACT TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DENIAL OF UNEMPLOYMENT BENEFITS FOR AN EMPLOYEE WHO TESTS POSITIVE FOR ILLEGAL DRUG USE OR THE UNLAWFUL USE OF LEGAL DRUGS, SO AS TO EXPAND THE RANGE OF SPECIMENS FROM AN EMPLOYEE THAT MAY BE TESTED TO INCLUDE ORAL FLUIDS, AND TO CHANGE CERTIFICATION REQUIREMENTS OF LABORATORIES THAT MAY PERFORM THESE TESTS.

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

Oral fluid testing allowed, testing laboratory certification revised

SECTION 1. Section 41-35-120(3)(a)(iii) of the 1976 Code, as last amended by Act 146 of 2010, is further amended to read:

“(iii) insured worker provides a blood, hair, oral fluid, or urine specimen during a drug test administered on behalf of the employer, which tests positive for illegal drugs or legal drugs used unlawfully, provided:

(A) the sample was collected and labeled by a licensed health care professional or another individual authorized to collect and label test samples by federal or state law, including law enforcement personnel; and

(B) the test was performed by a laboratory certified to perform such tests by the United States Department of Health and Human Services (USDHHS)/Substance Abuse Mental Health Services Administration (SAMHSA), the College of American Pathologists or the State Law Enforcement Division; and

(C) an initial positive test was confirmed on the specimen using the gas chromatography/mass spectrometry method, or an equivalent or a more accurate scientifically accepted method approved by USDHHS/SAMHSA;”

Time effective

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

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 81

(R120, H3852)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-18-75 SO AS TO PROVIDE FOR ESCHEATMENT TO THE STATE OF UNCLAIMED UNITED STATES SAVINGS BONDS, TO PROVIDE FOR JUDICIAL DETERMINATION OF

ESCHEATMENT, TO PROVIDE FOR PROCEDURES FOR CHALLENGING ESCHEATMENT, TO PROVIDE FOR DEPOSIT OF THE PROCEEDS OF ESCHEATMENT AND REIMBURSEMENT TO THE ADMINISTRATION FOR THE COSTS OF ESCHEATMENT; AND BY ADDING SECTION 27-18-76 SO AS TO PROVIDE THAT A PERSON CLAIMING AN INTEREST IN A UNITED STATES SAVINGS BOND MAY FILE A CLAIM WITH THE ADMINISTRATOR ADMINISTERING THE UNIFORM UNCLAIMED PROPERTY ACT AND TO PROVIDE FOR LIMITATIONS ON SUCH CLAIMS.

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

Escheatment of United States Savings Bonds

SECTION 1. Chapter 18, Title 27 of the 1976 Code is amended by adding:

“Section 27-18-75. (A) Notwithstanding any other provisions of law, a United States savings bond in the possession of the administrator or registered to a person with a last known address in this State, including a bond that is lost, stolen, or destroyed, is presumed abandoned and unclaimed five years after the bond reaches final maturity and no longer earns interest. This United States savings bond must be reported and remitted to the administrator by the financial institution or other holder in accordance with the provisions of this chapter if the administrator is not in possession of the bond. If the savings bond is located in a safe deposit box, the financial institution or other holder must report and remit the savings bond to the administrator whether or not the administrator chooses to accept the other contents of the safe deposit box in the manner provided by law.

(B) As used in this section:

(1) ‘book-entry bond’ means a savings bond maintained by the United States Treasury in electronic or paperless form as a computer record;

(2) ‘definitive bond’ means a savings bond issued by the United States Treasury in paper form;

(3) ‘final maturity’ means the date a United States savings bond ceases to earn interest; and

(4) ‘United States savings bond’ means a book-entry bond or definitive bond issued by the United States Treasury.

(C)(1) After a United States savings bond is abandoned and unclaimed in accordance with subsection (A), the administrator may commence a civil action in the court of common pleas in Richland County for a determination that the bond shall escheat to the State. Upon determination of escheatment, all property rights to the bond or proceeds from the bond, including all rights, powers, and privileges or survivorship of an owner, co-owner, or beneficiary, shall vest solely in the State.

(2) Service of process by publication may be made on a party in a civil action pursuant to this section. The notice of action must state the name of any known owner of the bond, the nature of the action or proceeding, the name of the court in which the action or proceeding is instituted, and an abbreviated title of the case.

(3) The notice of action must require a person claiming an interest in the bond to file a written response with the court and serve a copy of the response by the date fixed in the notice. This date must be no later than thirty days from the date the last newspaper notice required by this section was or will be published.

(4) The administrator shall cause the notice of action to be published once a week for three consecutive weeks in a newspaper of general circulation published in Richland County. Proof of publication must be filed with the court.

(5)(a) If no person files a claim with the court for the bond and if the administrator has substantially complied with the provisions of this section and of law, the court shall enter a default judgment that the bond, or proceeds from the bond, has escheated to the State.

(b) If a person files a claim for one or more bonds and, after notice and hearing, the court determines that the claimant is not entitled to the bonds claimed by the claimant, the court shall enter a judgment that the bonds, or proceeds from the bonds, have escheated to the State.

(c) If a person files a claim for one or more bonds and, after notice and hearing, the court determines that the claimant is entitled to the bonds claimed by the claimant, the court shall enter a judgment in favor of the claimant.

(D) The administrator may be reimbursed for the costs of the civil action required by this section from the proceeds of the savings bonds which have escheated to the State under the action and which have been redeemed. To the extent the proceeds, if any, are insufficient to cover the costs of a civil action required by this section, the administrator may deduct the costs from other unclaimed funds received under this chapter before depositing the funds to the credit of the general fund in the manner provided in Section 27-18-240(B).

(E) The administrator may redeem a United States savings bond escheated to the State pursuant to this section or, in the event that the administrator is not in possession of the bond, seek to obtain the proceeds from the bond. Proceeds received by the administrator must be deposited in accordance with Section 27-18-240.

(F) Nothing in this section prohibits the inclusion in a single civil action of multiple United States savings bonds subject to escheatment to the State of South Carolina, and the administrator may postpone the bringing of any such civil action until sufficient United States savings bonds have accumulated in the administrator's custody to justify the expense of the proceeding.

(G) The provisions of this section and Section 27-18-76 supersede any other provisions of this chapter in regard to United States savings bonds to the extent the provisions conflict.”

Claims for proceeds

SECTION 2. Chapter 18, Title 27 of the 1976 Code is amended by adding:

“Section 27-18-76. A person claiming a United States savings bond escheated to the State under Section 27-18-75, or for the proceeds from the bond, may file a claim with the administrator. The administrator may approve the claim if the person is able to provide sufficient proof of the validity of the person's claim. No costs of prior court action regarding the savings bond or bonds which are the subject of the person's claim may be taxed against that person. Once a bond, or the proceeds from the bond, are remitted to a claimant, no action thereafter may be maintained by any other person against the administrator, the State, or any officer of the State, for or on account of the funds. The person's sole remedy, if any, must be against the claimant who received the bond or proceeds from the bond.”

Applicability

SECTION 3. This act applies to any United States savings bond that reaches maturity on, before, or after the effective date of this act.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 82

(R121, H4005)

AN ACT TO AMEND SECTION 7-7-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO REDESIGNATE THE PRECINCTS AND THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Berkeley County voting precincts designated

SECTION 1. Section 7-7-120 of the 1976 Code, as last amended by Act 176 of 2014, is further amended to read:

“Section 7-7-120. (A) In Berkeley County there are the following voting precincts:

Alvin
Bethera
Beverly Hills
Bonneau
Bonneau Beach
Central
Cainhoy
Cane Bay
Carnes Cross Road 1
Carnes Cross Road 2
Cordesville
Cross
Daniel Island 1
Daniel Island 2
Daniel Island 3

Daniel Island 4
Devon Forest 1
Devon Forest 2
Discovery
Eadytown
Foster Creek 1
Foster Creek 2
Foster Creek 3
Foxbank
Hanahan 1
Hanahan 2
Hanahan 3
Hanahan 4
Hanahan 5
Harbour Lake
Hilton Cross Roads
Howe Hall 1
Howe Hall 2
Huger
Jamestown
Lebanon
Liberty Hall
Macedonia
McBeth
Medway
Moncks Corner 1
Moncks Corner 2
Moncks Corner 3
Moncks Corner 4
Moultrie
Old 52
Pimlico
Pinopolis
Royle
Russellville
Sangaree 1
Sangaree 2
Sangaree 3
Sedgefield 1
Sedgefield 2
Seventy Eight
Shulerville

St. James
St. Stephen 1
St. Stephen 2
Stone Lake
Stratford 1
Stratford 2
Stratford 3
Stratford 4
Stratford 5
The Village
Tramway
Wassamassaw 1
Wassamassaw 2
Weatherstone
Westview 1
Westview 2
Westview 3
Westview 4
Whitesville 1
Whitesville 2
Yellow House

(B) The precinct lines defining the precincts provided in subsection (A) are as shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-15-15 and as shown on copies provided to the Board of Voter Registration and Elections of Berkeley County.

(C) The polling places for the precincts provided in this section must be established by the Board of Voter Registration and Elections of Berkeley County subject to the approval of a majority of the Senators and a majority of the House members of the Berkeley County Delegation.”

Time effective

SECTION 2. This act takes effect July 1, 2015.

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 83

(R122, H4084)

AN ACT TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS OF CHARTER SCHOOLS FROM CERTAIN PROVISIONS APPLICABLE TO PUBLIC SCHOOLS, THE POWERS AND DUTIES OF CHARTER SCHOOLS, AND ADMISSIONS TO CHARTER SCHOOLS, SO AS TO AUTHORIZE SCHOOL LEADERS TO BE HIRED TO ASSIST WITH THE DAILY OPERATIONS OF CHARTER SCHOOLS, TO PROVIDE THAT EMPLOYEES, BOARD MEMBERS, AND STAFF OF CHARTER SCHOOLS ARE SUBJECT TO THE ETHICS AND GOVERNMENT ACCOUNTABILITY REQUIREMENTS APPLICABLE TO PUBLIC MEMBERS AND PUBLIC EMPLOYEES, AND TO PROVIDE CHARTER CONTRACTS MUST CONTAIN STATEMENTS OF ASSURANCE OF ETHICAL COMPLIANCE ON BEHALF OF THE SCHOOLS.

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

Use of school leaders to oversee daily operations

SECTION 1. A. Section 59-40-50(B)(6) of the 1976 Code, as last amended by Act 164 of 2012, is further amended to read:

“(6) hire or contract for, in its discretion, administrative staff, including a school leader, to oversee the daily operation of the school. At least one of the administrative staff must be certified or experienced in the field of school administration;”

Ethics and accountability requirements

B. Section 59-40-50(B) of the 1976 Code, as last amended by Act 29 of 2013, is further amended by adding a new item at the end to read:

“(11) be subject to the ethics and government accountability requirements for public members and public employees as contained in Chapter 13, Title 8. For purposes of this subsection, employees of the charter school board are considered public employees. The charter

contract in accordance with Section 59-40-60(B) must contain a statement of assurance of ethical compliance on behalf of the school.”

Time effective

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

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 84

(R123, H4142)

AN ACT TO AMEND SECTION 7-7-465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN RICHLAND COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Richland County voting precincts map number designated

SECTION 1. Section 7-7-465(B) of the 1976 Code, as last amended by Act 93 of 2013, is further amended to read:

“(B) The precinct lines defining the precincts provided in subsection (A) are as shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-79-15 and as shown on copies of the official map provided to the Board of Voter Registration and Elections of Richland County by the Revenue and Fiscal Affairs Office.”

Time effective

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

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 85

(R108, S526)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-4-397 SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO DESIGNATE AN AMNESTY PERIOD DURING WHICH THE DEPARTMENT SHALL WAIVE DELINQUENT TAX PENALTIES AND INTEREST AND SHALL NOT INITIATE A CRIMINAL INVESTIGATION, TO SPECIFY TAXPAYERS THAT MAY PARTICIPATE IN THE PROGRAM, AND TO SET FORTH THE MANNER IN WHICH THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

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

Tax amnesty period

SECTION 1. Article 3, Chapter 4, Title 12 of the 1976 Code is amended by adding:

“Section 12-4-397. (A) In order to encourage the voluntary disclosure and payment of taxes owed to the State, the General Assembly finds it desirable to allow the Department of Revenue to designate an amnesty period which has a beginning and ending date from time to time as determined by the department. During the amnesty period, the department shall waive the penalties and interest or portion of them at its discretion imposed pursuant to Titles 12, 27, and 61 for a taxpayer who voluntarily files delinquent returns and pays all taxes owed. If the department establishes an amnesty period pursuant to this section, it must notify the General Assembly of the amnesty period at least sixty days before the commencement of the amnesty period.

(B) If a taxpayer is granted amnesty, the department shall not initiate a criminal investigation or refer the taxpayer to the Office of the

Attorney General for criminal prosecution for the tax or tax periods covered by the granting of amnesty.

(C) The department shall grant amnesty to a taxpayer who files a request for an amnesty form and:

(1) voluntarily files all delinquent tax returns and pays in full all taxes due;

(2) voluntarily files an amended tax return to correct an incorrect or insufficient original return and pays all taxes due; or

(3) voluntarily pays in full all previously assessed tax liabilities due within an extended amnesty period which begins at the close of the amnesty period and runs for a period of time as determined by the department. The department may set up installment agreements as long as all taxes are paid within this period. An installment agreement must be agreed upon before the close of the amnesty period established pursuant to subsection (A).

(D) The department shall not grant amnesty to a taxpayer who is the subject of a state tax-related criminal investigation or criminal prosecution.

(E) The department shall not waive penalties and interest attributable to any one filing period if the taxpayer has outstanding liabilities for other periods.

(F) A taxpayer who has an appeal pending with respect to an assessment made by the department is eligible to participate in the amnesty program if the taxpayer pays all taxes owed. Payment of the outstanding liability does not constitute a forfeiture of appeal or an admission of liability for the disputed assessment.

(G) The department must be reimbursed the administrative costs associated with the amnesty period in the amount of five percent of the amounts collected through amnesty. This amount may be retained and expended for budgeted operations.

(H) The department may review all cases in which amnesty has been granted and may on the basis of mutual mistake of fact, fraud, or misrepresentation rescind the grant of amnesty. A taxpayer who files false or fraudulent returns or attempts in any manner to defeat or evade a tax under the amnesty program is subject to applicable civil penalties, interest, and criminal prosecution.

(I) Compromised liabilities as allowed by Section 12-4-320(3), may be eligible for relief under the amnesty period at the department's discretion.

(J) Any overdue tax debt, as defined in Section 12-55-30, remaining unpaid may have imposed on it at the department's discretion an additional ten percent collection assistance fee. This collection

assistance fee initially may be imposed on any overdue tax debt at the close of the extended amnesty period as prescribed by the department. This additional collection assistance fee only may be imposed for a period of one year after the close of the extended amnesty period.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 86

(R104, S211)

AN ACT TO AMEND SECTION 56-2-105, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF GOLF CART PERMITS BY THE DEPARTMENT OF MOTOR VEHICLES AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE THAT A POLITICAL SUBDIVISION MAY CREATE SEPARATE GOLF CART PATHS ON STREETS AND ROADS WITHIN THE JURISDICTION OF THE POLITICAL SUBDIVISION.

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

Golf carts

SECTION 1. Section 56-2-105(E) of the 1976 Code, as added by Act 177 of 2012, is further amended to read:

“(E)(1)A political subdivision may, on designated streets or roads within the political subdivision’s jurisdiction, reduce the area in which a permitted golf cart may operate from four miles to no less than two miles.

(2) A political subdivision may, on primary highways, secondary highways, streets, or roads within the political subdivision’s jurisdiction, create separate golf cart paths on the shoulder of its primary highways,

secondary highways, streets and roads for the purpose of golf cart transportation, if:

(a) the political subdivision obtains the necessary approvals, if any, to create the golf cart paths; and

(b) the golf cart path is:

(i) separated from the traffic lanes by a hard concrete curb;

(ii) separated from the traffic lanes by parking spaces; or

(iii) separated from the traffic lanes by a distance of four feet or more.

(3) A political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.”

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 87

(R116, S379)

AN ACT TO AMEND SECTION 12-4-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY TAX OFFICIALS, SO AS TO REDUCE THE OBLIGATION THAT THE DEPARTMENT OF REVENUE ANNUALLY SHALL EXAMINE RECORDS OF ASSESSORS, AUDITORS, TREASURERS, AND TAX COLLECTORS TO A PERMISSIVE AUTHORITY TO ANNUALLY EXAMINE THESE RECORDS; TO AMEND SECTION 12-4-530, RELATING TO INVESTIGATION AND PROSECUTION OF VIOLATIONS, SO AS TO REDUCE THE OBLIGATION THAT THE DEPARTMENT SHALL INITIATE COMPLAINTS, INVESTIGATIONS, AND PROSECUTIONS OF VIOLATIONS TO A PERMISSIVE AUTHORITY; TO AMEND SECTION 12-37-30, RELATING TO THE ASSESSMENT OF MULTIPLE TAXES TO BE LEVIED ON THE SAME ASSESSMENT, SO AS

TO CHANGE THE DESIGNATION OF STATE TAXES TO COUNTY TAXES; TO AMEND SECTION 12-37-266, RELATING TO THE HOMESTEAD EXEMPTION FOR DWELLINGS HELD IN TRUST, SO AS TO REQUIRE A COPY OF THE TRUST AGREEMENT BE PROVIDED; TO AMEND SECTION 12-37-290, RELATING TO THE GENERAL HOMESTEAD EXEMPTION, SO AS TO CHANGE THE HOMESTEAD EXEMPTION FROM PROPERTY TAXES FROM THE FIRST TEN THOUSAND DOLLARS TO THE FIRST FIFTY THOUSAND DOLLARS OF THE VALUE OF THE PRIMARY RESIDENCE OF A HOMEOWNER WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER TO CONFORM WITH OTHER SECTIONS OF THE CODE, AND TO TRANSFER FROM THE COMPTROLLER GENERAL TO THE DEPARTMENT OF REVENUE THE AUTHORITY TO PROMULGATE RULES AND FORMS, AND THE OBLIGATION TO REIMBURSE THE VOCATIONAL REHABILITATION DEPARTMENT FOR EXPENSES INCURRED IN EVALUATING DISABILITY UNDER THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 12-37-450, RELATING TO THE BUSINESS INVENTORY TAX EXEMPTION, SO AS TO REMOVE THE REQUIREMENT THAT THE AMOUNT OF REIMBURSEMENT ATTRIBUTED TO DEBT SERVICE BE REDISTRIBUTED TO OTHER SEPARATE MILLAGES ONCE THE DEBT IS PAID, TO REQUIRE THE REIMBURSEMENT BE REDISTRIBUTED PROPORTIONATELY TO THE SEPARATE MILLAGES LEVIED BY THE POLITICAL SUBDIVISIONS, TO DELETE THE REQUIREMENT THAT THE REDISTRIBUTION BE ATTRIBUTED TO THE MILLAGE RATES IN THE YEAR 1987, AND TO REQUIRE THE ATTRIBUTION OF THE CURRENT TAX YEAR MILLAGE RATES; TO AMEND SECTION 12-37-710, RELATING TO THE RETURN AND ASSESSMENT OF PERSONAL PROPERTY, SO AS TO DELETE "OF FULL AGE AND OF SOUND MIND" AS A QUALIFIER FOR EVERY PERSON WHO MUST LIST PERSONAL PROPERTY FOR TAXATION; TO AMEND SECTION 12-37-715, RELATING TO THE FREQUENCY OF AD VALOREM TAXATION ON PERSONAL PROPERTY, SO AS TO ALLOW NEWLY ACQUIRED VEHICLES TO BE TAXED MORE THAN ONCE IN A TAX YEAR; TO AMEND SECTION 12-37-760, RELATING TO STATEMENTS OF PERSONAL PROPERTY FOR TAXATION WHERE A PERSON REFUSES OR NEGLECTS TO DELIVER A

STATEMENT OF PERSONAL PROPERTY, SO AS TO ELIMINATE THE OBLIGATION AND TO ALLOW THE PERMISSIVE AUTHORITY FOR THE COUNTY AUDITOR TO ASCERTAIN AND RETURN A LIST OF THAT PERSON'S PERSONAL PROPERTY AND TO ALLOW THAT HE MAY DENOTE REASONS FOR THE REFUSAL; TO REPEAL SECTION 12-37-850 RELATING TO THE REMOVAL OF THE JURISDICTION OF THE COURTS TO HEAR MATTERS ORIGINATED FROM THE TAXPAYER CONCERNING ALLEGATIONS OF FALSE RETURNS, TAX EVASION, OR FRAUD; TO AMEND SECTION 12-37-890, RELATING TO PERSONAL PROPERTY RETURNS FOR TAXATION PURPOSES, SO AS TO DELETE LANGUAGE LISTING ANIMALS AND VEHICLES AND REPLACE WITH DESIGNATION OF PROPERTY USED IN ANY BUSINESS TO BE RETURNED TO THE COUNTY IN WHICH IT IS SITUATED FOR TAXATION PURPOSES, AND TO REMOVE THE REQUIREMENT THAT ALL BANKERS' CAPITAL OR PERSONAL ASSETS RELATED TO THE BANKING BUSINESS BE RETURNED TO THE COUNTY WHERE THE BANKING HOUSE IS LOCATED FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-900, RELATING TO PERSONAL PROPERTY TAX RETURNS, SO AS TO MAKE TECHNICAL CHANGES AND TO DELETE THE AUTHORITY OF THE COUNTY LEGISLATIVE DELEGATION TO WAIVE THE PENALTIES OF FAILURE TO MAKE A REQUIRED STATEMENT; TO AMEND SECTION 12-37-940, RELATING TO VALUATION OF ARTICLES OF PERSONAL PROPERTY, SO AS TO DELETE THE REQUIREMENT THAT MONEY AND BANK BILLS BE VALUED AT PAR VALUE AND THAT CREDITS BE VALUED AT THE FACE VALUE OF THE CONTRACT UNLESS THE PRINCIPAL BE PAYABLE AT A FUTURE TIME WITHOUT INTEREST AND CONTRACTS FOR THE DELIVERY OF SPECIFIC ARTICLES BE VALUED AT THE USUAL SELLING PRICE OF SUCH ITEMS; TO AMEND SECTION 12-37-970, RELATING TO THE ASSESSMENT AND RETURN OF MERCHANTS' INVENTORIES, SO AS TO REMOVE MERCHANTS' INVENTORIES FROM THE REQUIRED ASSESSMENT OF PERSONAL PROPERTY FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-2420, RELATING TO PROPERTY TAX RETURNS FOR AIRLINE COMPANIES, SO AS TO CHANGE THE DATE OF FILING

FROM APRIL FIFTEENTH TO APRIL THIRTIETH, AND TO DELETE LANGUAGE DESIGNATING THE FILING DEADLINES FOR AIRLINES IN YEAR 1976; TO AMEND SECTION 12-37-2610, RELATING TO THE TAX YEAR OF MOTOR VEHICLES, SO AS TO REMOVE REFERENCES TO VEHICLE LICENSES AND REPLACE WITH VEHICLE REGISTRATIONS, TO REMOVE REFERENCES AND PROCEDURES FOR TWO-YEAR VEHICLE LICENSES, TO PROVIDE AN EXCEPTION FOR TRANSFER OF THE LICENSE FROM ONE VEHICLE TO ANOTHER, AND TO PROVIDE THAT NOTICES OF SALES BY DEALERS MUST BE MADE TO THE DEPARTMENT OF MOTOR VEHICLES RATHER THAN THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-37-2630, RELATING TO MOTOR VEHICLE TAXES, SO AS TO REQUIRE THAT AN OWNER OF A VEHICLE SHALL MAKE A PROPERTY TAX RETURN TO THE AUDITOR WITHIN FORTY-FIVE DAYS OF THE VEHICLE BECOMING TAXABLE IN A COUNTY; TO AMEND SECTION 12-37-2660, RELATING TO MOTOR VEHICLE LICENSE REGISTRATIONS, SO AS TO REDUCE THE TIME THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A LIST OF LICENSE REGISTRATION APPLICATIONS TO THE COUNTY AUDITOR FROM NINETY TO SIXTY DAYS AND TO UPDATE THE REQUIRED FORM OF THE LISTINGS; TO AMEND SECTION 12-37-2725, RELATING TO THE TRANSFER OF THE TITLE OF A VEHICLE, SO AS TO CHANGE THE LOCATION OF THE RETURN OF THE LICENSE PLATE AND VEHICLE REGISTRATION FROM THE COUNTY AUDITOR TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO DELINEATE THE PROCESS FOR OBTAINING A TAX REFUND FOR THE PORTION OF THE TAX YEAR REMAINING; TO REPEAL SECTION 12-37-2735 RELATING TO THE ESTABLISHMENT OF THE PERSONAL PROPERTY TAX RELIEF FUND; TO REPEAL SECTION 12-39-10 RELATING TO THE APPOINTMENT OF THE COUNTY AUDITOR; TO AMEND SECTION 12-39-40, RELATING TO THE APPOINTMENT OF A DEPUTY AUDITOR, SO AS TO REQUIRE THE APPOINTMENT TO BE FILED WITH THE STATE TREASURER INSTEAD OF THE COMPTROLLER GENERAL; TO AMEND SECTION 12-39-60, RELATING TO THE COUNTY AUDITOR, SO AS TO CHANGE THE DEADLINE FOR RECEIVING TAX RETURNS FROM APRIL

FIFTEENTH TO APRIL THIRTIETH AND TO REDUCE THE REQUIREMENT OF PUBLIC NOTICE FOR A LOCATION TO RECEIVE RETURNS TO A PERMISSIVE AUTHORITY FOR THE PROVIDING OF THIS NOTICE; TO AMEND SECTION 12-39-120, RELATING TO THE POWER OF THE COUNTY AUDITOR TO ENTER INTO BUILDINGS THAT ARE NOT DWELLINGS TO DETERMINE VALUE, SO AS TO CHANGE THE DETERMINATION FROM THE VALUE OF ANY BUILDING TO THE VALUE OF ANY TAXABLE PERSONAL PROPERTY; TO AMEND SECTION 12-39-160, RELATING TO SPECIAL LEVIES, SO AS TO CHANGE THE REQUIREMENT THAT THE COUNTY AUDITOR REPORT THE AMOUNT OF PROPERTIES SUBJECT TO SPECIAL LEVIES TO THE COUNTY SUPERINTENDENT, BOARDS OF EDUCATION, AND BOARDS OF TRUSTEES, TO A PERMISSIVE AUTHORITY TO PROVIDE THE INFORMATION; TO AMEND SECTION 12-39-190, RELATING TO THE REPORTING OF TAXES ON THE DUPLICATE, SO AS TO ELIMINATE THE REQUIREMENT THAT THE REPORTING BE IN A NUMBER OF COLUMNS SPECIFIED BY THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-39-200, RELATING TO FORMS FOR THE COUNTY DUPLICATE, SO AS TO ALLOW THE DEPARTMENT TO DETERMINE THE TYPES OF ACCEPTABLE FORMAT REQUIRED; TO AMEND SECTION 12-39-220, RELATING TO OMISSION OF NEW PROPERTY FROM THE COUNTY DUPLICATE, SO AS TO REQUIRE THE COUNTY AUDITOR TO IMMEDIATELY APPRAISE THE PROPERTY AND NOTIFY THE COUNTY ASSESSOR, TO DELETE THE SPECIFICATION OF A TWENTY PERCENT PENALTY FOR UNPAID TAXES AND TO REPLACE THE TWENTY PERCENT PENALTY WITH ALL APPLICABLE PENALTIES, TO ELIMINATE DUPLICATE LANGUAGE IN THE CODE AND TO PROVIDE THAT ADJUSTMENTS DETERMINED BY THE ASSESSOR MAY NOT EXTEND BACK MORE THAN THREE YEARS; TO AMEND SECTION 12-39-260, RELATING TO THE COUNTY AUDITOR'S RECORDS, SO AS TO REDUCE THE REQUIREMENT THAT AUDITORS KEEP RECORDS OF ALL SALES OR CONVEYANCES OF REAL PROPERTY TO A PERMISSIVE AUTHORITY TO KEEP THESE RECORDS; TO AMEND SECTION 12-39-270, RELATING TO THE COUNTY AUDITOR'S ABATEMENT BOOK, SO AS TO REMOVE THE PROVISION THAT

REQUIRES THE ABATEMENT ALLOWED IN ANNUAL SETTLEMENTS BETWEEN THE AUDITOR AND THE TREASURER TO BE ACCORDING TO THE RECORD IN THE ABATEMENT BOOK; TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS TO REQUIRE THAT IN ORDER TO PROVE ELIGIBILITY FOR THE FOUR PERCENT HOME ASSESSMENT RATIO, THE OWNER-OCCUPANT MUST PROVIDE PROOF THAT ALL MOTOR VEHICLES REGISTERED IN HIS NAME WERE REGISTERED AT THAT SAME ADDRESS; TO REPEAL SECTION 12-45-10 RELATING TO THE APPOINTMENT OF COUNTY TREASURERS; TO AMEND SECTION 12-45-35, RELATING TO THE APPOINTMENT OF DEPUTY COUNTY TREASURERS, SO AS TO CHANGE THE REQUIREMENT OF THE FILING OF THE APPOINTMENT WITH THE DEPARTMENT OF REVENUE TO THE FILING WITH THE STATE TREASURER; TO AMEND SECTION 12-45-70, RELATING TO COLLECTION OF TAXES, SO AS TO CHANGE THE REQUIREMENT THAT THE OFFICIAL CHARGED WITH COLLECTING TAXES SHALL SEND A LIST OF TAXES PAID TO THE DEPARTMENT OF MOTOR VEHICLES INSTEAD OF THE DEPARTMENT OF PUBLIC SAFETY AND THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ACCEPT THIS CERTIFICATION INSTEAD OF A TAX RECEIPT; TO AMEND SECTION 12-45-90, RELATING TO THE FORMS OF PAYMENT FOR TAXES, SO AS TO DELETE FROM THE ACCEPTABLE FORMS OF PAYMENT, JURY CERTIFICATES, CIRCUIT COURT WITNESS PER DIEMS, AND COUNTY CLAIMS; TO AMEND SECTION 12-45-120, RELATING TO DELINQUENT TAXATION, SO AS TO REPLACE THE DESIGNATION OF "CHATTEL TAX" WITH THE TERM "PERSONAL TAX"; TO AMEND SECTION 12-45-180, RELATING TO THE COLLECTION OF DELINQUENT TAXES, SO AS TO ADD THE OFFICE AUTHORIZED TO COLLECT DELINQUENT TAXES AS AN OFFICE AUTHORIZED TO WAIVE PENALTIES IN CASES OF IMPROPER MAILING OR ERROR; TO AMEND SECTION 12-45-185, RELATING TO THE WAIVER OF PENALTIES FOR DELINQUENT TAXES, SO AS TO ALLOW THE COUNTY TREASURER TO NOTIFY THE COUNTY AUDITOR OF SUCH WAIVERS; TO AMEND SECTION 12-45-260, RELATING TO THE MONTHLY FINANCIAL

REPORTS OF THE COUNTY TREASURER TO THE COUNTY SUPERVISOR, SO AS TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST REPORT TO THE COUNTY SUPERVISOR ON THE FIFTEENTH OF EACH MONTH AND TO ALLOW THE TREASURER TO REPORT MONTHLY; TO AMEND SECTION 12-45-300, RELATING TO THE AUDITOR'S LIST OF DELINQUENT TAXES, SO AS TO DELETE THE REQUIREMENT THAT THE AUDITOR MUST MAKE MARGINAL NOTATIONS AS TO THE REASONS THE TAXES WERE NOT COLLECTABLE, AND TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST SIGN AND SWEAR TO THE LIST BEFORE THE AUDITOR; TO AMEND SECTION 12-45-420, RELATING TO THE WAIVER OF PENALTIES DUE TO ERRORS BY THE COUNTY BY A COMMITTEE MADE UP OF THE COUNTY AUDITOR, TREASURER, AND ASSESSOR, SO AS TO REQUIRE THAT THE WAIVER MUST BE BY MAJORITY VOTE OF THE COMMITTEE; TO AMEND SECTION 12-49-10, RELATING TO LIENS AND SUITS FOR THE COLLECTION OF TAXES, SO AS TO CHANGE THE DESIGNATION OF DEBTS PAYABLE TO THE STATE TO DEBTS PAYABLE TO THE COUNTY; TO AMEND SECTION 12-49-20, RELATING TO LIENS IN THE COLLECTION OF DELINQUENT TAXES, SO AS TO MOVE THE AUTHORITY OF THE COUNTY SHERIFF TO COLLECT DELINQUENT TAXES TO THE COUNTY TAX COLLECTOR; TO AMEND SECTION 12-49-85, RELATING TO UNCOLLECTABLE PROPERTY TAX FOR DERELICT MOBILE HOMES, SO AS TO CHANGE THE AUTHORITY FROM THE COUNTY AUDITOR TO THE COUNTY ASSESSOR, TO DETERMINE THE REMOVAL AND DISPOSAL OF A MOBILE HOME, TO INCLUDE THE REQUIREMENT THAT THE ASSESSOR REMOVE THE DERELICT HOME FROM HIS RECORDS AND THE AUDITOR TO REMOVE THE DERELICT HOME FROM THE DUPLICATE LIST; TO AMEND SECTION 12-49-910, RELATING TO THE SEIZURE OF PROPERTY SUBJECT TO A TAX LIEN BY THE SHERIFF OR COUNTY TAX COLLECTOR, SO AS TO REMOVE THE AUTHORITY OF THE SHERIFF TO LEVY AND SEIZE PROPERTY OF A DEFAULTING TAXPAYER; TO AMEND SECTION 12-49-920, RELATING TO THE SEIZURE OF PROPERTY FOR TAX DEFAULT BY THE COUNTY SHERIFF OR THE COUNTY TAX COLLECTOR, SO AS TO REMOVE

THE AUTHORITY OF THE SHERIFF TO POSSESS THE SEIZED PROPERTY; TO AMEND SECTION 12-49-930, RELATING TO THE REMOVAL OR DESTRUCTION OF PERSONAL PROPERTY SUBJECT TO A TAX LIEN, SO AS TO REMOVE THE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-940, RELATING TO THE DISPOSAL OF PERSONAL PROPERTY SEIZED DUE TO A TAX LIEN BY THE COUNTY SHERIFF OR TAX COLLECTOR, SO AS TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO ADVERTISE FOR THE SALE OF THE PROPERTY; TO AMEND SECTION 12-49-950, RELATING TO BIDDING ON PERSONAL PROPERTY SUBJECT TO A TAX LIEN BY THE FORFEITED LAND COMMISSION, SO AS TO ALLOW BIDS TO BE MADE ON BEHALF OF THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-49-960, RELATING TO THE SALE OF PROPERTY SUBJECT TO A TAX SALE, SO AS TO REMOVE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-1110, RELATING TO THE RIGHTS OF REAL PROPERTY MORTGAGES, SO AS TO CHANGE THE DEFINITION OF "TAX TITLE" FROM "A DEED FOR REAL PROPERTY AND A BILL OF SALE FOR PERSONAL PROPERTY" TO "A DEED FOR REAL PROPERTY OR A BILL OF SALE FOR PERSONAL PROPERTY"; TO AMEND SECTION 12-49-1150, RELATING TO THE NOTICE TO MORTGAGEE OF A TAX SALE, SO AS TO INCLUDE THE TAX MAP NUMBER OF THE PROPERTY IN THE INFORMATION PROVIDED; TO AMEND SECTION 12-49-1220, RELATING TO THE PROCEDURES FOR PROVIDING NOTICE OF TAX SALE OF MOBILE OR MANUFACTURED HOMES, SO AS TO SPECIFY THE FORMS OF LIENHOLDERS PROVIDED TO TAX COLLECTORS FOR NOTICE TO BE THOSE PROVIDED BY THE DEPARTMENT RESPONSIBLE FOR THE REGISTRATION OF MANUFACTURED HOMES; TO AMEND SECTION 12-49-1270, RELATING TO THE RIGHTS OF THE LIENHOLDER IN A TAX SALE AND THE RIGHTS AND REMEDIES THAT ARE NOT AFFECTED BY COMPLIANCE OF THE INFORMATION PROVISIONS, SO AS TO CHANGE THE INFORMATION PROVIDED FROM THE AUDITOR TO THE ASSESSOR; TO AMEND SECTION 12-51-40, RELATING TO PROPERTY TAXES AND THE TREATMENT OF MOBILE HOMES AS PERSONAL PROPERTY, SO AS TO REMOVE THE REQUIREMENT OF WRITTEN NOTICE OF THE HOMES

ANNEXATION TO THE LAND BY THE HOMEOWNER TO THE AUDITOR AND INSTEAD REQUIRE COMPLIANCE WITH DE-TITLING PROVISIONS OF THE MANUFACTURED HOUSING LAW AND TO ALLOW A COUNTY TO CONTRACT IN THE COLLECTION OF DELINQUENT TAXES; TO AMEND SECTION 12-51-55, RELATING TO THE BID ON BEHALF OF THE FORFEITED LAND COMMISSION PROPERTY SOLD FOR AD VALOREM TAXES, SO AS TO REMOVE THE PROVISIONS FOR THE APPLICATIONS OF THE FUNDS WHEN THE PROPERTY IS NOT REDEEMED; TO AMEND SECTION 12-51-80, RELATING TO THE SETTLEMENT BY THE TREASURER, SO AS TO INCREASE THE TIME OF SETTLEMENT TO THE POLITICAL SUBDIVISIONS FROM THIRTY DAYS TO FORTY-FIVE DAYS AFTER THE TAX SALE; TO REPEAL SECTION 12-59-30 RELATING TO THE SUFFICIENCY OF DEEDS OF LANDS FORFEITED TO THE STATE COMMISSIONS IN YEAR 1939; TO AMEND SECTION 12-59-40, RELATING TO FORFEITED LAND COMMISSIONS, SO AS TO INCLUDE LANDS FORFEITED TO COUNTY TAX COLLECTORS IN LANDS AUTHORIZED FOR SALE AND TO REMOVE THE STATE AS HOLDER OF PROPERTY HELD AND SOLD BY THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-59-50, RELATING TO THE FORFEITED LAND COMMISSION, SO AS TO REMOVE THE REFERENCE TO DELINQUENT STATE TAXES SUBJECT TO THESE PROVISIONS; TO AMEND SECTION 12-59-70, RELATING TO FORFEITED LAND COMMISSION SALES, SO AS TO REMOVE REFERENCE TO THE SHERIFF SUBMITTING TITLE TO THE COMMISSION AND TO REFERENCE THE COUNTY TAX COLLECTOR SUBMITTING TITLE TO THE COMMISSION; TO AMEND SECTION 12-59-80, RELATING TO THE FORFEITED LAND COMMISSION, SO AS TO DESIGNATE A PROCEDURE FOR ACCEPTING BIDS FOR THE SALE OF FORFEITED PROPERTY; TO AMEND SECTION 12-59-90, RELATING TO FORFEITED LANDS TAX SALES, SO AS TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO EXECUTE DEEDS AND CONVEYANCES FOR FORFEITED LANDS AND TO AUTHORIZE THE COUNTY TAX COLLECTOR TO EXECUTE THE DEEDS AND CONVEYANCES; TO AMEND SECTION 12-59-100, RELATING TO THE TURNING OVER OF PROCEEDS OF A DELINQUENT TAX SALE BY THE FORFEITED LAND COMMISSION TO THE

COUNTY TREASURER AND THE TREASURER TO DEPOSITING THESE FUNDS INTO THE COUNTY GENERAL FUND, SO AS TO DELETE THE PROVISION THAT THE TREASURER DO SO AT THE CLOSE OF THE FISCAL YEAR AND TO DELETE REFERENCES TO THE STATE INTERESTS IN THESE PROCEEDS; TO REPEAL SECTION 12-59-110 RELATING TO FEES AND COSTS OF THE SHERIFF FOR SERVICES PROVIDED TO THE FORFEITED LAND COMMISSION IN REGARD TO DELINQUENT TAX SEIZURES; TO AMEND SECTION 12-59-120, RELATING TO THE FORFEITED LAND COMMISSION, SO AS TO REPLACE REFERENCE TO THE COUNTY SHERIFF WITH THE COUNTY TAX COLLECTOR REGARDING THE ALLOWING OF AGENTS OF THE COMMISSION ACCESS TO EXECUTIONS ISSUED FOR THE COLLECTION OF TAXES; AND TO AMEND SECTION 12-60-1760, RELATING TO ACTIONS AGAINST COUNTY OFFICIALS, SO AS TO REPLACE THE COUNTY AUDITOR WITH THE COUNTY IN REGARD TO WHO IS OBLIGATED TO RATABLY APPORTION FEES, EXPENSES, DAMAGES, AND COSTS RESULTING IN DEFENDING A COURT ACTION, AND TO REPLACE THE COUNTY AUDITOR OR TREASURER WITH THE COUNTY AS TO WHO MAY CAUSE A MUNICIPALITY TO BE MADE A PARTY TO ANY ACTION INVOLVING A MUNICIPAL LEVY.

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

Department of Revenue examination of county tax records permissive

SECTION 1. Section 12-4-520(4) of the 1976 Code is amended to read:

“(4) as often as annually, may examine the books, papers, and accounts of assessors, auditors, treasurers, and tax collectors, to protect the interests of the State, counties, and other political subdivisions and to render these officers aid or instruction. The department does not have jurisdiction over personnel or equipment purchases of political subdivisions;”

Department of Revenue prosecution of property tax violations permissive

SECTION 2. Section 12-4-530 of the 1976 Code is amended to read:

“Section 12-4-530. The department may:

(1) examine cases in which the laws of this State relating to the valuation, assessment, or taxation of property is complained of, or discovered to have been evaded or violated in any manner;

(2) require the Attorney General or circuit solicitor to assist in the commencement and prosecutions of actions and proceedings for penalties, forfeitures, removals, and punishment for violation of the laws of this State in respect to the assessment and taxation of property;

(3) direct proceedings, actions, and prosecutions to be instituted to enforce the laws relating to penalties, liabilities, and punishment of public officers and officers and agents of corporations for failure or neglect to comply with the provisions of the laws of this State governing the assessment and taxation of property and the rules of the department; and

(4) cause complaints to be made against assessors, county boards of tax appeal, or other assessing and taxing officers to the proper authority for their removal from office for official misconduct or neglect of duty.”

Uniform assessment, reference change to “county”

SECTION 3. Section 12-37-30 of the 1976 Code is amended to read:

“Section 12-37-30. Taxes for township, school, municipal and all other purposes provided for or allowed by law shall be levied on the same assessment, which shall be that made for county taxes.”

Proof for homestead exemption for property held in trust

SECTION 4. Section 12-37-266(A) of the 1976 Code is amended to read:

“(A) If a trustee holds legal title to a dwelling that is the legal residence of a beneficiary sixty-five years of age or older, or totally and permanently disabled, or blind, and the beneficiary uses the dwelling, the dwelling is exempt from property taxation in the amount and manner as dwellings are exempt pursuant to Section 12-37-250, if the beneficiary meets the other conditions required for the exemption. A copy of the

trust agreement must be provided to certify this exemption. The trustee may apply in person or by mail to the county auditor for the exemption on a form approved by the department. Further application is not necessary while the property for which the initial application was made continues to meet the eligibility requirements. The trustee shall notify the county auditor of a change in classification within six months of the change. If the trustee fails to notify the county auditor within six months, a penalty must be imposed equal to one hundred percent of the tax paid, plus interest on that amount at the rate of one-half of one percent a month. In no case may the penalty be less than thirty dollars or more than the current year's taxes. This penalty and any interest are considered ad valorem taxes due on the property for purposes of collection and enforcement."

Homestead exemption conforming change

SECTION 5. Section 12-37-290 of the 1976 Code is amended to read:

"Section 12-37-290. The first fifty thousand dollars of the fair market value of the dwelling place of persons shall be exempt from county, school and special assessment real estate property taxes when such persons have been residents of this State for at least one year, have each reached the age of sixty-five years on or before December thirty-first or any person who has been classified as totally and permanently disabled by a state or federal agency having the function of so classifying persons or any person who is legally blind as defined in Section 43-25-20, preceding the tax year in which the exemption herein is claimed and hold complete fee simple title or a life estate to the dwelling place. Any person claiming to be totally and permanently disabled, but who has not been so classified by one of such agencies, may apply to the Vocational Rehabilitation Department. The agency shall make an evaluation of such person using its own standards. The exemption shall include the dwelling place when jointly owned in complete fee simple or life estate by husband and wife and either has reached sixty-five years of age, or is totally and permanently disabled, on or before December thirty-first preceding the tax year in which the exemption is claimed and either has been a resident of the State for one year. The exemption shall not, however, be granted unless such persons or their agents make written application therefor on or before May first of the tax year in which the exemption is claimed and shall also pay all real property taxes due by such persons before the date prescribed by statute for the imposition thereon of a late penalty or interest charge. The

application for the exemption shall be made to the auditor of the county in which the dwelling place is located upon forms, provided by the county and approved by the department, and a failure to so apply shall constitute a waiver of the exemption for that year. The term 'dwelling place' as used herein shall mean the permanent home and legal residence of the applicant.

The term 'permanently and totally disabled' as used herein shall mean the inability to perform substantial gainful employment by reason of a medically determinable impairment, either physical or mental, which has lasted or is expected to last for a continuous period of twelve months or more or result in death.

The department shall reimburse the Vocational Rehabilitation Department for the actual expenses incurred in making decisions relative to disability from funds appropriated for homestead reimbursement.

The department shall promulgate such rules and regulations as may be necessary to carry out the provisions herein.

Nothing herein shall be construed as an intent to cause the reassessment of any person's property.

The provisions of this section shall apply to life estates created by will and also to life estates otherwise created which were in effect on or before December 31, 1971."

Business inventory exemption reimbursement distribution

SECTION 6. Section 12-37-450(A) of the 1976 Code is amended to read:

“(A) A county and municipality must be reimbursed for the revenue lost as a result of the business inventory tax exemption based on the 1987 tax year millage and 1987 tax year assessed value of inventories in the county and municipality. The reimbursement amount must be redistributed proportionately to the separate millages levied by the political subdivision within the county for the current tax year millage. There is credited annually, as provided in Section 11-11-150, to the Trust Fund for Tax Relief whatever amount is necessary to reimburse fully all counties and municipalities the required amount. The department shall make remittances of this reimbursement to a county and municipality in four equal payments.”

Return of personal property required for all persons

SECTION 7. Section 12-37-710 of the 1976 Code is amended to read:

“Section 12-37-710. Every person shall annually list for taxation the following personal property, to wit:

(1) all the tangible personal property in the State owned or controlled by him;

(2) all the tangible property owned by him or by any other resident of this State and under his control which may be temporarily out of the State but is intended to be brought into the State;

(3) all tangible personal property owned or controlled by him which may have been sent out of the State for sale and not yet sold; and

(4) all the moneys, credits, investments in bonds, stocks, joint-stock companies or otherwise, owned or controlled by him, whether in or out of this State.”

New vehicle may not be taxed twice in a year

SECTION 8. Section 12-37-715 of the 1976 Code is amended to read:

“Section 12-37-715. Notwithstanding any other provision of law, no personal property may be taxed for ad valorem purposes more than once in any tax year, except as provided for by the provisions of Section 56-3-210.”

Requirements of auditor when returning property permissive

SECTION 9. Section 12-37-760 of the 1976 Code is amended to read:

“Section 12-37-760. If any person shall refuse or neglect to make out and deliver to the auditor a statement of personal property, as provided in this chapter, or shall refuse or neglect to make and subscribe an oath as to the truth of such statement, or any part thereof, or in case of sickness or absence of such person the auditor shall proceed to ascertain, as near as may be, and make up and return a statement of the personal property, and the value thereof, with which such person shall be charged for taxation, according to the provisions of this chapter. To enable such auditor to make up such statement, he may examine any person under oath and ascertain, from general reputation and his own knowledge of facts, the character and value of the personal property of the person thus absent or sick or refusing or neglecting to list or swear. The auditor may return the lists so made up by him endorsed ‘Refused to List’, ‘Refused to Swear’, ‘Absent’, or ‘Sick’, as the case may be, and in his return, in

tabular form, may write such words opposite the names of each of the persons so refusing or neglecting to list or swear or absent or sick.”

Repeal

SECTION 10. Section 12-37-850 of the 1976 Code is repealed.

Return of personal property generic

SECTION 11. Section 12-37-890 of the 1976 Code is amended to read:

“Section 12-37-890. All property used in any business, furniture, and supplies used in hotels, restaurants and other houses of public resort, personal property used in or in connection with storehouses, manufactories, warehouses, or other places of business, all personal property and merchants’ and manufacturers’ stock and capital shall be returned for taxation and taxed in the county, city, and town in which it is situated. All shares of stock in incorporated banks located in this State shall be returned for taxation and taxed in the county, city, or town in which the bank is located. All property of deceased persons shall be returned for taxation and taxed in the county where administration may be legally granted, until distribution thereof and payment may be made to the parties entitled thereto. All other personal property shall be returned for taxation and taxed at the place where the owner thereof shall reside at the time of listing the same, if the owner resides in this State; if not, at the residence of the person having it in charge. And all real estate shall be taxed in the county, city, ward, or town where it is located. The owners of real property situate partly within and partly without any incorporated town or city shall list the part in the town or city separately from the part outside the incorporated limits thereof.”

Requirement to return personal property, exceptions and waivers deleted

SECTION 12. Section 12-37-900 of the 1976 Code, as last amended by Act 313 of 2008, is further amended to read:

“Section 12-37-900. Every person required by law to list property shall, annually, between the first day of January and the first day of March, make out and deliver to the assessor of the county in which the property is by law to be returned for taxation a statement, verified by his

oath, of all the real estate which has been sold or transferred since the last listing of property for which he was responsible and to whom, and of all real property possessed by him, or under his control, on the thirty-first day of December next preceding, either as owner, agent, parent, spouse, guardian, executor, administrator, trustee, receiver, officer, partner, factor, or holder with the value thereof, on such thirty-first day of December, at the place of return, estimating according to the rules prescribed by law.

A manufacturer not under a fee agreement is not required to return personal property for ad valorem tax purposes if the property remains in this State at a manufacturing facility that has not been operational for one fiscal year and the personal property has not been used in operations for one fiscal year. The personal property is not required to be returned until the personal property becomes operational in a manufacturing process or until the property has not been returned for ad valorem tax purposes for four years, whichever is earlier. A manufacturer must continue to list the personal property annually and designate on the listing that the personal property is not subject to tax pursuant to this section.”

Determination of value of money, bank bills, and like items deleted

SECTION 13. Section 12-37-940 of the 1976 Code is amended to read:

“Section 12-37-940. The following articles of personal property shall be valued for taxation, as follows, to wit: leasehold estates held for any definite term, at the yearly value thereof to the lessee; annuities, at the yearly value thereof to the owner at the time of listing; and leasehold estates held on perpetual lease or for a term certain renewable forever at the option of the lessee, at the full value of the land.”

Assessment of property, merchants' inventory deleted

SECTION 14. The first paragraph of Section 12-37-970 of the 1976 Code is amended to read:

“The assessment for property taxation of equipment, furniture and fixtures, and manufacturers' real and tangible personal property, and the machinery, equipment, furniture, and fixtures of all other taxpayers required to file returns with the South Carolina Department of Revenue for purposes of assessment for property taxation, must be determined by

the department from property tax returns submitted by the taxpayers to the department on or before the last day of the fourth month after the close of the accounting period regularly employed by the taxpayer for income tax purposes in accordance with Chapter 7 of this title. The department by regulation shall prescribe the form of return required by this section, the information to be contained in it, and the manner in which the returns must be submitted. Every taxpayer required to make return to the department of property for assessment for property taxation must make the return to the department not less than once each calendar year. Whenever by a change of accounting period, or otherwise, more than one accounting period ends within any one calendar year, the taxpayer must make one such return within the prescribed time for filing following the end of each of the accounting periods and the department shall determine the assessment from the return setting forth the greatest value.”

Deadline changed for return of airline property

SECTION 15. Section 12-37-2420 of the 1976 Code is amended to read:

“Section 12-37-2420. All airline companies operating in the State shall make an annual property tax return on or before the thirtieth day of April in each year for the preceding calendar or fiscal year of their flight equipment to the department. Each type and model of flight equipment shall be separately returned, valued and apportioned as herein provided.”

Motor vehicle tax year, registration, two-year license deleted, notice to Department of Motor Vehicles

SECTION 16. Section 12-37-2610 of the 1976 Code is amended to read:

“Section 12-37-2610. The tax year for licensed motor vehicles begins with the last day of the month in which a registration required by Section 56-3-110 is issued and ends on the last day of the month in which the registration expires or is due to expire. No registration may be issued for motor vehicles until the ad valorem tax is paid for the year for which the registration is to be issued. Motor vehicles registered under the International Registration Plan may pay ad valorem property taxes on a semiannual basis. The provisions of this section do not apply to the transfer of motor vehicle registrations as specified in Section 12-37-2675

or to sales of motor vehicles by a licensed motor vehicle dealer. Notice of the sales must be furnished to the Department of Motor Vehicles by the dealer, along with other documents necessary for the registration and licensing of the vehicle concerned. The notice must be received by the Department of Motor Vehicles as a prerequisite to the registration and licensing of the vehicle and must include the name and address of the purchaser, the vehicle identification number, and the year and model of the vehicle. The notice must be an original and one copy, and the copy must be provided by the department to the auditor of the county in which the vehicle is taxable. All ad valorem taxes on a vehicle are due and payable one hundred twenty days from the date of purchase. The notice and the time in which to pay the tax applies to motor vehicles that are serviced and delivered by a licensed motor vehicle dealer for the benefit of an out-of-state dealer.”

New motor vehicle must be returned within forty-five days

SECTION 17. Section 12-37-2630 of the 1976 Code is amended to read:

“Section 12-37-2630. When a motor vehicle is first taxable in a county the owner or person having control of the vehicle shall make a property tax return of it within forty-five days, as referenced in Section 56-3-210, and prior to applying for a license. The return shall be made to the auditor of the county in which the owner or person having control of the motor vehicles resides. If the motor vehicle is used in a business the return shall be made to the auditor of the county in which the motor vehicle is situated, that being the county and city of principal use of the vehicle. The return shall be signed under oath and shall set forth the county, school district, special or tax district, and municipality in which the vehicle is principally used.”

Notice of vehicle registration to auditor, timing and method

SECTION 18. Section 12-37-2660 of the 1976 Code is amended to read:

“Section 12-37-2660. The Department of Motor Vehicles shall furnish to the auditor of each county a listing of license registration applications to be mailed to the owners of motor vehicles in the respective counties. The listings must be furnished to the auditor as soon as possible but not later than sixty days before the expiration of the

registration. Listings must be in the form of electronic media. The Department of Motor Vehicles shall provide notice to the respective counties each month for all vehicles that are licensed the second year of the two-year licensing period. This listing must contain an updating of the prior year's list to denote vehicles in which the license or registration is transferred or canceled."

Vehicle title cancellation to Department of Motor Vehicles

SECTION 19. Section 12-37-2725 of the 1976 Code is amended to read:

"Section 12-37-2725. When the title to a licensed vehicle is transferred, or the owner of the vehicle becomes a legal resident of another state and registers the vehicle in the new state of residence, the license plate and registration certificate may be returned for cancellation. The license plate and registration certificate must be delivered to the Department of Motor Vehicles. A request for cancellation must be made in writing to the auditor upon forms approved by the Department of Motor Vehicles. The auditor, upon receipt of the Form 5051 and the request for cancellation, shall order and the treasurer shall issue a credit or refund of property taxes paid by the transferor on the vehicle. The amount of the refund or credit is that proportion of the tax paid that is equal to that proportion of the complete months remaining in that tax year. The auditor, within five days thereafter, shall deliver the request for cancellation to the Department of Motor Vehicles. Upon receipt, the Department of Motor Vehicles shall cancel the license plate and registration certificate and may not reissue the same."

Repeal

SECTION 20. Section 12-37-2735 of the 1976 Code is repealed.

Repeal

SECTION 21. Section 12-39-10 of the 1976 Code is repealed.

Appointment of deputy auditor filed with State Treasurer

SECTION 22. Section 12-39-40(A) of the 1976 Code is amended to read:

“(A) A county auditor may appoint an employee in his office to be his deputy. The appointment must be filed with the State Treasurer and the governing body of that county. When the appointment is filed, the deputy may act for and on behalf of the county auditor when the auditor is incapacitated by reason of a physical or mental disability or during a temporary absence.”

Deadline changed for return of property to auditor

SECTION 23. Section 12-39-60 of the 1976 Code is amended to read:

“Section 12-39-60. The county auditor shall receive the returns and make the assessments provided for in this chapter within the time prescribed by law and for this purpose his office must be kept open to receive the returns of taxpayers from January first to April thirtieth of each year, except as otherwise provided, and the returns must be received throughout the period without penalty. He shall, for the purpose of assessing taxes, attend at a convenient point in each township or tax district as many days as may be necessary and for the remainder of the time allowed by law he must be and receive returns at the county seat. He or his assistant may give thirty days’ public notice of the days upon which he will be at the several places designated.”

Auditor may enter property to determine value

SECTION 24. Section 12-39-120 of the 1976 Code is amended to read:

“Section 12-39-120. For the purpose of enabling the auditor to determine the value of any taxable personal property and other improvements, he may enter and fully examine all buildings and structures (except dwellings), of whatever kind, which are not by law expressly exempt from taxation.”

Special levies, permissive reporting

SECTION 25. Section 12-39-160 of the 1976 Code is amended to read:

“Section 12-39-160. The county auditor, when there is a special levy, may, when he has completed the tax duplicates, report to the county superintendent of education, the chairman of the county board of

education, and the chairmen of the boards of trustees of the school districts, by school districts, the amount of taxable property subject to such levy.”

Form requirement deleted for tax duplicate

SECTION 26. Section 12-39-190 of the 1976 Code is amended to read:

“Section 12-39-190. The county auditor shall enter the taxes on the duplicate retained in his own office. On the duplicate for the county treasurer, he shall enter the taxes against each parcel of real and personal property on one or more lines, opposite the name of the owner or owners.”

Department of Revenue determines format for tax duplicate

SECTION 27. Section 12-39-200 of the 1976 Code is amended to read:

“Section 12-39-200. In all respects except as otherwise prescribed by Section 12-39-190, the department may prescribe the types of acceptable format for county duplicates as may seem most convenient for the public and county auditors.”

Property omitted from duplicate, notify auditor, limitation of back taxes

SECTION 28. Section 12-39-220 of the 1976 Code is amended to read:

“Section 12-39-220. If the county assessor shall at any time discover that any real estate or new structure, addition, or improvement duly returned and appraised for taxation, has been omitted from the duplicate, he shall immediately appraise it and notify the auditor. Upon receiving notification from the assessor, the auditor shall charge it on the duplicate with the taxes of the current year and the simple taxes of each preceding year it may have escaped taxation subject to the limitations contained in this section. And if the owner of any real estate or new structure, addition, or improvement thereon, subject to taxation, has not returned or reported it for taxation, according to the requirements of this chapter, and it has not been appraised for taxation, the assessor shall, upon

discovery thereof, appraise it and, upon notification from the assessor, the auditor shall charge it upon the duplicate, with the taxes of the then current year and the taxes of each preceding year it may have escaped taxation, and all applicable penalties upon such taxes of preceding years subject to the limitations contained in this section. The adjustments determined by the assessor may not extend back more than three prior years from the year the adjustments are determined but in no event back to a prior year before the year the addition on improvement was made. The term 'improvement' for purposes of this section means a change to any real estate or structure which better the value thereof while not constituting regular maintenance."

Requirement of auditor to record real property sales permissive

SECTION 29. Section 12-39-260(A) of the 1976 Code is amended to read:

"(A) Each county auditor may keep a record of all sales or conveyances of real property made in the county, in which he shall enter, in columns, the names of the purchaser and seller, the quantity of land conveyed and the location and price of such land, and from such record he shall correct the county duplicates annually. For the purpose of carrying out this provision, the clerk of courts or register of deeds of each county shall have the endorsement of the county auditor on each deed of conveyance for real property that the conveyance has been entered in his office before such deed can be placed on record in the recording office, and the county auditor shall be entitled to a fee of twenty-five cents, for his own use, for making such entry and endorsement."

Procedure for settlement between auditor and treasurer deleted

SECTION 30. Section 12-39-270 of the 1976 Code is amended to read:

"Section 12-39-270. The county auditor shall keep as a permanent record in his office a book to be known as the 'Abatement Book', in which the county auditor enters separately each abatement of taxes granted and allowed. The abatement book must be kept so as to show in each case, under appropriate columns, the number of the page and the number of the line of the tax duplicate on which the item abated appears, the name of the taxpayer, the amount and kind of tax charged on the duplicate and for what year, the amount abated and date of abatement, in

each case. If the tax is on property, the entry must include a description of property and the reason the abatement was applied for and allowed. After the abatement papers are entered, they must be filed in the auditor's office by consecutive numbering of each and the number on the abatement paper must be entered in the abatement book in which the paper is entered for easy reference. The abatement book must be kept by townships and summed up separately for each fiscal year, with a recapitulation showing at the end of the year the amount of state, county, school, poll, and other tax abated during the fiscal year in the whole county."

All vehicles must be registered at four percent residence to claim the four percent

SECTION 31. Section 12-43-220(c)(2)(iv)(B) of the 1976 Code is amended to read:

"(B) copies of South Carolina motor vehicle registrations for all motor vehicles registered in the name of the owner-occupant and registered at the same address of the four percent domicile;"

Repeal

SECTION 32. Section 12-45-10 of the 1976 Code is repealed.

Appointment of deputy treasurer filed with State Treasurer

SECTION 33. Section 12-45-35(A) of the 1976 Code is amended to read:

"(A) A county treasurer may appoint an employee in his office to be his deputy. The appointment must be filed with the State Treasurer and the governing body of that county. When the appointment is filed, the deputy may act for and on behalf of the county treasurer when the treasurer is incapacitated by reason of a physical or mental disability or during a temporary absence."

Notice of taxes paid to Department of Motor Vehicles

SECTION 34. Section 12-45-70(C) of the 1976 Code is amended to read:

“(C) The county official charged with the collection of taxes shall send a list of the institutions collecting the taxes to the Department of Motor Vehicles. Each institution shall certify to the Department of Motor Vehicles that the taxes have been paid, and the Department of Motor Vehicles may accept certification instead of the tax receipt given to the taxpayer if that certification contains the information required in Section 12-37-2650.”

Certain forms of tax payments deleted

SECTION 35. Section 12-45-90 of the 1976 Code is amended to read:

“Section 12-45-90. Taxes are payable in the following kinds of funds and no other: silver coin, United States currency, United States postal money orders, and checks subject to collection. A third-party administrator may be used for the collection of taxes through electronic media if there is no cost borne by the county. Other media of payment may be accepted as payment for taxes upon approval of the governing body, and if costs are incurred by the county in the acceptance of a payment media, approval of the county governing body must be obtained. Electronic or other media of payment are subject to collection, and in the absence of an agreement among the taxing entities to share the costs of collection of property taxes, costs must be apportioned among the taxing entities on a pro rata basis. The county governing body may impose a uniform surcharge as a condition of acceptance of a particular medium of payment, not to exceed the cost of accepting charge cards, debit cards, or electronic forms of payment including discount or merchant fees.”

Reference of “chattel” changed to “personal”

SECTION 36. Section 12-45-120 of the 1976 Code is amended to read:

“Section 12-45-120. If, after the return of any personal tax by any county treasurer as delinquent, the county treasurer shall know or be informed that the person against whom it is charged resides in some other county in this State or has property or debts due him therein, he shall make out and forward to the treasurer of such other county a certified statement of the name of the person against whom such taxes are charged, the value of the property on which such taxes were levied, the amount of the taxes and penalties assessed thereon and that they are

delinquent, and to the aggregate of such taxes and penalties he shall add twenty-five percent as collection fees. Upon the receipt of such certificate the treasurer of such other county shall collect such delinquent taxes and penalties, with the twenty-five percent collection fees as provided in this section, for which purpose he shall have all rights, powers and remedies conferred upon the treasurer of the county in which such taxes were assessed and be allowed the same fees for distraint and sale of property as if such taxes had been levied in his own county and, upon collection made, may retain one-half of such twenty-five percent collection fees, and shall transmit the balance collected by him to the treasurer of the county from whom he received such certified statement by mail. But if the treasurer to whom any such statement is sent cannot collect the amount therein named, or any part thereof, he shall return such duplicate, so endorsed, with reasons for such noncollection.”

Delinquent tax collector may waive penalties upon error

SECTION 37. Section 12-45-180(A) of the 1976 Code is amended to read:

“(A) When the taxes and assessments or any portion of the taxes and assessments charged against any property or person on the duplicate for the current fiscal year are not paid before the sixteenth day of January or thirty days after the mailing of tax notices, whichever occurs later, the county auditor shall add a penalty of three percent on the county duplicate and the county treasurer shall collect the penalty. If the taxes, assessments, and penalty are not paid before the second day of the next February, an additional penalty of seven percent must be added by the county auditor on the county duplicate and collected by the county treasurer. If the taxes, assessments, and penalties are not paid before the seventeenth day of the next March, an additional penalty of five percent must be added by the county auditor on the county duplicate and collected by the county treasurer. If the taxes, assessments, and penalties are not paid before the seventeenth day of March, the county treasurer shall issue his tax execution to the officer authorized and directed to collect delinquent taxes, assessments, penalties, and costs for their collection as provided in Chapter 51 of this title and they must be collected as required by that chapter. The United States postmark is the determining date for mailed payments. If the county treasurer or the office authorized and directed to collect delinquent taxes determines by proper evidence that the mailing of a tax payment was improperly postmarked, and this error results in the imposition of a penalty provided

in this subsection, then the penalty imposed may be waived by the county treasurer or the office authorized and directed to collect delinquent taxes.”

Treasurer may notify auditor of waiver of penalty

SECTION 38. Section 12-45-185 of the 1976 Code is amended to read:

“Section 12-45-185. Notwithstanding the provisions of Section 12-45-180, the county treasurer may waive the penalties imposed pursuant to that section and notify the county auditor if necessary if the taxpayer provides clear and convincing evidence to the county treasurer that the taxpayer delivered the timely payment to the United States mail or that the taxpayer otherwise timely delivered or caused to be delivered the payment. The request for waiver must be in the form of an application in writing to the county treasurer that includes documentation sufficient for the treasurer to conclude that the taxpayer made timely payment of the taxes. Waiving penalties is within the sole discretion of the county treasurer and the treasurer’s denial of a waiver is not subject to appeal.”

Treasurer report to chief administrative officer permissive

SECTION 39. Section 12-45-260 of the 1976 Code is amended to read:

“Section 12-45-260. The county treasurer may monthly report to the chief administrative officer of the county the amount of funds received for and on account of the county and the character of the funds.”

Requirement of notations on duplicate deleted

SECTION 40. Section 12-45-300 of the 1976 Code is amended to read:

“Section 12-45-300. The auditor shall take from the duplicate previously provided to the treasurer for collection a list of all taxes, assessments, and penalties the treasurer has been unable to collect, describing the property as described on the duplicate. In making this list, the delinquencies in each taxing entity must be stated separately. After deducting the amount of taxes, assessments, and penalties returned

delinquent, the treasurer shall stand charged with the remainder of the taxes, assessments, and penalties charged on the duplicate.”

Waiver of penalties upon majority vote of committee

SECTION 41. Section 12-45-420 of the 1976 Code is amended to read:

“Section 12-45-420. Notwithstanding another provision of law a committee composed of the county auditor, county treasurer, and county assessor may, by a majority vote, waive, dismiss, or reduce a penalty levied against real or personal property in the case of an error by the county.”

Legal assessments deemed debt of county

SECTION 42. Section 12-49-10 of the 1976 Code is amended to read:

“Section 12-49-10. All taxes, assessments and penalties legally assessed shall be considered and held as a debt payable to the county by the person against whom they shall be charged and such taxes, assessments and penalties shall be a first lien in all cases whatsoever upon the property taxed, the lien to attach at the beginning of the fiscal year during which the tax is levied. Such taxes shall be first paid out of assets of any estate of deceased persons or held in trust as assignee or trustee or the proceeds of any property held on execution or attachment. The county treasurer may enforce such lien by execution against such property or, if it cannot be levied on, he may proceed by action at law against the person holding such property.”

Removal of sheriff from tax sale collection process

SECTION 43. Section 12-49-20 of the 1976 Code is amended to read:

“Section 12-49-20. As of December thirty-first a first lien shall attach to all real and personal property for taxes to be paid during the ensuing year, and in case such property is about to be removed from the State by bankruptcy proceedings or otherwise or is about to be taken from the jurisdiction of the county before taxes are due in the county and payable for any year, the treasurer of such county shall immediately issue his execution on such property and the tax collector of the county shall proceed to collect the taxes due on such property.”

Assessor to determine removal of derelict mobile home

SECTION 44. Section 12-49-85(D) of the 1976 Code is amended to read:

“(D) Upon receipt of proof satisfactory to the county assessor that a derelict mobile home, as defined in Section 6-1-150, has been removed and disposed of in accordance with Section 6-1-150, the county auditor shall remove the derelict mobile home permanently from his records and the county auditor from the current duplicate. Upon this removal, any unpaid taxes, uniform service charges, assessments, penalties, costs of collection, and any other amounts billed on the tax notice, which are due as a result of the value of the derelict mobile home, are waived. All costs of removal and disposal are the responsibility of the owner of the derelict mobile home, and may be waived only by order of the magistrates court or if a local governing body has a program that covers removal and disposal costs.”

Removal of sheriff from tax sale collection process

SECTION 45. Section 12-49-910 of the 1976 Code is amended to read:

“Section 12-49-910. The tax collector may levy upon and seize the personal property of a defaulting taxpayer by serving personally upon the delinquent taxpayer and the owner of such personal property, if it has been sold or transferred subject to the tax lien, a written notice that the specific personal property of the defaulting taxpayer has been seized pursuant to the direction and provisions of the particular delinquent tax execution. A description of such personal property as entered on the return of the taxpayer shall be a sufficient description of the personal property so seized. If the delinquent taxpayer or owner of such personal property is absent from the county or cannot be found therein, then service of such notice upon the agent, tenant, servant or employee of such delinquent taxpayer or owner of such personal property or other person in the custody, possession or control of it shall be sufficient. If the delinquent taxpayer or owner of such personal property cannot be found and there is no person in the custody, possession or control of it, such service shall be made by posting such notice on the building or at the place where said personal property is located.”

Removal of sheriff from tax sale collection process

SECTION 46. Section 12-49-920 of the 1976 Code is amended to read:

“Section 12-49-920. Upon such service being made, the specific personal property of the defaulting taxpayer described in such notice of levy and seizure shall be conclusively deemed and taken to be in the exclusive possession of the tax collector and the sum due on the particular delinquent tax execution shall constitute a first lien upon the specific personal property described in such notice.”

Removal of sheriff from tax sale collection process

SECTION 47. Section 12-49-930 of the 1976 Code is amended to read:

“Section 12-49-930. Any person who shall remove, secrete, destroy or otherwise injure such personal property or molest, disturb or interfere with the tax collector’s possession of such personal property shall be held liable as for a conversion and be guilty of disposing of property under a lien.”

Removal of sheriff from tax sale collection process

SECTION 48. Section 12-49-940 of the 1976 Code is amended to read:

“Section 12-49-940. Unless the amount due on the delinquent tax execution shall be sooner paid, the tax collector shall, after having such personal property so seized under the delinquent tax execution advertised for sale for two weeks in a newspaper printed and circulated in the county, sell such personal property at public auction to the highest bidder for cash.”

Bids on behalf of a county forfeited land commission

SECTION 49. Section 12-49-950 of the 1976 Code is amended to read:

“Section 12-49-950. If, on the sale of such personal property, there is no bid for as much as the tax and costs then due on the delinquent tax

execution, the personal property must be bid in on behalf of the forfeited land commission of the county for the amount equal to the amount of all unpaid property taxes, assessments, and charges billed on the property tax bill, and all costs which may be incurred by a taxing entity as a result of the tax delinquency including taxes levied for the year in which the redemption period begins. An assessment for purposes of this section includes, but is not limited to, amounts owed a special taxing district created pursuant to Section 4-9-30, and a district created pursuant to Chapter 19 of this title and amounts owed pursuant to Chapter 15, Title 6.”

Removal of sheriff from tax sale process

SECTION 50. Section 12-49-960 of the 1976 Code is amended to read:

“Section 12-49-960. Upon the payment of the purchase money for such personal property, the tax collector shall deliver possession of it to the successful purchaser.”

Definition

SECTION 51. Section 12-49-1110(14) of the 1976 Code is amended to read:

“(14) ‘Tax title’ means a deed for real property or a bill of sale for personal property.”

Notice of tax map number to mortgagee

SECTION 52. Section 12-49-1150 of the 1976 Code is amended to read:

“Section 12-49-1150. To entitle a mortgagee to the notice required by Section 12-49-1120, a list of each mortgage located in the county as to which the notice is desired must be filed by the mortgagee with the tax collector of the county in which the real property covered by a mortgage lies on or before the fifteenth day of March of each year, on which must be shown the name and address of the mortgagee, the name of each mortgagor, and the book and page of the record where each mortgage listed is recorded and the tax map number.”

Form of notice to lienholders

SECTION 53. Section 12-49-1220(C) of the 1976 Code is amended to read:

“(C) For liens created on or after January 1, 1995, the tax collector shall provide the notice of levy and sale to the lienholders identified on the forms provided to the county department responsible for registering manufactured housing pursuant to the licensing and moving permit procedures provided for in Chapter 17, Title 31 or official department records if the records reflect the existence of a lienholder.”

Information to assessor instead of auditor

SECTION 54. Section 12-49-1270(B) of the 1976 Code is amended to read:

“(B) Except as specifically provided in this article, the rights and remedies of a lienholder of a mobile or manufactured home under the terms of the security documents or as otherwise provided in this title are not affected by whether or not a lienholder provides a collateral list to the tax collector or provides information to the assessor about where and to whom tax notices must be sent.”

Mobile homes considered personal property in tax sale unless de-titled

SECTION 55. Section 12-51-40(c) and (e) of the 1976 Code is amended to read:

“(c) If the ‘certified mail’ notice has been returned, take exclusive physical possession of the property against which the taxes, assessments, penalties, and costs were assessed by posting a notice at one or more conspicuous places on the premises, in the case of real estate, reading: ‘Seized by person officially charged with the collection of delinquent taxes of (name of political subdivision) to be sold for delinquent taxes’, the posting of the notice is equivalent to levying by distress, seizing, and taking exclusive possession of it, or by taking exclusive possession of personalty. In the case of personal property, the person officially charged with the collection of delinquent taxes is not required to move the personal property from where situated at the time of seizure and further, the personal property may not be moved after seized by anyone

under penalty of conversion unless delinquent taxes, assessments, penalties, and costs have been paid. Mobile homes are considered to be personal property for the purposes of this section unless the owner has de-titled the mobile home according to Section 56-19-510.

(e) As an alternative, upon approval by the county governing body, a county may use the procedures provided in Chapter 56, Title 12 and Section 12-4-580 as the initial step in the collection of delinquent taxes on real and personal property.”

Requirement that funds from sale to pay taxes during redemption period deleted

SECTION 56. Section 12-51-55 of the 1976 Code is amended to read:

“Section 12-51-55. The officer charged with the duty to sell real property and mobile or manufactured housing for nonpayment of ad valorem property taxes shall submit a bid on behalf of the forfeited land commission equal to the amount of all unpaid property taxes, penalties, assessments including, but not limited to, assessments owed to a special taxing district established pursuant to Section 4-9-30, Chapter 19, Title 4, or an assessment district established pursuant to Chapter 15, Title 6, and costs including taxes levied for the year in which the redemption period begins. The forfeited land commission is not required to bid on property known or reasonably suspected to be contaminated. If the contamination becomes known after the bid or while the commission holds the title, the title is voidable at the election of the commission.”

Settlement of tax sale monies deadline extended

SECTION 57. Section 12-51-80 of the 1976 Code is amended to read:

“Section 12-51-80. The treasurer shall make full settlement of tax sale monies, within forty-five days after the sale, to the respective political subdivisions for which the taxes were levied. Proceeds of the sales in excess thereof must be retained by the treasurer as otherwise provided by law.”

Repeal

SECTION 58. Section 12-59-30 of the 1976 Code is repealed.

Tax collectors may forfeit land to forfeited land commission

SECTION 59. Section 12-59-40 of the 1976 Code is amended to read:

“Section 12-59-40. The forfeited land commissions created in this article for each of the counties of the State shall effect the sale of lands forfeited and bid in for the various forfeited land commissions of the State by the county auditors or the tax collectors of the several counties of the State in pursuance of Section 12-51-55. All lands deeded to the forfeited land commission of any county shall be held by it as assets of the county and sold to the best interest of the county. It shall sell and dispose of such lands in such a manner and upon such terms and conditions as to it may appear to be for the best interest of its county, but the terms of sale shall not in any case provide for a longer term than ten years for the full payment of the purchase price of such property and shall be secured by a first real estate mortgage upon the property sold.”

Reference to delinquent state taxes deleted

SECTION 60. Section 12-59-50 of the 1976 Code is amended to read:

“Section 12-59-50. The owner of any property which has been sold for delinquent county taxes and which has been bid in by the forfeited land commission may sell all or any part of such property so bid in by the forfeited land commission upon securing the approval, in writing, of the forfeited land commission, if such land has not theretofore been sold by such commission and application for such approval be made to the commission by the owner within five years from the day following the expiration of the period allowed by law to owners to redeem property sold for taxes.”

Removal of sheriff from tax sale collection process

SECTION 61. Section 12-59-70 of the 1976 Code is amended to read:

“Section 12-59-70. Should the title have been made by the tax collector to the forfeited land commission and not theretofore been sold, the forfeited land commission may, if it approve the application of the owner to sell a portion of the property so bid in as provided in this article, execute and deliver to the owner or anyone whom he may designate a deed upon payment of the amount as provided in Section 12-59-60.”

Procedure for accepting sealed bids for assignment

SECTION 62. Section 12-59-80 of the 1976 Code is amended to read:

“Section 12-59-80. The forfeited land commission may assign its bids at any time before title deed being made pursuant to sale, provided the consideration to be paid for such assignments shall not be less than the amount of taxes, penalties and costs for which the property was sold. The chairman or his designee may accept sealed bids for assignments of the forfeited land commission bids for a designated time period. Assignments not made during this time may then be assigned on a first come, first served basis. A list of available forfeited land commission properties is to be maintained at an assigned location as determined by the county forfeited land commission.”

Removal of sheriff from tax sale collection process

SECTION 63. Section 12-59-90 of the 1976 Code is amended to read:

“Section 12-59-90. All deeds for lands sold under the authority of Section 12-59-40 shall be made by the forfeited land commission of the county holding title thereto or by a majority of the members thereof and all conveyances heretofore made to and by the several forfeited land commissions, or by a majority of the members thereof, are declared valid and of full force and effect and to have been made in accordance with the provisions of this section. The forfeited land commission of any county, or a majority of the members thereof, may require the tax collector or other officer authorized by law to execute a deed to any land which may be bid in by the county auditor to convey such land to any purchaser to whom it may be sold by such forfeited land commission, or a majority of the members thereof, after such land has been bid in by the county auditor and before it has been conveyed to the forfeited land commission, and all conveyances of real property heretofore made by the tax collector or other officer authorized by law to execute such conveyances pursuant to authority and direction of any forfeited land commission, or a majority of the members thereof, are declared valid and effectual to convey title according to their respective terms, notwithstanding that they may have been made by the tax collector or other officer pursuant to authority or direction of only a majority of the members of any such commission.”

Deposit of funds from sale of forfeited land commission

SECTION 64. Section 12-59-100 of the 1976 Code is amended to read:

“Section 12-59-100. The proceeds of any such sales shall be turned over by such forfeited land commission to the county treasurer. And the county treasurer shall deposit such funds, after deducting the expense warrants as drawn on him by the forfeited land commission of his county into the general county fund. If any tract of land is sold for less than the taxes and penalties due thereon, the proceeds of such sale shall be divided between the county and taxing entities in the proportion of the amount of taxes and penalties due each of them.”

Repeal

SECTION 65. Section 12-59-110 of the 1976 Code is repealed.

Removal of sheriff from tax sale collection process

SECTION 66. Section 12-59-120 of the 1976 Code is amended to read:

“Section 12-59-120. Any agent of the forfeited land commission of the respective counties shall be allowed free access by the auditors, the treasurers and tax collectors to all executions issued for the collection of taxes by the county treasurer and returned ‘nulla bona’ for any reason or ‘double entry’, or which are not collected for any reason, to the tax books, and to all records in their respective offices relating to tax matters.”

Duties of county in actions against county officials

SECTION 67. Section 12-60-1760 of the 1976 Code is amended to read:

“Section 12-60-1760. (A) The county shall pay the reasonable attorney’s fees, expenses, damages, and costs resulting from defending an action brought against a county officer for performing or attempting to perform a duty imposed on him by this title if the plaintiff prevails in the action and it affects the interest of the county. The county may

ratably apportion the fees, expenses, damages, and costs among all parties, except the State, interested in the revenue involved in the action.

(B) If an action involves only a municipal levy, the municipality shall pay the attorney's fees, expenses, damages, and costs which may be awarded in the action. In such an action, the county may cause a municipality interested in the revenue involved in an action to be made a party to the action. The Administrative Law Judge or the court in which the action is pending shall join the municipality as a party."

Time effective

SECTION 68. This act takes effect upon approval by the Governor.

Ratified the 8th day of June, 2015.

Approved the 11th day of June, 2015.

No. 88

(R126, H3525)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58-4-60, AS AMENDED, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE EXPENSES OF THE TRANSPORTATION DEPARTMENT BE BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58-23-50, AS AMENDED, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

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

Transportation Network Company Act

SECTION 1. Chapter 23, Title 58 of the 1976 Code is amended by adding:

“Article 16

Transportation Network Company Act

Section 58-23-1610. For purposes of this article:

(1) ‘Transportation Network Company’ or ‘TNC’ means a person, corporation, partnership, sole proprietorship, or other entity operating in this State that uses a digital network, platform, or Internet-enabled application to connect a passenger to a transportation network driver for the purpose of providing transportation for compensation using a vehicle. A transportation network company does not include transportation services provided pursuant to Articles 1 through 15, Chapter 23, Title 58, or arranging nonemergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the State or a managed care organization.

(2) ‘Personal vehicle’ means a vehicle that is used by a transportation network company driver in connection with providing a prearranged ride and is:

(a) owned, leased, or otherwise authorized for use by the transportation network company driver; and

(b) not a taxi, charter bus, charter limousine, or for-hire vehicle.

(3) ‘Digital network’ means any Internet-enabled application, software, website, or system offered or used by a TNC that enables the prearrangement of rides with transportation network company drivers.

(4) ‘Transportation Network Company driver’ or ‘TNC driver’ means a person who uses a vehicle to provide transportation service for passengers matched through a transportation network company’s digital network.

(5) ‘Transportation Network Company insurance’ or ‘TNC insurance’ means an insurance policy that specifically covers a driver’s use of a vehicle in connection with a transportation network company’s digital network, platform, or Internet-enabled application.

(6) ‘Transportation Network Company passenger’ or ‘TNC passenger’ means a person for whom transportation is provided through a transportation network company’s digital network. This includes a person for whom arrangements for transportation services using the

transportation network company's digital network was arranged by someone other than the passenger.

(7) 'Transportation Network Company service' or 'TNC service' means a period of time when a transportation network company driver accepts a request arranged through the transportation network company's digital network and proceeds to the passenger location, continues while the transportation network company driver transports a requesting passenger in the transportation network company vehicle, and ends when the last requesting passenger exits the transportation network company vehicle.

(8) 'Transportation Network Company vehicle' or 'TNC vehicle' means a vehicle that is used by a TNC driver that has met the requirements of this article and has been approved by the TNC to provide transportation service arranged through a transportation network company digital platform. It must not have a manufacturer's rated seating capacity of more than eight passengers, including the driver.

(9) 'Prearranged ride' means the provision of transportation by a transportation network company driver to a transportation network company rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride does not include shared expense carpool or vanpool arrangements, or transportation provided using a taxi, limousine, or other for-hire vehicle pursuant to a Class C certificate issued by the South Carolina Public Service Commission or pursuant to a license issued by the governing body of a county or city. A prearranged ride does not include services provided pursuant to Articles 1 through 15, Chapter 23, Title 58 or arranging nonemergency medical transportation for individuals qualifying for Medicaid or Medicare pursuant to a contract with the State or a managed care organization.

(10) 'Transportation Network Company rider' or 'rider' means an individual or individuals who use a transportation network company's digital network to connect with a transportation network driver who provides prearranged rides to the rider in the driver's personal vehicle between points chosen by the rider.

Section 58-23-1620. (A) Before a person, corporation, partnership, sole proprietorship, or other entity that uses a digital network, platform, or Internet-enabled application to provide transportation for compensation using a personal vehicle commences to advertise or operate in South Carolina as a TNC, that entity shall comply with the

requirements set forth within this article and hold a valid TNC permit issued by the Office of Regulatory Staff.

(B) That entity shall submit an application to the Office of Regulatory Staff and provide information that the Office of Regulatory Staff requires.

(C) In performing its responsibilities under this article, the Office of Regulatory Staff must balance the interest of the State in promoting innovative, safe, and cost-effective transportation services with an appropriate level of safety protections for TNC passengers and the general public.

(D) An application must be accompanied by information required by the Office of Regulatory Staff, which may condition its approval on terms that it determines to be just and reasonable to advance the goals of this article.

(E) Upon review of the application and a finding that the applicant is fit, willing, and able to conduct business pursuant to the provisions of this article, the Office of Regulatory Staff shall approve the application and issue the entity a TNC permit. A person or entity operating a TNC in South Carolina as of the effective date of this article may continue to operate for a period of sixty days following the effective date of this article so as to permit the person or entity to obtain a permit from the Office of Regulatory Staff pursuant to this section.

(F) An aggrieved person with standing may file a request for a contested case of a decision of the Office of Regulatory Staff with the Public Service Commission within thirty days of the decision.

Section 58-23-1625. (A) Insurers that write automobile insurance in the State may exclude any and all coverage afforded under the owner's insurance policy for any loss or injury that occurs while a TNC driver is logged on a TNC's digital network or while the driver provides a prearranged ride. This right to exclude all coverage may apply to any coverage included in an automobile insurance policy including, but not limited to:

- (1) liability coverage for bodily injury and property damage;
- (2) uninsured and underinsured motorist coverage;
- (3) medical payments coverage;
- (4) comprehensive physical damage coverage; and
- (5) collision physical damage coverage.

(B) The exclusions apply notwithstanding any requirement under Sections 56-9-10 through 56-9-630. Nothing in this section implies or requires that a personal automobile insurance policy provide coverage while the transportation network driver is logged on the TNC's digital

network, while the driver is engaged in a prearranged ride or while the driver otherwise uses a personal vehicle to transport passengers for compensation. Nothing may be considered to preclude an automobile insurer from providing coverage for the TNC driver's personal vehicle, if it chooses to do so by contract or endorsement.

(C) Automobile insurers that exclude coverage as permitted in subsections (A) and (B) have no duty to defend or indemnify any claim expressly excluded by those subsections. Nothing in this article may be considered to invalidate or limit an exclusion contained in a policy. An automobile insurer that defends or indemnifies a claim against a driver that is excluded under the terms of its policy as permitted in subsections (A) and (B) has a right of contribution against other insurers that provide automobile insurance to the same driver in satisfaction of the coverage requirements of Section 58-23-1630 at the time of loss.

(D) In a claims coverage investigation, TNC's and any automobile insurer potentially providing coverage under Section 58-23-1630 shall cooperate to facilitate the exchange of relevant information with directly involved parties and any automobile insurer of the TNC driver if applicable, including the precise times that a driver logged on and off of the TNC's digital network in the twelve-hour period immediately preceding and in the twelve-hour period immediately following the accident and disclose to one another a clear description of the coverage, exclusions, and limits provided under any automobile insurance maintained under Section 58-23-1630.

Section 58-23-1630. (A) A TNC driver or TNC on the driver's behalf shall maintain primary automobile insurance that recognizes that the driver is a TNC driver or otherwise uses a personal vehicle to transport riders for compensation and covers the driver:

- (1) while the driver is logged on the TNC's digital network; or
- (2) while the driver is engaged in a prearranged ride.

(B) The following automobile insurance requirements apply while a participating TNC driver is logged on the TNC's digital network and is available to receive transportation requests but is not engaged in a prearranged ride:

- (1) primary automobile liability insurance in the amount of at least fifty thousand dollars for death and bodily injury per person, at least one hundred thousand dollars for death and bodily injury per incident, and at least fifty thousand dollars for property damage;
 - (2) uninsured motorist coverage as required by Section 38-77-150;
- and

(3) the coverage requirements of this subsection may be satisfied by automobile insurance maintained by the TNC driver, automobile insurance maintained by the TNC, or both.

(C) The following automobile insurance requirements apply while a TNC driver is engaged in a prearranged ride:

(1) primary automobile liability insurance that provides at least one million dollars for death, bodily injury, and property damage;

(2) uninsured motorist coverage as required by Section 38-77-150;
and

(3) the coverage requirements of this subsection may be satisfied by automobile insurance maintained by the TNC driver, automobile insurance maintained by the TNC, or both.

(D) If insurance maintained by the TNC driver in subsections (B) or (C) has lapsed or does not provide the required coverage, insurance maintained by a TNC must provide the coverage required by this section beginning with the first dollar of a claim and has the duty to defend such claim.

(E) Coverage under an automobile insurance policy maintained by the TNC may not be dependent upon a personal automobile insurer first denying a claim nor may a personal automobile insurer be required to first deny the claim.

(F) Insurance required by this section may be placed with an authorized insurer or with an eligible surplus lines insurer pursuant to Section 38-45-90.

(G) Insurance satisfying the requirements of this section may be considered to satisfy the financial responsibility requirements for a motor vehicle pursuant to Sections 56-9-10 through 56-9-630.

(H) A TNC driver shall carry proof of coverage satisfying subsections (B) and (C) at all times during use of a vehicle in connection with a TNC's digital network. In the event of an accident, a TNC driver shall provide this insurance coverage to the directly interested parties, automobile insurers, and the investigating police officers, upon request, pursuant to Section 56-10-225. Upon such request, a TNC driver shall also disclose to directly interested parties, automobile insurers, and the investigating police officers, whether he was logged on the TNC's digital network or on a prearranged ride at the time of an accident.

(I) If a TNC's insurer pays a claim covered under comprehensive coverage or collision coverage, the TNC shall cause its insurer to issue the payment directly to the business repairing the vehicle or jointly to the owner of the vehicle and the primary lienholder on the covered vehicle. The Office of Regulatory Staff shall not assess any fines as a result of a violation of this subsection.

Section 58-23-1635. (A) Before TNC drivers are allowed to accept a request for a prearranged ride on the TNC's digital network, the TNC shall disclose to the drivers, in writing, the following information:

(1) the insurance coverage, including the types of coverage and the limits for each coverage, that the TNC provides while the TNC driver uses a personal vehicle in connection with a TNC's digital network;

(2) depending on its terms, that the TNC driver's personal automobile insurance policy may not provide any coverage while the driver is logged onto the TNC's digital network and is available to receive a transportation request or is engaged in a prearranged ride; and

(3) if the vehicle to be used to provide TNC services has a lien against it, the driver has a duty to notify the lienholder that the driver will be using the vehicle for transportation services that may violate the terms of the contract with the lienholder. The driver must disclose to the lender all insurance coverage information provided to the driver by the TNC pursuant to this section. The TNC must provide a standardized form for TNC drivers to use for such notice to the lienholder. The form may be provided to the driver by the TNC in a digital format. The TNC driver must maintain evidence that notice has been sent to the lien holder as well as wait seven days prior to commencing driving in connection with a TNC.

(B) Nothing in this chapter limits the right of a lender or secured party on a driver's vehicle to require a driver to maintain comprehensive and collision damage coverage for a driver's vehicle or to show evidence of that coverage to the lender or secured party that would cover the period when the driver is logged on to the transportation network carrier's digital network regardless of whether the driver is engaged in a prearranged ride. If the driver fails to maintain the required comprehensive and collision coverage or to show evidence to the lender or secured party of the coverage upon reasonable request by the lender or secured party, the lender or secured party may fully enforce all provisions contained in the loan agreement with the borrower.

Section 58-23-1640. (A) The TNC driver shall have a certified mechanic licensed in South Carolina conduct a safety inspection of a TNC vehicle within thirty days of the vehicle first providing TNC services.

(B) The TNC shall not permit a TNC driver to provide TNC services if the TNC vehicle does not pass a certified mechanics inspection as identified in this article.

(C) The TNC driver shall have periodic safety inspections of the TNC vehicle performed at intervals of at least once each year.

(D) The TNC shall maintain documentation of a TNC vehicle inspection for a period of three years.

(E) The vehicle inspection shall include an inspection of:

- (1) foot brakes;
- (2) emergency brakes;
- (3) steering mechanism;
- (4) windshield;
- (5) rear window and other glass;
- (6) windshield wipers;
- (7) headlights;
- (8) tail lights;
- (9) turn indicator lights;
- (10) stop lights;
- (11) front seat adjustment mechanism;
- (12) door capability to open, close, lock, and unlock;
- (13) horn;
- (14) speedometer;
- (15) bumpers;
- (16) muffler and exhaust system;
- (17) tire condition including tread depth;
- (18) interior and exterior rearview mirrors; and
- (19) safety belts.

(F) A TNC vehicle must display a consistent and distinctive signage or emblem, which must be known as a trade dress, at all times when the TNC driver is active on the TNC digital platform or providing TNC service. The trade dress used by the TNC must be approved by the Office of Regulatory Staff before its use and:

- (1) must be readable during daylight hours at a distance of fifty feet;
- (2) must be reflective, illuminated, or otherwise patently visible so as to be seen in darkness; and
- (3) may be magnetic or removable in nature.

(H) The Office of Regulatory Staff may conduct inspections of TNC vehicles.

(I) The vehicle inspection records must be provided to the Office of Regulatory Staff by the TNC upon request.

Section 58-23-1650. (A) The TNC shall obtain certain background and qualification information from a TNC driver before the TNC driver is approved by the TNC to provide TNC services.

(B) The TNC driver qualification information shall include:

(1) a valid driver's license issued by the South Carolina Department of Motor Vehicles or the current state of residence for the driver;

(2) verification that the driver is twenty-one years of age or older;

(3) a certified copy of the driver's ten year driving record issued by the South Carolina Department of Motor Vehicles and a record from the department of motor vehicles or equivalent agency of the state where the driver has been domiciled for that period;

(4) conduct, or have a third party conduct, a local and national criminal background check for each applicant that must include:

(a) a multistate and multijurisdictional criminal records locator or other similar commercial nationwide database with validation (primary source search); and

(b) national sex offender registry database search; and

(5) proof of automobile liability insurance in the name of the TNC driver which meets the requirements of Section 38-77-140.

(C) The TNC shall verify the TNC driver meets all of the driver qualification requirements in this section at intervals of at least one each year.

(D) The TNC shall maintain documentation of initial and annual verification of TNC driver qualifications for a period of three years.

(E) The Office of Regulatory Staff may conduct inspections of TNC driver qualification records.

(F) The TNC shall not permit a TNC driver to provide TNC services who:

(1) does not meet the TNC driver qualifications listed in subsections (B) and (C);

(2) is registered or required to be registered as a sex offender with the South Carolina Law Enforcement Division or the National Sex Offender Registry;

(3) has been convicted within the past ten years of driving under the influence of drugs or alcohol, driving with an unlawful alcohol concentration, fraud, use of a motor vehicle to commit a felony, a felony crime involving property damage, theft and crimes defined as violent pursuant to Section 16-1-60; or

(4) is under the influence of drugs or alcohol. Nothing in this section may be construed to require drug testing by a TNC of a TNC driver.

(G) Before a TNC driver is allowed to provide a TNC service, the TNC must disclose to the TNC driver that the:

(1) automobile liability insurance that the TNC provides while the TNC driver is engaged in TNC service or logged into the TNC digital network;

(2) TNC driver's automobile liability insurance may not provide coverage while the TNC driver is engaged in TNC service or logged into the TNC digital network;

(3) provision of TNC services may violate the terms of a contract or financing agreement with a lienholder; and

(4) provision of TNC services may have financial consequences related to personal income tax and personal property tax liabilities.

Section 58-23-1660. (A) A TNC operating in this State shall comply with the following standards:

(1) A TNC driver shall not provide TNC services or otherwise operate as a passenger vehicle for hire unless a TNC has matched the TNC driver to the TNC passenger through the digital network. A TNC driver shall not solicit or accept passenger rides on-demand or through a 'street hail'. All payment for TNC services must be made through the digital network and the TNC driver shall not accept cash payments.

(2) A TNC shall make available to prospective TNC passengers and TNC drivers the method by which the TNC calculates fares or the applicable rates being charged and an option to receive an estimated fare. If the rates vary from those identified in the application to the Office of Regulatory Staff, the TNC must provide the revised rates to the passenger on the digital network.

(3) A TNC shall provide the TNC passenger with an electronic receipt upon completion of the TNC service. The receipt must document the:

(a) point of origin;

(b) point of destination;

(c) total duration and distance;

(d) total fare/rate paid, including base fare and additional charges incurred for distance or duration; and

(e) TNC driver's first name.

(4) A TNC driver shall display an identification badge including his photograph, first name, personal vehicle make and model, and personal vehicle license plate number. This information may be displayed to the TNC passenger through the TNC digital network.

(5) A TNC driver shall at all times carry in the TNC vehicle proof of the automobile liability insurance required of this article.

(6) A TNC shall provide customer support on its digital network, website, or both, for TNC passenger inquiries or complaints and shall respond promptly to all TNC passenger inquiries or complaints.

(7) A TNC shall not discriminate against TNC passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, or age.

(8) A TNC shall provide TNC services in compliance with all applicable laws for providing services to persons with physical and mental disabilities. Service animals and mobility equipment must be permitted to accompany a TNC passenger.

(9) A TNC shall provide TNC passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a TNC cannot arrange wheelchair-accessible TNC service in any instance, it shall direct the TNC passenger to an alternate provider of wheelchair-accessible service, if available.

(10) A TNC driver shall take the most direct route to the destination unless the TNC passenger has consented to an alternate route.

(11) A TNC driver may refuse to transport a TNC passenger if the TNC passenger is acting in an unlawful, disorderly or endangering manner.

Section 58-23-1670. (A) A TNC shall maintain a record of all TNC services provided in South Carolina for a period of three years from the date of the TNC service. The records shall include:

- (1) the time at which a TNC driver logs into the digital network;
- (2) the time and place of commencement of TNC service;
- (3) the address of delivery of the TNC passenger;
- (4) the amount of fare charged to the TNC passengers; and
- (5) any inquiry or complaint of the TNC passenger, the date of the inquiry or complaint, and the resolution of the inquiry or complaint.

(B) A TNC shall maintain documentation of each TNC vehicle inspection for a period of three years.

(C) The TNC shall maintain documentation of initial and annual verification of TNC driver qualifications for a period of three years.

(D) The TNC shall provide, upon the request of the Office of Regulatory Staff, any factual information regarding TNC drivers, TNC passengers, and TNC services so as to investigate complaints arising under this article. This information must be provided to the Office of Regulatory Staff within a reasonable time period.

(E) A TNC shall not disclose a TNC driver or passenger's personally identifiable information to a third party unless the:

- (1) TNC driver or TNC passenger consents;

- (2) disclosure is required by legal obligation; or
- (3) disclosure is required to investigate violations of the TNC driver or TNC passenger terms of use.

Section 58-23-1680. (A) A certified South Carolina law enforcement officer is authorized to enforce the requirements of this article.

(B) An officer, agent, or employee of a TNC or TNC driver who fails to comply with any requirement contained in this article must be assessed a civil penalty of not less than one hundred dollars for a first violation, not less than five hundred dollars for a second violation, and not less than one thousand dollars for a third violation and subsequent violations. Seventy-five percent of the penalties collected under this section must be remitted to the Office of Regulatory Staff to be used for enforcement operations. Magistrates have jurisdiction over contested violations of this section and are prohibited from suspending or reducing the penalties.

(C) The Office of Regulatory Staff may revoke a TNC permit if the TNC has made misrepresentation of a material fact in obtaining the TNC permit or, in the opinion of the Office of Regulatory Staff, has failed to comply with the requirements in this article.

(D) An aggrieved person with standing may file a request for a contested case of a decision of the Office of Regulatory Staff with the Public Service Commission of South Carolina within thirty days of the decision.

(E) Concerning potential violations of this article, TNC's and their officers, agents, employees, or customers are subject to the investigatory powers provided in Sections 58-4-50 and 58-4-55 to the Office of Regulatory Staff.

(F) The Office of Regulatory Staff is authorized to require regular updating of information required from a TNC under this article.

Section 58-23-1690. (A) The Office of Regulatory Staff may assess each TNC an annual fee in an amount necessary to permit the Office of Regulatory Staff to carry out the requirements of this article.

(B) The annual assessment of fees will be pursuant to Section 58-4-60(B).

Section 58-23-1700. (A) For the purposes of this section:

(1) 'Gross trip fare' means the sum of the base fare charge, distance charge, and time charge for the complete trip at rates published on the TNC's website.

(2) 'Local assessment fee' means one percent of the gross trip fare.

(3) 'Municipality' means a city or town issued a certificate of incorporation, or township created by act of the General Assembly.

(B) A TNC shall collect a local assessment fee on behalf of a TNC driver who accepts a request for a prearranged ride made through the TNC's digital network for all prearranged rides that originate in the State.

(C) Using the Geographic Information System (GIS) data made available by the Revenue and Fiscal Affairs Office pursuant to subsection (I), a TNC shall determine whether each prearranged trip occurred within the incorporated boundaries of a municipality, or outside of the incorporated boundaries of a municipality and within the boundaries of a county of this State.

(D) No later than thirty days after the end of a calendar quarter, a TNC shall submit to the Office of Regulatory Staff:

(1) the total local assessment fees collected by a TNC on behalf of the TNC drivers;

(2) for trips that originated in a municipality, a report listing the percentage of the gross trip fare that originated in each municipality during the reporting period; and

(3) for trips that originated outside a municipality, a report listing the percentage of the gross trip fare that originated outside a municipality during the reporting period.

(E) The funds collected pursuant to this section are not general fund revenue of the State and must be kept by the State Treasurer in a distinct and separate unbudgeted Trust & Agency fund and apart from the general fund. These funds are to be administered by the Office of Regulatory Staff pursuant to this section and expended only for the purposes provided in this chapter.

(F)(1) The Office of Regulatory Staff shall retain an amount of one percent of the local assessment fee collected under subsection (D)(1) to cover the expenses borne by the Office of Regulatory Staff derived from:

(a) regulation of TNC's; and

(b) collection, remittance, and distribution of local assessment fees pursuant to this section.

(2) Within sixty days of the end of the calendar quarter, the Office of Regulatory Staff shall distribute the remaining portion of the total local assessment fees collected under subsection (D)(1), minus the amount retained pursuant to subsection (F)(1), to each municipality where a trip originated during the reporting period and, for trips that originated outside a municipality, to each county where a trip originated during the reporting period. The distribution to each municipality or

county must be proportionate to the percentage of the gross trip fare that originated in each municipality or county.

(G)(1) To ensure that the TNC has remitted the correct local assessment fee and has accurately reported the percentages attributable to municipalities and counties pursuant to subsection (D), upon request of the municipality, the Office of Regulatory Staff may inspect the necessary records at a TNC's place of business or a mutually agreed upon location. This inspection may not be conducted more than once a year.

(2) At least forty-five days before the Office of Regulatory Staff conducts an inspection of records pursuant to item (1), the Office of Regulatory Staff shall notify the Municipal Association of South Carolina (MASC) or its successor organization of its intent to conduct an inspection and the date of the planned inspection.

(3) MASC may request that a TNC that is subject to inspection under item (1) engage an independent third party auditor to verify that the local assessment to municipalities has been properly accounted for and distributed. At least thirty days before the scheduled audit, MASC must submit this request in writing to the Office of Regulatory Staff and the TNC subject to the audit.

(a) The TNC that is subject to the audit shall engage the independent third party auditor, which must be selected at the sole discretion of the TNC, and bear all costs associated with the third party audit. The independent third party auditor must be:

- (i) a certified public accounting firm licensed in the State;
- and
- (ii) qualified to perform engagements in accordance with Generally Accepted Government Auditing Standards (GAGAS).

(b) The TNC shall provide MASC with a copy of the third party audit report within fifteen days of completion, which shall in no event, occur later than ninety days after receipt of MASC's written request. The audit report must disclose the amount of any underpayments or overpayments to municipalities and counties.

(c) A person employed by or formerly employed by MASC who discloses to a third party any information that the TNC marked in the audit report as confidential must be assessed civil penalties as contained in Section 58-23-1680 unless the individual obtained the TNC's written consent prior to disclosure. Nothing in this section must be construed to restrict MASC from disclosing any overpayment or underpayment with the impacted municipalities or counties.

(4) In the event that a TNC submits a report to the ORS that is subsequently determined to be inaccurate, thereby leading to an

underpayment or overpayment of a municipality's or county's local assessment fee, the Office of Regulatory Staff shall correct the underpayment and overpayment by offsetting the amount of the underpayment or overpayment in subsequent local assessment fee distributions. In the event a TNC remits an assessment fee to the Office of Regulatory Staff that is determined to constitute an underpayment of the total assessment fee required by this article, the Transportation Network Company shall, within thirty days of receiving notification of the determination, remit the balance owed to the Office of Regulatory Staff. A TNC that submits a report containing an inaccuracy or remits an assessment fee that constitutes an underpayment that is determined by the Office of Regulatory Staff to be the result of an intentional misrepresentation must be assessed damages that are no less than three times the amount of the underpayment or resultant underpayment to the municipality or county impacted.

(H) Any records maintained by a TNC pursuant to this section that are obtained by the Office of Regulatory Staff, a public body as defined by Section 30-4-20(a), or any records that incorporate information from records maintained pursuant to this section, must not be subject to disclosure under the Freedom of Information Act as provided for in Chapter 4, Title 30, or any other provision of law.

(I) The Office of Regulatory Staff may not disclose records or information provided by a TNC unless disclosure is required by a subpoena or court order. If a disclosure is required, the Office of Regulatory Staff shall promptly notify the TNC prior to the disclosure. Nothing in this section may be construed to restrict the Office of Regulatory Staff from disclosing any overpayment or underpayment with the impacted municipalities or counties.

(J) To ensure proper distribution of the local assessment fee pursuant to subsection (D)(2), the Revenue and Fiscal Affairs Office shall prepare and make available for public use a GIS file showing the state's county and municipal boundaries. This file must be updated on a quarterly basis, and published on the Revenue and Fiscal Affairs Office's website. In addition to the requirements of Section 5-3-90, municipalities shall provide annexation information to the Revenue and Fiscal Affairs Office within thirty days after the annexation is complete. Such information shall include a written description of the boundary, along with a map or plat which clearly defines the new territory added.

(K) This section takes effect ninety days after the effective date of this article.

Section 58-23-1710. (A) Except as otherwise provided in this chapter, TNC's and TNC drivers are governed exclusively by this article and by any regulations promulgated by the Office of Regulatory Staff consistent with this article. TNC drivers remain subject to all local ordinances outside the scope of this article, whether directly or indirectly impacting the delivery of TNC driver services including, but not limited to, parking and traffic regulations that are not inconsistent with the provisions of this article.

(B) Political subdivisions are prohibited from imposing a tax on a TNC, a TNC driver, or a vehicle used by a TNC driver, including a business license tax, where the tax is assessed in connection with prearranged rides in the State. Nothing in this article may be construed to restrict a municipality from collecting a business license tax from a TNC located within its boundaries if the tax is limited to receipts or revenue that is not subject to a local assessment fee pursuant to Section 58-23-1700 or a business license tax.

(C) In order for a TNC and a TNC driver to provide prearranged rides on airport property, the TNC must comply with Federal Aviation Administration regulations and airport regulations relating to:

(1) payment of reasonable fees to operate at the airport, agreed to by the TNC and each individual airport, not based on a per-passenger, per-driver, or per-vehicle basis; and

(2) designating locations for staging, pick-ups, drop-offs, and other similar locations.

Section 58-23-1720. The provisions contained in this article do not preempt any federal regulation relating to the provision of transportation services at any facility regulated by the United States Federal Aviation Administration.”

Office of Regulatory Staff, Transportation Department expenses

SECTION 2. Section 58-4-60(B) of the 1976 Code, as added by Act 175 of 2004, is amended to read:

“(B)(1) The expenses of the Transportation Department of the Office of Regulatory Staff, with the exception of the expenses incurred in its railway jurisdiction, must be borne by the revenues from license fees derived pursuant to Sections 58-23-530 through 58-23-630, assessments to the Transportation Network Companies pursuant to Sections 58-23-1690 and 58-23-1700, and assessments to the carriers of household goods and hazardous waste for disposal carriers. The

expenses of the railway section of the Office of Regulatory Staff must be borne by the railroad companies subject to the commission's jurisdiction according to their gross income from operations in this State.

(2) All other expenses of the Office of Regulatory Staff must be borne by the public utilities subject to the jurisdiction of the commission. On or before the first day of July in each year, the Department of Revenue must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State in the year ending on the thirtieth day of June preceding that on which the assessment is made which is due and payable on or before July fifteenth. The assessments must be charged against the companies by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the companies including the enforcement and collection provisions of Article 1, Chapter 54, Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of administration into the state treasury as other taxes collected by the Department of Revenue for the State."

Conforming change to existing exemption

SECTION 3. Section 58-23-50 of the 1976 Code, as last amended by Act 425 of 1996, is further amended by adding a subsection at the end to read:

"(C) Articles 1 to 11 of this chapter also do not apply to Transportation Network Companies and Transportation Network Company Drivers."

Time effective

SECTION 4. Except as provided in Section 58-23-1700(K), as contained in Section 1, the provisions of this act take effect upon approval by the Governor.

Ratified the 23rd day of June, 2015.

Approved the 24th day of June, 2015.

No. 89

(R119, H3670)

AN ACT TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES; AND TO PROVIDE FOR THE DURATION OF THE PROVISIONS OF THIS ACT.

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

Original boundaries clarified

SECTION 1. Section 4-23-1005 of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“Section 4-23-1005. There is created in Florence and Darlington counties the West Florence Fire District (district). It consists of areas of Florence and Darlington counties as follows:

(1) the unincorporated areas of the West Florence Rural Fire District as it existed on May 7, 2014, the introduction date of H.5225 of 2014 (Act 183 of 2014). The General Assembly declares that it intended the original Florence County portion of the West Florence Fire District created by this article to be the unincorporated area of the former West Florence Rural Fire District from which the new district drew its name and from which commissioners were properly elected in 2014 after this article took effect, as provided in Section 4-23-1010, and that it has therefore amended the description of the Florence County portion of the West Florence Fire District created by this article without changing the original boundaries of the district at its creation to remove any ambiguity as to the Florence County portion of this new district or to any citations thereto;

(2) the area of Darlington County reflected in the rights of way for Interstate 95 beginning at the boundary line of Florence County and Darlington County and extending northward into Darlington County for approximately three miles to Exit 169. Additionally, areas described by the following Tax Map Sheet numbers in Darlington County also are included in the area of the district:

- (a) TMS 218-14-01-013;
- (b) TMS 219-03-01-001; and
- (c) TMS 219-03-01-002.”

New areas of district

SECTION 2. Article 10, Chapter 23, Title 4 of the 1976 Code is amended by adding:

“Section 4-23-1006. In addition to the area of the West Florence Fire District in Florence and Darlington counties as enumerated in Section 4-23-1005, there is added to the area of the district that area bounded by the following: beginning at the intersection of Hoffmeyer Road and the Florence-Darlington County line running in a westerly direction including all parcels on both sides of the road until the intersection of

Hoffmeyer Road and Winburn Drive, turning down Winburn Drive running in a southerly direction until the intersection of Winburn Drive and the Florence-Darlington County line and being bounded on the east by the Florence-Darlington County line.”

Referendum provisions applicable

SECTION 3. Section 4-23-1015(C) of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“(C) Notwithstanding the provisions of Section 6-1-320, the commission is authorized to impose a millage levy after 2014 it considers appropriate and necessary for the operation of the district above that permitted by Section 6-1-320 upon a favorable vote of the registered electors of the district in a referendum called for this purpose by the commission held pursuant to the provisions and requirements of Sections 6-11-271 and 6-11-273.”

Controlling provisions, transfer of property

SECTION 4. Section 4-23-1025 of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“Section 4-23-1025. (A) So long as the district is indebted to any person on any bonds, notes, or other obligations issued pursuant to the authority of this article, the provisions of this article and the powers granted to the district and the commission may not be in any way diminished or restricted, and the provisions of this article are considered a part of the contract between the district and the holders of these obligations. However, the provisions of Section 5-3-310 supersede any provisions of this section to the contrary and upon annexation of any real property in the area of this district by a municipality, the provisions of Section 5-3-310 shall control.

(B) The real and personal property of the former West Florence Rural Fire District shall be transferred to the new West Florence Fire District created by this article. However, the district must assume any current indebtedness attributed to the West Florence Rural Fire District, if any, to be determined by agreement of the West Florence Fire District Commission, and the governing body of Florence County. The real property on Hoffmeyer Road in the county which the governing body of Florence County has acquired to construct a new fire station also must be transferred to the new district established by this article.”

Entity entitled to impose millage or fees

SECTION 5. Section 4-23-1040 of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“Section 4-23-1040. Upon the establishment of the district, notwithstanding any other provisions of law, no other millage levy or uniform service fee may be imposed in the district by any other political subdivision or entity for the provision of fire services. The provisions of this section shall not be construed as any type of property tax or other type of exemption, but rather a clarification of what property taxes may be imposed in the district and by whom to prevent double or multiple taxation for the same fire protection services.”

Expiration

SECTION 6. The provisions of this act shall expire five years from its effective date.

Time effective

SECTION 7. This act takes effect upon approval by the Governor.

Ratified the 8th day of June, 2015.

Vetoed by the Governor -- 6/13/15.

Veto overridden by House -- 6/16/15.

Veto overridden by Senate -- 7/7/15.

No. 90

(R132, S897)

AN ACT TO AMEND SECTION 1-10-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FLAGS AUTHORIZED TO BE FLOWN ATOP THE STATE HOUSE AND ON THE CAPITOL COMPLEX, SO AS TO REMOVE REFERENCES TO THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF

AMERICA, TO PROVIDE FOR THE PERMANENT REMOVAL OF THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA FROM ITS LOCATION ADJACENT TO THE CONFEDERATE SOLDIER MONUMENT, AND TO PROVIDE THAT UPON ITS REMOVAL, THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA SHALL BE TRANSPORTED TO THE CONFEDERATE RELIC ROOM FOR APPROPRIATE DISPLAY.

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

Removal of the South Carolina Infantry Battle Flag of the Confederate States of America from the grounds of the Capitol Complex

SECTION 1. Section 1-10-10(A) of the 1976 Code is amended to read:

“(A)As of 12:00 noon on the effective date of this act, and permanently thereafter, the only flags authorized to be flown atop the dome of the State House, in the chambers of the Senate and House of Representatives, and on the grounds of the Capitol Complex shall be as authorized in this section.

The flags authorized to be flown atop the dome of the State House and in the chambers of the Senate and House of Representatives are the United States Flag and the South Carolina State Flag.

From any funds appropriated to the Department of Administration, the Division of General Services, or its successor in interest, shall ensure that the flags authorized above shall be placed at all times as directed in this section and shall replace the flags at appropriate intervals as may be necessary due to wear.”

Removal of the South Carolina Infantry Battle Flag of the Confederate States of America from the grounds of the Capitol Complex, Confederate Relic Room display

SECTION 2. The South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee’s Army) the South Carolina, Georgia, Florida Department version] shall be permanently removed from its location on the south side of the Confederate Soldier Monument. The South Carolina Infantry Battle Flag of the Confederate States of America

shall be permanently removed from its location on the Capitol Complex Grounds within twenty-four hours of the effective date of this act. Upon its removal, the flag shall be transported to the Confederate Relic Room for appropriate display. The flagpole on which the flag is flown and the area adjacent to the monument and flagpole must be returned to its previous condition by the Division of General Services.

Time effective

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

Ratified the 9th day of July, 2015.

Approved the 9th day of July, 2015.

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No. 91

(R127, H3701)

AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

PART IA
APPROPRIATIONS

SECTION 1
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
I. SUPERINTENDENT OF EDUC		
PERSONAL SERVICE		
STATE SUPER. OF EDUCATION	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,355,573	1,111,794
	(24.00)	(21.25)
UNCLASSIFIED POSITIONS	119,368	119,368
OTHER PERSONAL SRVCS	88,800	
TOTAL PERSONAL SERVICE	1,655,748	1,323,169
	(25.00)	(22.25)
OTHER OPER EXPENSES	987,768	151,025
TOTAL SUPT OF EDUCATION	2,643,516	1,474,194
	(25.00)	(22.25)
II. BOARD OF EDUCATION		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	4,787	4,787
TOTAL PERSONAL SERVICE	4,787	4,787
OTHER OPER EXPENSES	53,247	53,247
TOTAL BOARD OF EDUC	58,034	58,034
IV. ACCOUNTABILITY		
A. OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,716,960	2,182,771
	(80.02)	(31.25)
NEW POSITIONS		
<i>EDUCATION ASSOCIATE</i>	<i>130,000</i>	**130,000
	(3.00)	(3.00)

** See note at end of Act.

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
<i>DPTY/DIVISION DIRECTOR</i>	119,000	**119,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	473,732	15,709
TOTAL PERSONAL SERVICE	7,439,692	2,447,480
	(84.02)	(35.25)
OTHER OPER EXPENSES	18,019,972	210,254
DISTRIBUTION TO SUBDIV		
TOTAL OPERATIONS	25,459,664	2,657,734
	(84.02)	(35.25)
B. EDUC ACCOUNTABILITY ACT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	236,548	236,548
TOTAL PERSONAL SERVICE	236,548	236,548
OTHER OPER EXPENSES	64,811	64,811
TOTAL EDUCATION ACCOUNTABILITY ACT	301,359	301,359
TOTAL ACCOUNTABILITY	25,761,023	2,959,093
	(84.02)	(35.25)
VI. CHIEF INFO OFFICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,643,386	1,613,386
	(22.51)	(16.76)
TOTAL PERSONAL SERVICE	1,643,386	1,613,386
	(22.51)	(16.76)
OTHER OPER EXPENSES	355,000	350,000
TOTAL CHIEF INFO OFFICE	1,998,386	1,963,386
	(22.51)	(16.76)
VIII. SCHOOL EFFECTIVENESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,185,701	3,264,636
	(70.49)	(51.05)

** See note at end of Act.

STATUTES AT LARGE
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS		
<i>EDUCATION ASSOCIATE</i>	175,000	**175,000
	(3.00)	(3.00)
<i>ADMINISTRATIVE ASSISTANT</i>	38,000	**38,000
	(1.00)	(1.00)
<i>PROGRAM MANAGER I</i>	155,000	**155,000
	(2.00)	(2.00)
<i>PROGRAM COORDINATOR I</i>	95,000	**95,000
	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	550,000	550,000
	(11.00)	(11.00)
NEW POSITIONS		
<i>TEACHER</i>	220,000	220,000
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	892,155	469,751
TOTAL PERSONAL SERVICE	6,310,856	4,967,387
	(93.49)	(74.05)
OTHER OPER EXPENSES	11,185,276	3,475,146
TOT SCHOOL EFFECTIVENESS	17,496,132	8,442,533
	(93.49)	(74.05)
IX. CHIEF FINANCE OFFICE		
A. FINANCE AND OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,787,065	1,221,435
	(48.02)	(41.02)
OTHER PERSONAL SRVCS	44,201	4,201
TOTAL PERSONAL SERVICE	1,831,266	1,225,636
	(48.02)	(41.02)
OTHER OPER EXPENSES	1,202,672	843,605
DISTRIBUTIONS TO SUBDIV		
AID TO OTHER ENTITIES	5,617	5,617
TOTAL DIST SUBDIV	5,617	5,617

** See note at end of Act.

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
TOT FINANCE & OPERATIONS	3,039,555	2,074,858
	(48.02)	(41.02)
<hr style="border-top: 1px dashed black;"/>		
B. INSTRUCTIONAL MATERIALS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	161,064	
	(2.00)	
OTHER PERSONAL SRVCS	30,000	
TOTAL PERSONAL SERVICE	191,064	
	(2.00)	
OTHER OPER EXPENSES	1,336,838	
TOT INSTRUCT MATERIALS	1,527,902	
	(2.00)	
<hr style="border-top: 1px dashed black;"/>		
TOT CHIEF FINANCE OFFICE	4,567,457	2,074,858
	(50.02)	(41.02)
<hr style="border-top: 1px dashed black;"/>		
X. OPERATIONS AND SUPPORT		
A. SUPPORT OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,854,320	3,445,081
	(96.00)	(51.15)
OTHER PERSONAL SRVCS	1,878,625	634
TOTAL PERSONAL SERVICE	6,732,945	3,445,715
	(96.00)	(51.15)
OTHER OPER EXPENSES	7,150,329	1,188,609
DISTRIBUTIONS TO SUBDIV		
AID SCHOOL DISTRICTS	23,698	23,698
TOTAL DIST SUBDIV	23,698	23,698
TOT SUPPORT OPERATIONS	13,906,972	4,658,022
	(96.00)	(51.15)
<hr style="border-top: 1px dashed black;"/>		
B. BUS SHOPS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	16,239,571	11,239,571
	(457.62)	(376.02)
OTHER PERSONAL SRVCS	485,624	98,102

STATUTES AT LARGE
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	16,725,195	11,337,673
	(457.62)	(376.02)
OTHER OPER EXPENSES	57,227,331	50,552,331
DISTRIBUTION TO SUBDIV		
AID SCHL DIST-DRVRS SLRY/F	36,233,620	36,233,620
AID SCHL DIST-CONTRACT DRI	1,023,062	1,023,062
BUS DRV AIDE	129,548	129,548
AID OTHER STATE AGENCIES	69,751	69,751
AID SCHL DIST - BUS		
DRIVERS' WORKERS' COMP	2,996,195	2,996,195
TOTAL DIST SUBDIV	<u>40,452,176</u>	<u>40,452,176</u>
TOTAL BUS SHOPS	114,404,702	102,342,180
	(457.62)	(376.02)
C. BUSES		
SPECIAL ITEMS		
EAA TRANSPORTATION	3,153,136	3,153,136
EEDA TRANSPORTATION	608,657	608,657
BUS PURCHASES	1,015,506	1,015,506
TOTAL SPECIAL ITEMS	<u>4,777,299</u>	<u>4,777,299</u>
TOTAL BUSES	<u>4,777,299</u>	<u>4,777,299</u>
D. OFFICE OF FIRST STEPS TO		
SCHOOL READINESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	759,000	65,000
	(6.00)	(1.00)
OTHER PERSONAL SRVCS	275,000	
TOTAL PERSONAL SERVICE	<u>1,034,000</u>	<u>65,000</u>
	(6.00)	(1.00)
OTHER OPER EXPENSES	5,003,392	
SPECIAL ITEMS		
BABYNET	7,581,000	
CDEPP	6,424,200	6,424,200
TOTAL SPECIAL ITEMS	<u>14,005,200</u>	<u>6,424,200</u>
EMPLOYER CONTRIBS	240,030	29,280

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	240,030	29,280
TOTAL OFFICE OF FIRST STEPS TO SCHOOL READINESS	20,282,622 (6.00)	6,518,480 (1.00)
TOT OPERATIONS & SUPPORT	153,371,595 (559.62)	118,295,981 (428.17)
 XII. EDUC IMPROVEMENT ACT		
A. STANDARDS, TEACHING, LEARNING, ACCOUNT.		
1. STUDENT LEARNING		
PERSONAL SERVICE CLASSIFIED POSITIONS	58,629	
TOTAL PERSONAL SERVICE	58,629	
OTHER OPER EXPENSES	136,739	
AID TO SUBDIV:		
AID TO DISTRICTS	37,386,600	
STUDENT HLTH AND FITNESS ACT - NURSES	6,000,000	
TECH PREP	3,021,348	
MODERNIZE VOCATIONAL EQUIPMENT	7,260,261	
ALLOC EIA-ARTS CURRICULA	1,487,571	
ADULT EDUCATION	15,073,736	
STUDENTS AT RISK OF SCH FAILURE	79,551,723	
HIGH SCHOOLS THAT WORK	2,146,499	
SUMMER READING CAMPS	1,500,000	
READING COACHES	4,961,278	
TOTAL DIST SUBDIV	158,389,016	
SPECIAL ITEMS:		
EEDA	6,013,832	
TOTAL SPECIAL ITEMS	6,013,832	
TOTAL STUDENT LEARNING	164,598,216	

STATUTES AT LARGE
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. STUDENT TESTING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	488,518	
	(8.00)	
TOTAL PERSONAL SERVICE	488,518	
	(8.00)	
OTHER OPER EXPENSES	332,948	
SPECIAL ITEMS		
ASSESSMENT / TESTING	27,261,400	
TOTAL SPECIAL ITEMS	27,261,400	
TOTAL STUDENT TESTING	28,082,866	
	(8.00)	
3. CURRIC AND STANDARDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	126,232	
	(2.00)	
OTHER PERSONAL SRVCS	4,736	
TOTAL PERSONAL SERVICE	130,968	
	(2.00)	
OTHER OPER EXPENSES	41,987	
SPECIAL ITEMS:		
READING	6,542,052	
INSTRUCTIONAL MATERIALS	20,922,839	
TOTAL SPECIAL ITEMS	27,464,891	
TOT CURRIC & STANDARDS	27,637,846	
	(2.00)	
4. ASSISTANCE, INTERVENT& REWARD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,236,436	
	(28.35)	
TOTAL PERSONAL SERVICE	1,236,436	
	(28.35)	
OTHER OPER EXPENSES	1,174,752	

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
SPECIAL ITEMS:		
EAA TECHNICAL ASSIST	8,800,000	
POWER SCH/DATA COLLECT	7,500,000	
TOTAL SPECIAL ITEMS	16,300,000	
TOTAL ASSISTANCE, INTERVENTION, REWARD	18,711,188	
	(28.35)	
<hr style="border-top: 3px double #000;"/>		
TOT STANDARDS, TEACHING, LEARNING, ACCOUNTA	239,030,116	
	(38.35)	
<hr style="border-top: 3px double #000;"/>		
B. EARLY CHILDHOOD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	376,246	
	(6.50)	
TOTAL PERSONAL SERVICE	376,246	
	(6.50)	
OTHER OPER EXPENSES	556,592	
AID TO SUBDIV		
CDEPP - SCDE	34,324,437	
ALLOC EIA-4 YR EARLY CHILD	15,513,846	
TOTAL DIST SUBDIV	49,838,283	
TOT EARLY CHILDHOOD EDUC	50,771,121	
	(6.50)	
<hr style="border-top: 3px double #000;"/>		
C. TEACHER QUALITY		
1. CERTIFICATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,068,102	
	(25.25)	
OTHER PERSONAL SRVCS	1,579	
TOTAL PERSONAL SERVICE	1,069,681	
	(25.25)	
OTHER OPER EXPENSES	638,999	

STATUTES AT LARGE
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CERTIFICATION	1,708,680	(25.25)
<hr/>		
2. RETENTION AND REWARD		
SPECIAL ITEMS		
TEACHER OF THE YEAR	155,000	
TEACHER QUALITY COMMISS	372,724	
	<hr/>	
TOTAL SPECIAL ITEMS	527,724	
DIST SUBDIV		
ALLOC EIA-TEACHER SLRS	127,640,691	
ALLOC EIA-EMPLYR CONTRIB	18,266,752	
NATIONAL BOARD CERT	54,000,000	
RURAL TEACHER RECRUIT	1,500,000	
TEACHER SUPPLIES	13,596,000	
	<hr/>	
TOTAL DIST SUBDIV	215,003,443	
TOT RETENTION & REWARD	215,531,167	
<hr/>		
3. PROFESSIONAL DEVELOP		
SPECIAL ITEMS:		
PROFESSIONAL DEVELOP	9,515,911	
ADEPT	873,909	
	<hr/>	
TOTAL SPECIAL ITEMS	10,389,820	
TOT PROFESSIONAL DEVELOP	10,389,820	
<hr/>		
TOTAL TEACHER QUALITY	227,629,667	(25.25)
<hr/>		
E. LEADERSHIP		
2. STATE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	82,049	
	(10.77)	
OTHER PERSONAL SRVCS	83,121	
	<hr/>	
TOTAL PERSONAL SERVICE	165,170	(10.77)
	(10.77)	
OTHER OPER EXPENSES	279,032	

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DIST SUBDIV		
TECHNOLOGY	12,271,826	
TOTAL DIST SUBDIV	12,271,826	
EMPLOYER CONTRIBS	1,064,221	
TOTAL FRINGE BENEFITS	1,064,221	
TOTAL LEADERSHIP	13,780,249	
	(10.77)	
F. PARTNERSHIPS		
2. OTHER AGENCIES AND ENT		
DIST SUBDIV		
TEACHER PAY (F30)	73,861	
EDUCATION OVERSIGHT		
COMMITTEE (A85)	1,793,242	
CENTER FOR EDUCATIONAL		
PARTNERSHIPS (H27)	715,933	
SC COUNCIL ON ECONOMIC		
EDUCATION	300,000	
SCIENCE PLUS	563,406	
GOVERNOR'S SCHOOL FOR ARTS		
AND HUMANITIES	959,994	
WIL LOU GRAY OPPORTUNITY		
SCHOOL (H71)	605,294	
SCH DEAF & BLIND (H75)	7,439,286	
DISB & SPECIAL NEEDS (J16)	613,653	
JH DE LA HOWE SC (L12)	417,734	
CLEMSON AGRICULTURE		
EDUCATION TEACHERS (P2)	889,758	
CENTERS OF EXCELLENCE (H03)	1,137,526	
TCHR RECRUIT PROG (H03)	4,243,527	
CENTER FOR EDUC RECRUIT,		
RETEN, & ADV (CER)	531,680	
TCHR LOAN PROG (E16)	5,089,881	
GOV SCHOOL FOR MATH AND		
SCIENCE (H63)	533,130	
STEM CENTERS SC	1,750,000	
TEACH FOR AMERICA SC	3,000,000	
ETV - K-12 PUBLIC EDUC (H67)	2,829,281	

STATUTES AT LARGE
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ETV - INFRASTRUCTURE (H67)	2,000,000	
SC YOUTH CHALLENGE ACAD LITERACY & DISTANCE LEARNING (P360)	1,000,000 415,000	
REGIONAL EDUC CTRS (P32)	1,302,000	
REACH OUT & READ (A850)	1,000,000	
ARTS CURRICULA (H910)	**1,000,000	
TOTAL DIST SUBDIV	<u>40,204,186</u>	
TOTAL PARTNERSHIPS	<u>40,204,186</u>	
G. TRANSPORTATION		
OTHER OPER EXPENSES	<u>12,575,684</u>	
TOTAL TRANSPORTATION	<u>12,575,684</u>	
H. CHARTER SCHOOL DISTRICT		
SPECIAL ITEMS		
CHARTER SCHOOL DISTRICT	68,131,619	
CHARTER SCHLS CHARTERED BY INST HIGHER LEA	<u>1,440,000</u>	
TOTAL SPECIAL ITEMS	<u>69,571,619</u>	
TOT CHARTER SCHOOL DIST	<u>69,571,619</u>	
I. FIRST STEPS TO SCHOOL READINESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,911,453 (57.50)	
NEW POSITIONS		
<i>PROGRAM COORDINATOR II</i>	(23.00)	
UNCLASSIFIED POSITIONS	121,540 (1.00)	
OTHER PERSONAL SRVCS	<u>150,000</u>	
TOTAL PERSONAL SERVICE	2,182,993 (81.50)	
OTHER OPER EXPENSES	1,872,789	

** See note at end of Act.

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SPECIAL ITEMS		
COUNTY PARTNERSHIPS	12,693,265	
CDEPP	9,767,864	
BABYNET AUTISM THERAPY	1,699,848	
TOTAL SPECIAL ITEMS	24,160,977	
EMPLOYER CONTRIBS	918,849	
TOTAL FRINGE BENEFITS	918,849	
TOTAL FIRST STEPS TO SCH READINESS	29,135,608 (81.50)	
TOT EDUC IMPROVE ACT	682,698,250 (162.37)	
XIII. GOVERNOR'S SCHOOL SCIENCE & MATH PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,948,223 (50.30)	1,948,223 (50.30)
UNCLASSIFIED POSITIONS	3,444,590 (29.79)	3,334,590 (29.02)
OTHER PERSONAL SRVCS	171,100	68,600
TOTAL PERSONAL SERVICE	5,563,913 (80.09)	5,351,413 (79.32)
OTHER OPER EXPENSES DISTRIBUTION TO SUBDIV ALLOC OTHER ENTITIES	4,057,985 13,200	3,578,985
TOTAL DIST SUBDIV	13,200	
EMPLOYER CONTRIBS	1,729,792	1,687,992
TOTAL FRINGE BENEFITS	1,729,792	1,687,992
TOT GOVERNOR'S SCH SCIENCE & MATHEMATICS	11,364,890 (80.09)	10,618,390 (79.32)

STATUTES AT LARGE
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
XIV. AID TO SCHOOL DISTRICTS		
A. AID TO SCHOOL DISTRICTS		
SPECIAL ITEMS		
ALLOC SCHOOL DIST	808,180,265	
ALLOC OTHER ST AGENCIES	14,597,340	
ALLOC OTHER ENTITIES	13,560,038	
EMPLOYER CONTRIB - EFA	659,377,101	659,377,101
EDUCATION FINANCE ACT	1,548,569,004	1,548,569,004
LUNCH PROGRAM	25,800	25,800
STUDENT HLTH AND FITNESS	20,297,502	20,297,502
AID SCHOOL DISTRICTS	89,839	89,839
AID SCHL DIST-RETIREE INS	136,796,735	136,796,735
GUIDANCE/CAREER SPEC	21,362,113	21,362,113
CDDEP - SCDE	12,004,200	12,004,200
READING COACHES	29,483,100	29,483,100
SUMMER READING CAMPS	6,000,000	6,000,000
TOTAL DIST SUBDIV	3,270,343,037	2,434,005,394
TOT AID TO SCHOOL DIST	3,270,343,037	2,434,005,394
B. SPECIAL ALLOCATIONS		
DISTRIBUTION TO SUBDIV		
SC COUNCIL ON HOLOCAUST	54,264	54,264
ARCHIBALD RUTLEDGE		
SCHOLARSHIPS	10,478	10,478
HANDICAPPED - PROFOUNDLY		
MENTALLY	85,286	85,286
SC STATE - FELTON LAB	108,736	108,736
STUDENT LOAN CORP-CAREER		
CHANGERS	1,065,125	1,065,125
VOCATIONAL EQUIPMENT (H71)	39,978	39,978
ARCHIVES AND HISTORY (H79)	22,377	22,377
STATUS OFFENDER (L12)	346,473	346,473
TOTAL DIST SUBDIV	1,732,717	1,732,717
TOTAL SPECIAL ALLOC	1,732,717	1,732,717
TOTAL DIRECT AID TO		
SCHOOL DISTRICTS	3,272,075,754	2,435,738,111

OF SOUTH CAROLINA
General and Permanent Laws--2015
H63-DEPARTMENT OF EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
XV. GOV. SCHL FOR ARTS & HUMANITIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,852,179	1,787,179
	(41.02)	(40.52)
NEW POSITIONS		
<i>PROGRAM COORDINATOR II</i>	<i>54,000</i>	<i>54,000</i>
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	2,524,661	2,455,661
	(32.33)	(31.58)
NEW POSITIONS		
<i>NON CERTIFIED TEACHER</i>	<i>68,000</i>	<i>68,000</i>
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	845,106	526,835
TOTAL PERSONAL SERVICE	5,343,946	4,891,675
	(75.35)	(74.10)
OTHER OPER EXPENSES	1,496,826	1,046,826
EMPLOYER CONTRIBS	1,853,269	1,750,769
TOTAL FRINGE BENEFITS	1,853,269	1,750,769
TOT GOVERNOR'S SCH FOR THE ARTS AND HUMANITIES		
	8,694,041	7,689,270
	(75.35)	(74.10)
XVIII. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBS	15,347,024	10,134,207
TOTAL FRINGE BENEFITS	15,347,024	10,134,207
TOTAL EMPLOYEE BENEFITS	15,347,024	10,134,207
DEPARTMENT OF EDUCATION		
TOTAL FUNDS AVAILABLE	4,196,076,102	2,599,448,057
TOTAL AUTH FTE POSITIONS	(1,152.47)	(770.92)

SECTION 3
H66-LOTTERY EXPENDITURE ACCOUNT

	TOTAL FUNDS	GENERAL FUNDS
I. LOTTERY EXPENDITURE ACCOUNT		
SPECIAL ITEMS		
LOTTERY EXPENDITURES	300,925,000	
UNCLAIMED PRIZES	15,000,000	
	315,925,000	
TOTAL SPECIAL ITEMS	315,925,000	
TOTAL LOTTERY EXPENDITURE ACCOUNT		
	315,925,000	
LOTTERY EXPENDITURE ACCT		
TOTAL FUNDS AVAILABLE	315,925,000	

SECTION 4
A85-EDUCATION OVERSIGHT COMMITTEE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	99,600	
	(1.00)	
UNCLASS LEG MISC (P)	330,000	
	(9.00)	
OTHER PERSONAL SRVCS	130,000	
TAXABLE SUBSISTENCE	2,000	
	561,600	
TOTAL PERSONAL SERVICE	561,600	
	(10.00)	
OTHER OPER EXPENSES	1,101,642	
TOTAL ADMINISTRATION	1,663,242	
	(10.00)	

A85-EDUCATION OVERSIGHT COMMITTEE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	130,000	
TOTAL FRINGE BENEFITS	<u>130,000</u>	
TOTAL EMPLOYEE BENEFITS	<u>130,000</u>	
EDUC OVERSIGHT COMMITTEE		
TOTAL FUNDS AVAILABLE	1,793,242	
TOTAL AUTH FTE POSITIONS	<u>(10.00)</u>	
TOTAL LEGIS DEPARTMENT	<u>1,793,242</u>	
TOTAL AUTH FTE POSITIONS	<u>(10.00)</u>	

SECTION 5

H71-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
SUPERINTENDENT	79,070	79,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	194,090	194,090
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	4,085	4,085
TOTAL PERSONAL SERVICE	<u>277,245</u>	<u>277,245</u>
	(5.00)	(5.00)
OTHER OPER EXPENSES	<u>24,419</u>	<u>24,419</u>
TOTAL ADMINISTRATION	<u>301,664</u>	<u>301,664</u>
	<u>(5.00)</u>	<u>(5.00)</u>
II. EDUCATIONAL PROGRAM		
A. ACADEMIC PROGRAM		
PERSONAL SERVICE		

STATUTES AT LARGE
General and Permanent Laws--2015
H71-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	557,773	557,773
	(14.62)	(14.36)
UNCLASSIFIED POSITIONS	541,426	446,426
	(11.55)	(6.45)
OTHER PERSONAL SRVCS	38,770	38,770
TOTAL PERSONAL SERVICE	1,137,969	1,042,969
	(26.17)	(20.81)
OTHER OPER EXPENSES	181,589	171,589
TOT ACADEMIC PROGRAM	1,319,558	1,214,558
	(26.17)	(20.81)
B. VOCATIONAL EDUCATION		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	91,854	91,854
	(4.43)	(3.50)
TOTAL PERSONAL SERVICE	91,854	91,854
	(4.43)	(3.50)
OTHER OPER EXPENSES	127,040	102,040
TOTAL VOCATIONAL EDUC	218,894	193,894
	(4.43)	(3.50)
C. LIBRARY		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	28,436	28,436
	(.81)	(.61)
TOTAL PERSONAL SERVICE	28,436	28,436
	(.81)	(.61)
OTHER OPER EXPENSES	2,837	2,837
TOTAL LIBRARY	31,273	31,273
	(.81)	(.61)
TOT EDUCATIONAL PROG	1,569,725	1,439,725
	(31.41)	(24.92)
III. STUDENT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,228,814	1,228,814
	(41.39)	(41.39)

H71-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	15,000	15,000
TOTAL PERSONAL SERVICE	1,243,814	1,243,814
	(41.39)	(41.39)
OTHER OPER EXPENSES	158,000	125,000
TOTAL STUDENT SRVCS	1,401,814	1,368,814
	(41.39)	(41.39)
IV. SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	591,982	495,982
	(17.61)	(14.84)
OTHER PERSONAL SRVCS	55,000	25,000
TOTAL PERSONAL SERVICE	646,982	520,982
	(17.61)	(14.84)
OTHER OPER EXPENSES	1,956,233	1,109,912
TOTAL SUPPORT SRVCS	2,603,215	1,630,894
	(17.61)	(14.84)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBS	1,231,486	1,176,486
TOTAL FRINGE BENEFITS	1,231,486	1,176,486
TOTAL EMPLOYEE BENEFITS	1,231,486	1,176,486
WIL LOU GRAY OPPOR SCHOOL		
TOTAL FUNDS AVAILABLE	7,107,904	5,917,583
TOTAL AUTH FTE POSITIONS	(95.41)	(86.15)

SECTION 6**H75-SCHOOL FOR THE DEAF AND THE BLIND**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		

H75-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PRESIDENT	110,219	110,219
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,216,394	1,130,132
	(23.50)	(22.00)
UNCLASSIFIED POSITIONS	88,900	
	(1.00)	
OTHER PERSONAL SRVCS	176,779	162,668
TOTAL PERSONAL SERVICE	1,592,292	1,403,019
	(25.50)	(23.00)
OTHER OPER EXPENSES	3,576,775	3,497,586
SPECIAL ITEMS		
SC ASSOC FOR THE DEAF	138,256	138,256
TOTAL SPECIAL ITEMS	138,256	138,256
DEBT SERVICE		
PRINCIPAL	110,000	110,000
INTEREST	10,855	10,855
TOTAL DEBT SERVICE	120,855	120,855
TOTAL ADMINISTRATION	5,428,178	5,159,716
	(25.50)	(23.00)
II. EDUCATION		
A. DEAF EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	120,054	120,054
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	226,252	226,252
	(14.00)	(4.20)
OTHER PERSONAL SRVCS	86,674	86,674
TOTAL PERSONAL SERVICE	432,980	432,980
	(19.00)	(9.20)
OTHER OPER EXPENSES	339,805	333,990
TOTAL DEAF EDUCATION	772,785	766,970
	(19.00)	(9.20)

H75-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. BLIND EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	108,093	108,093
	(4.00)	(4.00)
UNCLASSIFIED POSITIONS	206,644	206,644
	(13.00)	(3.90)
OTHER PERSONAL SRVCS	87,649	87,649
TOTAL PERSONAL SERVICE	402,386	402,386
	(17.00)	(7.90)
OTHER OPER EXPENSES	396,728	392,423
DISTRIBUTION TO SUBDIV		
AID OTHER ST AGENCIES	50,000	50,000
TOTAL DIST SUBDIV	50,000	50,000
TOTAL BLIND EDUCATION	849,114	844,809
	(17.00)	(7.90)
C. MULTIHANDICAPPED EDUC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	285,938	285,938
	(13.00)	(13.00)
UNCLASSIFIED POSITIONS	218,109	218,109
	(13.00)	(3.90)
OTHER PERSONAL SRVCS	39,810	39,810
TOTAL PERSONAL SERVICE	543,857	543,857
	(26.00)	(16.90)
OTHER OPER EXPENSES	338,300	333,421
TOTAL MULTIHANDICAPPED		
EDUCATION	882,157	877,278
	(26.00)	(16.90)
TOTAL EDUCATION	2,504,056	2,489,057
	(62.00)	(34.00)
III. STUDENT SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,124,209	360,425
	(16.02)	(8.69)

H75-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	790,435	559,182
	(20.50)	(5.06)
OTHER PERSONAL SRVCS	1,019,721	115,633
TOTAL PERSONAL SERVICE	2,934,365	1,035,240
	(36.52)	(13.75)
OTHER OPER EXPENSES	2,537,891	542,201
TOT STUDENT SUPP SRVCS	5,472,256	1,577,441
	(36.52)	(13.75)
IV. RESIDENTIAL LIFE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	652,370	652,370
	(101.85)	(101.85)
UNCLASSIFIED POSITIONS	102,906	102,906
	(6.30)	(2.10)
OTHER PERSONAL SRVCS	1,055,409	1,055,409
TOTAL PERSONAL SERVICE	1,810,685	1,810,685
	(108.15)	(103.95)
OTHER OPER EXPENSES	63,897	16,245
TOTAL RESIDENTIAL LIFE	1,874,582	1,826,930
	(108.15)	(103.95)
V. OUTREACH SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	974,175	
	(10.69)	
UNCLASSIFIED POSITIONS	1,079,157	
	(45.45)	
OTHER PERSONAL SRVCS	268,135	
TOTAL PERSONAL SERVICE	2,321,467	
	(56.14)	
OTHER OPER EXPENSES	1,428,305	
TOT OUTREACH SRVCS	3,749,772	
	(56.14)	

H75-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VI. PHYSICAL SUPPORT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	274,253	274,253
	(6.18)	(6.18)
OTHER PERSONAL SRVCS	226,780	226,780
TOTAL PERSONAL SERVICE	501,033	501,033
	(6.18)	(6.18)
OTHER OPER EXPENSES	937,096	703,176
TOTAL PHYSICAL SUPPORT	1,438,129	1,204,209
	(6.18)	(6.18)
VII. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	3,657,732	2,407,897
TOTAL FRINGE BENEFITS	3,657,732	2,407,897
TOTAL EMPLOYEE BENEFITS	3,657,732	2,407,897
SCHOOL FOR THE DEAF AND THE BLIND		
TOTAL FUNDS AVAILABLE	24,124,705	14,665,250
TOTAL AUTH FTE POSITIONS	(294.49)	(180.88)

SECTION 7**L12-JOHN DE LA HOWE SCHOOL**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
SUPERINTENDENT	79,070	79,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	194,586	194,586
	(6.00)	(6.00)
OTHER PERSONAL SRVCS	20,761	1,952
TOTAL PERSONAL SERVICE	294,417	275,608

STATUTES AT LARGE
General and Permanent Laws--2015
L12-JOHN DE LA HOWE SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
	(7.00)	(7.00)
OTHER OPER EXPENSES	39,600	14,600
	=====	=====
TOTAL ADMINISTRATION	334,017	290,208
	(7.00)	(7.00)
	=====	=====
II. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	77,331	42,994
	(3.35)	(1.90)
UNCLASSIFIED POSITIONS	425,831	400,612
	(18.25)	(7.74)
OTHER PERSONAL SRVCS	83,000	53,000
	=====	=====
TOTAL PERSONAL SERVICE	586,162	496,606
	(21.60)	(9.64)
OTHER OPER EXPENSES	382,293	10,076
	=====	=====
TOTAL EDUCATION	968,455	506,682
	(21.60)	(9.64)
	=====	=====
III. CHILDREN'S SRVCS		
A. RESIDENTIAL SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	903,924	903,924
	(30.34)	(30.34)
OTHER PERSONAL SRVCS	1,064	1,064
	=====	=====
TOTAL PERSONAL SERVICE	904,988	904,988
	(30.34)	(30.34)
OTHER OPER EXPENSES	295,731	106,094
CASE SRVCS	2,000	
	=====	=====
TOTAL CASE SRVC/PUB ASST	2,000	
	=====	=====
TOTAL RESIDENTIAL SRVCS	1,202,719	1,011,082
	(30.34)	(30.34)
	=====	=====
B. BEHAVIORAL HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	270,460	270,460
	(10.40)	(9.72)
	=====	=====

OF SOUTH CAROLINA
General and Permanent Laws--2015
L12-JOHN DE LA HOWE SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	270,460	270,460
	(10.40)	(9.72)
OTHER OPER EXPENSES	102,516	44,641
TOT BEHAVIORAL HEALTH	372,976	315,101
	(10.40)	(9.72)
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C. EXPERIMENTAL LEARNING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	177,178	177,178
	(7.00)	(7.00)
TOTAL PERSONAL SERVICE	177,178	177,178
	(7.00)	(7.00)
OTHER OPER EXPENSES	50,000	5,000
TOT EXPERIMENT LEARNING	227,178	182,178
	(7.00)	(7.00)
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D. WILDERNESS CAMP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	371,025	371,025
	(12.07)	(12.07)
TOTAL PERSONAL SERVICE	371,025	371,025
	(12.07)	(12.07)
OTHER OPER EXPENSES	213,700	138,700
TOTAL WILDERNESS CAMP	584,725	509,725
	(12.07)	(12.07)
<hr/>		
TOTAL CHILDREN'S SRVCS	2,387,598	2,018,086
	(59.81)	(59.13)
<hr/>		
IV. SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	409,523	409,523
	(19.00)	(18.75)
TOTAL PERSONAL SERVICE	409,523	409,523
	(19.00)	(18.75)
OTHER OPER EXPENSES	339,842	133,865

STATUTES AT LARGE
General and Permanent Laws--2015
L12-JOHN DE LA HOWE SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SUPPORT SRVCS	749,365	543,388
	(19.00)	(18.75)
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V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,279,458	1,223,255
TOTAL FRINGE BENEFITS	1,279,458	1,223,255
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TOTAL EMPLOYEE BENEFITS	1,279,458	1,223,255
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JOHN DE LA HOWE SCHOOL		
TOTAL FUNDS AVAILABLE	5,718,893	4,581,619
TOTAL AUTH FTE POSITIONS	(107.41)	(94.52)
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SECTION 8

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. INTERNAL ADMINISTRATION		
PERSONAL SERVICE		
PRESIDENT & GENERAL MGR.	130,198	
	(1.00)	
CLASSIFIED POSITIONS	833,302	
	(17.00)	
OTHER PERSONAL SRVCS	225,000	
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TOTAL PERSONAL SERVICE	1,188,500	
	(18.00)	
OTHER OPER EXPENSES	645,000	
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TOT INTERNAL ADMIN	1,833,500	
	(18.00)	
<hr/>		
II. PROGRAMS & SRVCS		
A. TOWERNET		
1. ENGINEERING ADMIN		
PERSONAL SERVICE		

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	180,000	
	(3.00)	
TOTAL PERSONAL SERVICE	180,000	
	(3.00)	
OTHER OPER EXPENSES	13,500	
TOTAL ENGINEERING ADMINISTRATION	193,500	
	(3.00)	
=====		
2. TRANSMISSION & RECEPT PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,795,000	110,000
	(36.00)	
OTHER PERSONAL SRVCS	55,000	
TOTAL PERSONAL SERVICE	1,850,000	110,000
	(36.00)	
OTHER OPER EXPENSES	2,481,989	30,989
TOTAL TRANSMISSIONS & RECEPTION	4,331,989	140,989
	(36.00)	
=====		
3. COMMUNICATIONS PERSONAL SERVICE		
CLASSIFIED POSITIONS	125,000	
	(4.00)	
OTHER PERSONAL SRVCS	60,000	
TOTAL PERSONAL SERVICE	185,000	
	(4.00)	
OTHER OPER EXPENSES	75,000	
TOTAL COMMUNICATIONS	260,000	
	(4.00)	
=====		
TOTAL TOWERNET	4,785,489	140,989
	(43.00)	
=====		

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. DIGITAL EDUCATION		
1. PRE-K EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	40,000	
	(1.00)	
	40,000	
TOTAL PERSONAL SERVICE	(1.00)	
OTHER OPER EXPENSES	60,000	
	100,000	
TOTAL PRE-K EDUCATION	(1.00)	
	(1.00)	
2. K-12 EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	297,000	
	(10.00)	
OTHER PERSONAL SRVCS	36,000	
	333,000	
TOTAL PERSONAL SERVICE	(10.00)	
OTHER OPER EXPENSES	1,055,000	
	1,388,000	
TOTAL K-12 EDUCATION	(10.00)	
	(10.00)	
3. HIGHER EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	208,000	
	(6.00)	
	208,000	
TOTAL PERSONAL SERVICE	(6.00)	
OTHER OPER EXPENSES	150,000	
	358,000	
TOTAL HIGHER EDUCATION	(6.00)	
	(6.00)	
4. AGENCY, LOCAL, & OTHER		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	435,000	
	(8.00)	
	(8.00)	

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	435,000	
	(8.00)	
OTHER OPER EXPENSES	570,000	
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TOT AGENCY, LOC & OTHER EDUCATION SERVI	1,005,000	
	(8.00)	
<hr/> <hr/>		
5. TRAINING/ASSESSMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	105,000	
	(3.00)	
OTHER PERSONAL SRVCS	30,000	
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TOTAL PERSONAL SERVICE	135,000	
	(3.00)	
OTHER OPER EXPENSES	50,000	
<hr/>		
TOT TRAINING & ASSESS	185,000	
	(3.00)	
<hr/> <hr/>		
TOTAL DIGITAL EDUC	3,036,000	
	(28.00)	
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C. RADIO CONTENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	300,000	
	(7.00)	
OTHER PERSONAL SRVCS	45,000	
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TOTAL PERSONAL SERVICE	345,000	
	(7.00)	
OTHER OPER EXPENSES	1,050,000	
<hr/>		
TOTAL RADIO CONTENT	1,395,000	
	(7.00)	
<hr/> <hr/>		
D. TELEVISION CONTENT		
1. NATIONAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	92,000	
	(2.00)	
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H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	92,000	
	(2.00)	
OTHER OPER EXPENSES	2,100,000	

TOTAL NATIONAL	2,192,000	
	(2.00)	
	=====	
2. LOCAL & TRANSPARENCY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,005,000	
	(23.20)	
OTHER PERSONAL SRVCS	150,000	45,000

TOTAL PERSONAL SERVICE	1,155,000	45,000
	(23.20)	
OTHER OPER EXPENSES	1,483,600	55,000

TOT LOCAL & TRANSPAREN	2,638,600	100,000
	(23.20)	
	=====	
3. REGIONAL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	255,000	
	(8.00)	
OTHER PERSONAL SRVCS	25,000	

TOTAL PERSONAL SERVICE	280,000	
	(8.00)	
OTHER OPER EXPENSES	125,000	

TOT REGIONAL OPERATIONS	405,000	
	(8.00)	
	=====	
TOT TELEVISION CONTENT	5,235,600	100,000
	(33.20)	
	=====	
E. ENTERPRISE ACTIVITIES		
1. FUNDRAISING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	120,000	
	(1.00)	

H67-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	120,000	
	(1.00)	
OTHER OPER EXPENSES	115,000	

TOTAL FUNDRAISING	235,000	
	(1.00)	
	=====	
2. UNDERWRITING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	180,000	
	(5.00)	

TOTAL PERSONAL SERVICE	180,000	
	(5.00)	
OTHER OPER EXPENSES	20,000	

TOTAL UNDERWRITING	200,000	
	(5.00)	
	=====	
3. MARKETING		
OTHER OPER EXPENSES	60,000	

TOTAL MARKETING	60,000	
	=====	
TOT ENTERPRISE ACTIVITIES	495,000	
	(6.00)	
	=====	
TOT PROGRAM AND SRVCS	14,947,089	240,989
	(117.20)	
	=====	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	2,146,700	36,300
	-----	-----
TOTAL FRINGE BENEFITS	2,146,700	36,300
	=====	=====
TOTAL EMPLOYEE BENEFITS	2,146,700	36,300
	=====	=====
EDUCATIONAL TELEVISION COMMISSION		
TOTAL FUNDS AVAILABLE	18,927,289	277,289
TOTAL AUTH FTE POSITIONS	(135.20)	
	=====	

SECTION 11
H03-COMMISSION ON HIGHER EDUCATION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	170,572	170,572
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,146,016	1,146,016
	(35.00)	(23.95)
UNCLASSIFIED POSITIONS		
	(1.70)	(1.15)
OTHER PERSONAL SRVCS	60,765	60,765
TOTAL PERSONAL SERVICE	1,377,353	1,377,353
	(37.70)	(26.10)
OTHER OPER EXPENSES	285,520	285,520
TOTAL ADMINISTRATION	1,662,873	1,662,873
	(37.70)	(26.10)
III. OTH AGENCIES AND ENT		
SPECIAL ITEMS		
GREENVILLE TC - UNIV CNTR	594,390	594,390
UNIV CNTR OF GRNVLLE -		
OPERATIONS	1,084,899	1,084,899
ACADEMIC ENDOWMENT	160,592	160,592
EPSCOR	161,314	161,314
AFRICAN AMERI LOAN PROG	119,300	119,300
PERFORMANCE FUNDING	1,397,520	1,397,520
ST ELECTRONIC LIBRARY	3,350,866	164,289
TOTAL SPECIAL ITEMS	6,868,881	3,682,304
TOT OTHER AGENCIES AND		
ENTITIES	6,868,881	3,682,304
V. LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	239,534	47,972
	(3.00)	(.60)

H03-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	239,534	47,972
	(3.00)	(.60)
OTHER OPER EXPENSES	59,929	
	<hr/>	
TOTAL LICENSING	299,463	47,972
	(3.00)	(.60)
	<hr/>	
VI. STATE APPROVING SECT		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	32,788	
	(.30)	
OTHER PERSONAL SRVCS	162,129	
	<hr/>	
TOTAL PERSONAL SERVICE	194,917	
	(.30)	
OTHER OPER EXPENSES	66,723	
	<hr/>	
TOT STATE APPROVING SECT	261,640	
	(.30)	
	<hr/>	
VIII. CHE GRANT & OTH HIGH		
EDUC COLLABORA		
SPECIAL ITEMS		
EEDA	1,180,576	1,180,576
IMPROVING TEACHER QUAL		
(ITQ)	876,879	
GEAR UP	3,620,801	177,201
COLLEGE GOAL SUNDAY	41,000	
SMARTSTATE PROGRAM		
ADMINISTRATION	885,284	
	<hr/>	
TOTAL SPECIAL ITEMS	6,604,540	1,357,777
	<hr/>	
TOT CHE GRANT & OTH HIGH		
EDUC COLLABORA	6,604,540	1,357,777
	<hr/>	
IX. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	672,093	469,544
	<hr/>	
TOTAL FRINGE BENEFITS	672,093	469,544
	<hr/>	

H03-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	672,093	469,544
X. SCHOLARSHIPS AND ASSIST		
SPECIAL ITEMS		
NATIONAL GUARD CAP	89,968	89,968
LIFE SCHOLARSHIPS	24,329,882	24,329,882
PALMETTO FELLOWS	8,439,310	8,439,310
HOPE SCHOLARSHIP	231,727	231,727
SREB CONTRACT PROGRAM & ASSESSMENTS	3,849,250	3,849,250
SREB ARTS PROGRAM	7,177	7,177
EDUCATIONAL ENDOWMENT	24,000,000	24,000,000
NEEDS BASED GRANTS	179,178	179,178
TOTAL SPECIAL ITEMS	<u>61,126,492</u>	<u>61,126,492</u>
TOTAL SCHOLARSHIPS AND ASSISTANCE	<u>61,126,492</u>	<u>61,126,492</u>
COMMISS ON HIGHER EDUC		
TOTAL FUNDS AVAILABLE	77,495,982	68,346,962
TOTAL AUTH FTE POSITIONS	<u>(41.00)</u>	<u>(26.70)</u>

SECTION 12

H06-HIGHER EDUCATION TUITION GRANTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	70,492	70,492
	(1.00)	(1.00)
CLASSIFIED POSITIONS	124,179	124,179
	(4.00)	(4.00)
TOTAL PERSONAL SERVICE	194,671	194,671
	(5.00)	(5.00)
OTHER OPER EXPENSES	<u>10,608</u>	<u>10,608</u>

H06-HIGHER EDUCATION TUITION GRANTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL ADMINISTRATION	205,279	205,279
	(5.00)	(5.00)
<hr/>		
II. TUITION GRANTS		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	28,148,690	23,495,394
	<hr/>	<hr/>
TOTAL TUITION GRANTS	28,148,690	23,495,394
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	74,978	74,978
	<hr/>	<hr/>
TOTAL FRINGE BENEFITS	74,978	74,978
	<hr/>	<hr/>
TOTAL EMPLOYEE BENEFITS	74,978	74,978
<hr/>		
HIGHER EDUCATION TUITION GRANTS COMMISSION		
TOTAL FUNDS AVAILABLE	28,428,947	23,775,651
TOTAL AUTH FTE POSITIONS	(5.00)	(5.00)
	<hr/>	<hr/>

SECTION 13
H09-THE CITADEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	157,248	157,248
	(1.00)	(1.00)
CLASSIFIED POSITIONS	14,686,798	3,542,635
	(374.05)	(170.71)
NEW POSITIONS		
<i>ASST DIRECTOR - EXEC COMP</i>	(1.00)	
<i>DIRECTOR</i>	(1.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
H09-THE CITADEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
<i>INSTRUCTOR</i>		
	(1.00)	
<i>INSTRUCTOR/TNG COORD II</i>		
	(4.00)	
UNCLASSIFIED POSITIONS	17,747,843	3,457,420
	(154.50)	(95.93)
NEW POSITIONS		
<i>ASSISTANT PROFESSOR</i>		
	(2.25)	
<i>PROFESSOR</i>		
	(.75)	
OTHER PERSONAL SRVCS	5,521,551	
TOTAL PERSONAL SERVICE	38,113,440	7,157,303
	(539.55)	(267.64)
OTHER OPER EXPENSES	15,681,377	123,393
TOTAL UNRESTRICTED	53,794,817	7,280,696
	(539.55)	(267.64)
<hr/>		
B. RESTRICTED		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	3,029,402	
TOTAL PERSONAL SERVICE	3,029,402	
OTHER OPER EXPENSES	47,109,950	
TOTAL RESTRICTED	50,139,352	
<hr/>		
TOT EDUC AND GENERAL	103,934,169	7,280,696
	(539.55)	(267.64)
<hr/>		
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,058,237	
	(95.20)	
UNCLASSIFIED POSITIONS	2,951,807	
	(28.00)	
OTHER PERSONAL SRVCS	1,301,054	
TOTAL PERSONAL SERVICE	6,311,098	
	(123.20)	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	20,340,914	
TOT AUXILIARY ENTERPRISES	26,652,012 (123.20)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	14,294,463	2,189,643
TOTAL FRINGE BENEFITS	14,294,463	2,189,643
TOTAL EMPLOYEE BENEFITS	14,294,463	2,189,643
THE CITADEL		
TOTAL FUNDS AVAILABLE	144,880,644	9,470,339
TOTAL AUTH FTE POSITIONS	(662.75)	(267.64)

SECTION 14

H12-CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	286,200 (1.00)	286,200 (1.00)
CLASSIFIED POSITIONS	74,313,321 (1,512.82)	80,000 (986.35)
NEW POSITIONS		
<i>ENG/ASSOC ENG IV</i>	279,850 (2.50)	**279,850 (2.50)
<i>PROFESSOR</i>	748,000 (5.00)	**748,000 (5.00)
UNCLASSIFIED POSITIONS	143,952,548 (929.62)	50,628,520 (283.86)

** See note at end of Act.

H12-CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS		
RESEARCH ASSOCIATE	187,000	**187,000
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	27,528,711	658,485
TOTAL PERSONAL SERVICE	247,295,630	52,868,055
	(2,453.94)	(1,281.71)
OTHER OPER EXPENSES	131,448,781	1,961,000
SPECIAL ITEMS		
SCHOLARSHIPS	27,802,063	
TOTAL SPECIAL ITEMS	27,802,063	
TOTAL UNRESTRICTED	406,546,474	54,829,055
	(2,453.94)	(1,281.71)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,879,488	
	(64.46)	
UNCLASSIFIED POSITIONS	17,926,722	
	(107.83)	
OTHER PERSONAL SRVCS	26,373,399	
TOTAL PERSONAL SERVICE	47,179,609	
	(172.29)	
OTHER OPER EXPENSES	73,203,314	
SPECIAL ITEMS:		
SCHOLARSHIPS	108,470,604	
TOTAL SPECIAL ITEMS	108,470,604	
TOTAL RESTRICTED	228,853,527	
	(172.29)	
TOT EDUCATION & GENERAL	635,400,001	54,829,055
	(2,626.23)	(1,281.71)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	16,637,328	
	(324.59)	

** See note at end of Act.

H12-CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	17,813,771	
	(137.38)	
OTHER PERSONAL SRVCS	4,465,336	
TOTAL PERSONAL SERVICE	38,916,435	
	(461.97)	
OTHER OPER EXPENSES	81,254,368	
DEBT SERVICE:		
PRINCIPAL	3,364,674	
INTEREST	3,514,489	
TOTAL DEBT SERVICE	6,879,163	
SPECIAL ITEMS:		
SCHOLARSHIPS	8,921,659	
TOTAL SPECIAL ITEMS	8,921,659	
TOT AUX ENTERPRISES	135,971,625	
	(461.97)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	103,876,985	16,976,100
TOTAL FRINGE BENEFITS	103,876,985	16,976,100
TOTAL EMPLOYEE BENEFITS	103,876,985	16,976,100
CLEMSON UNIVERSITY (EDUCATIONAL & GENERAL)		
TOTAL FUNDS AVAILABLE	875,248,611	71,805,155
TOTAL AUTH FTE POSITIONS	(3,088.20)	(1,281.71)

SECTION 15**H15-UNIVERSITY OF CHARLESTON**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PERSONAL SERVICE		
PRESIDENT	188,000	188,000
	(1.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2015
H15-UNIVERSITY OF CHARLESTON

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	38,308,335	4,897,548
	(723.94)	(248.47)
NEW POSITIONS		
<i>ACCOUNTANT/FISCAL ANALYST II</i>	45,000	
	(1.00)	
<i>ADMINISTRATIVE ASSISTANT</i>	35,000	
	(1.00)	
<i>ADMIN COORDINATOR II</i>	110,000	
	(2.00)	
<i>DATA BASE ADMINISTRATOR II</i>	65,000	
	(1.00)	
<i>PROGRAM COORDINATOR I</i>	135,000	
	(3.00)	
<i>SENIOR APPLICATIONS ANALYST</i>	65,000	
	(1.00)	
<i>STUDENT SVCS PROG COORD II</i>	90,000	
	(2.00)	
<i>TRADES SPECIALIST IV</i>	260,750	
	(7.00)	
<i>TRADES SPECIALIST V</i>	225,000	
	(5.00)	
UNCLASSIFIED POSITIONS	57,368,707	10,601,144
	(553.49)	(238.91)
NEW POSITIONS		
<i>PROFESSOR</i>	810,000	
	(9.00)	
OTHER PERSONAL SRVCS	17,670,896	
TOTAL PERSONAL SERVICE	115,376,688	15,686,692
	(1,310.43)	(488.38)
OTHER OPER EXPENSES	72,162,061	959,654
LOWCOUNTRY GRAD CNTR	785,099	785,099
TOTAL SPECIAL ITEMS	785,099	785,099
TOT EDUCAT AND GENERAL	188,323,848	17,431,445
	(1,310.43)	(488.38)

OF SOUTH CAROLINA
General and Permanent Laws--2015
H15-UNIVERSITY OF CHARLESTON

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. AUXILIARY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,797,790	
	(77.50)	
UNCLASSIFIED POSITIONS	2,056,206	
	(26.25)	
OTHER PERSONAL SRVCS	2,500,264	
TOTAL PERSONAL SERVICE	7,354,260	
	(103.75)	
OTHER OPER EXPENSES	33,257,925	
TOTAL AUXILIARY SRVCS	40,612,185	
	(103.75)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	27,564,390	4,506,202
TOTAL FRINGE BENEFITS	27,564,390	4,506,202
TOTAL EMPLOYEE BENEFITS	27,564,390	4,506,202
UNIVERSITY OF CHARLESTON		
TOTAL FUNDS AVAILABLE	256,500,423	21,937,647
TOTAL AUTH FTE POSITIONS	(1,414.18)	(488.38)

SECTION 16
H17-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	188,000	188,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	23,257,047	1,406,255
	(609.90)	(55.83)

STATUTES AT LARGE
General and Permanent Laws--2015
H17-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS		
UNCLASSIFIED POSITIONS	33,878,747	5,520,175
	(512.56)	(130.91)
OTHER PERSONAL SRVCS	17,400,000	
TOTAL PERSONAL SERVICE	74,723,794	7,114,430
	(1,123.46)	(187.74)
OTHER OPER EXPENSES	40,057,452	1,127,452
SPECIAL ITEMS		
SCHOLARSHIPS	10,000,000	
TOTAL SPECIAL ITEMS	10,000,000	
TOTAL UNRESTRICTED	124,781,246	8,241,882
	(1,123.46)	(187.74)
<hr/>		
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	248,500	
	(3.50)	
UNCLASSIFIED POSITIONS	80,585	
	(7.12)	
OTHER PERSONAL SRVCS	1,242,869	
TOTAL PERSONAL SERVICE	1,571,954	
	(10.62)	
OTHER OPER EXPENSES	6,508,519	
SPECIAL ITEMS		
SCHOLARSHIPS	28,240,000	
TOTAL SPECIAL ITEMS	28,240,000	
TOTAL RESTRICTED	36,320,473	
	(10.62)	
<hr/>		
TOT EDUCATION & GENERAL	161,101,719	8,241,882
	(1,134.08)	(187.74)
<hr/>		
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	830,653	
	(22.00)	
OTHER PERSONAL SRVCS	2,530,000	

OF SOUTH CAROLINA
General and Permanent Laws--2015
H17-COASTAL CAROLINA UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	3,360,653	
	(22.00)	
OTHER OPER EXPENSES	9,789,347	
	=====	
TOT AUX ENTERPRISES	13,150,000	
	(22.00)	
	=====	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	26,147,722	2,280,516
	-----	-----
TOTAL FRINGE BENEFITS	26,147,722	2,280,516
	-----	-----
TOTAL EMPLOYEE BENEFITS	26,147,722	2,280,516
	-----	-----
COASTAL CAROLINA UNIV		
TOTAL FUNDS AVAILABLE	200,399,441	10,522,398
TOTAL AUTH FTE POSITIONS	(1,156.08)	(187.74)
	-----	-----

SECTION 17
H18-FRANCIS MARION UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	178,343	178,343
	(1.00)	(1.00)
CLASSIFIED POSITIONS	8,930,859	3,426,923
	(236.07)	(163.19)
UNCLASSIFIED POSITIONS	19,867,960	6,357,758
	(215.04)	(130.99)
OTHER PERSONAL SRVCS	553,614	

TOTAL PERSONAL SERVICE	29,530,776	9,963,024
	(452.11)	(295.18)
OTHER OPER EXPENSES	3,144,211	773,230
	-----	-----

STATUTES AT LARGE
General and Permanent Laws--2015
H18-FRANCIS MARION UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL E & G - UNRESTRICTED	32,674,987 (452.11)	10,736,254 (295.18)
<hr/>		
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	(1.25)	
UNCLASSIFIED POSITIONS	392,853	
	(5.00)	
OTHER PERSONAL SRVCS	690,434	
	<hr/>	
TOTAL PERSONAL SERVICE	1,083,287	
	(6.25)	
OTHER OPER EXPENSES	18,101,115	
	<hr/>	
TOTAL E & G - RESTRICTED	19,184,402	
	(6.25)	
<hr/>		
TOT EDUC AND GENERAL	51,859,389	10,736,254
	(458.36)	(295.18)
<hr/>		
II. AUXILIARY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	9,804	
	(7.00)	
OTHER PERSONAL SRVCS	4,864	
	<hr/>	
TOTAL PERSONAL SERVICE	14,668	
	(7.00)	
OTHER OPER EXPENSES	227,903	
	<hr/>	
TOTAL AUXILIARY SRVCS	242,571	
	(7.00)	
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	9,196,840	2,751,783
	<hr/>	
TOTAL FRINGE BENEFITS	9,196,840	2,751,783
	<hr/>	
TOTAL EMPLOYEE BENEFITS	9,196,840	2,751,783
	<hr/>	

OF SOUTH CAROLINA
General and Permanent Laws--2015
H18-FRANCIS MARION UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
FRANCIS MARION UNIV		
TOTAL FUNDS AVAILABLE	61,298,800	13,488,037
TOTAL AUTH FTE POSITIONS	(465.36)	(295.18)

SECTION 18
H21-LANDER UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION AND GENERAL PERSONAL SERVICE		
PRESIDENT	159,915	159,915
	(1.00)	(1.00)
CLASSIFIED POSITIONS	13,301,158	
	(101.85)	
UNCLASSIFIED POSITIONS	9,492,166	4,679,444
	(287.06)	(171.70)
OTHER PERSONAL SRVCS	2,085,055	
TOTAL PERSONAL SERVICE	25,038,294	4,839,359
	(389.91)	(172.70)
OTHER OPER EXPENSES	24,664,032	350,196
TOT EDUC AND GENERAL	49,702,326	5,189,555
	(389.91)	(172.70)
II. AUXILIARY ENTERPRISES PERSONAL SERVICE		
CLASSIFIED POSITIONS	564,915	
	(11.00)	
OTHER PERSONAL SRVCS	371,420	
TOTAL PERSONAL SERVICE	936,335	
	(11.00)	
OTHER OPER EXPENSES	14,124,596	
TOT AUX ENTERPRISES	15,060,931	
	(11.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
H21-LANDER UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	6,864,593	1,648,212
TOTAL FRINGE BENEFITS	<u>6,864,593</u>	<u>1,648,212</u>
TOTAL EMPLOYEE BENEFITS	<u>6,864,593</u>	<u>1,648,212</u>
LANDER UNIVERSITY		
TOTAL FUNDS AVAILABLE	71,627,850	6,837,767
TOTAL AUTH FTE POSITIONS	<u>(400.91)</u>	<u>(172.70)</u>

SECTION 19
H24-SOUTH CAROLINA STATE UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	173,400	173,400
	(1.00)	(1.00)
CLASSIFIED POSITIONS	9,629,300	2,919,739
	(168.10)	(116.30)
UNCLASSIFIED POSITIONS	15,111,737	6,259,429
	(299.47)	(203.12)
OTHER PERSONAL SRVCS	<u>7,049,280</u>	
TOTAL PERSONAL SERVICE	31,963,717	9,352,568
	(468.57)	(320.42)
OTHER OPER EXPENSES	24,993,459	153,849
SPECIAL ITEMS		
TRANSPORTATION CENTER	1,334,489	
TEACHER TRAINING & DEVELOPMENT	<u>51,506</u>	
TOTAL SPECIAL ITEMS	<u>1,385,995</u>	
TOTAL UNRESTRICTED	58,343,171	9,506,417
	<u>(468.57)</u>	<u>(320.42)</u>

H24-SOUTH CAROLINA STATE UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	549,426	
	(.07)	
UNCLASSIFIED POSITIONS	7,048,782	
	(.20)	
OTHER PERSONAL SRVCS	4,676,603	
TOTAL PERSONAL SERVICE	12,274,811	
	(.27)	
OTHER OPER EXPENSES	46,511,798	
SPECIAL ITEMS		
EIA-TEACHER RECRUITMENT	467,000	
TOTAL SPECIAL ITEMS	467,000	
TOTAL RESTRICTED	59,253,609	
	(.27)	
TOT EDUC & GENERAL	117,596,780	9,506,417
	(468.84)	(320.42)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	842,970	
	(72.39)	
OTHER PERSONAL SRVCS	1,094,336	
TOTAL PERSONAL SERVICE	1,937,306	
	(72.39)	
OTHER OPER EXPENSES	13,322,914	
TOT AUX ENTERPRISES	15,260,220	
	(72.39)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	13,874,316	3,467,597
TOTAL FRINGE BENEFITS	13,874,316	3,467,597
TOTAL EMPLOYEE BENEFITS	13,874,316	3,467,597

H24-SOUTH CAROLINA STATE UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
SOUTH CAROLINA STATE UNIV		
TOTAL FUNDS AVAILABLE	146,731,316	12,974,014
TOTAL AUTH FTE POSITIONS	(541.23)	(320.42)

SECTION 20A
H27-UNIV OF SOUTH CAROLINA

	TOTAL FUNDS	GENERAL FUNDS
I. UNIVERSITY OF SOUTH CAROLINA		
A. USC - NON-MEDICINE:		
UNRESTRICTED E & G		
PERSONAL SERVICE		
PRESIDENT	297,648	297,648
	(1.00)	(1.00)
CLASSIFIED POSITIONS	90,470,195	21,353,894
	(2,283.47)	(1,540.57)
UNCLASSIFIED POSITIONS	163,206,193	55,912,406
	(1,241.89)	(908.81)
OTHER PERSONAL SRVCS	35,520,863	
TOTAL PERSONAL SERVICE	289,494,899	77,563,948
	(3,526.36)	(2,450.38)
OTHER OPER EXPENSES	222,718,650	581,419
SPECIAL ITEMS		
LAW LIBRARY	344,076	344,076
PALMETTO POISON CENTER	251,763	251,763
SMALL BUSINESS DEVELOP CENTER	791,734	791,734
TOTAL SPECIAL ITEMS	1,387,573	1,387,573
TOTAL USC - NON-MED: UNRESTRICTED	513,601,122	79,532,940
	(3,526.36)	(2,450.38)

B. USC - NON-MEDICINE:
 RESTRICTED E & G
 PERSONAL SERVICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	3,163,925	
	(119.09)	
UNCLASSIFIED POSITIONS	33,617,643	
	(222.82)	
OTHER PERSONAL SRVCS	19,453,772	
TOTAL PERSONAL SERVICE	56,235,340	
	(341.91)	
OTHER OPER EXPENSES	163,213,051	
SPECIAL ITEMS		
EIA-SCHOOL IMPROVEMENT		
COUNCIL PROJECT	127,303	
TOTAL SPECIAL ITEMS	127,303	
TOT USC - NON-MED: RESTRICT	219,575,694	
	(341.91)	
<hr style="border-top: 3px double #000;"/>		
C. USC - NON-MEDICINE:		
AUXILIARY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	15,333,515	
	(213.08)	
UNCLASSIFIED POSITIONS	16,637,961	
	(106.00)	
OTHER PERSONAL SRVCS	10,692,182	
TOTAL PERSONAL SERVICE	42,663,658	
	(319.08)	
OTHER OPER EXPENSES	96,489,879	
TOT USC - NON-MED: AUX	139,153,537	
	(319.08)	
<hr style="border-top: 3px double #000;"/>		
TOTAL USC - NON-MED	872,330,353	79,532,940
	(4,187.35)	(2,450.38)
<hr style="border-top: 3px double #000;"/>		
II. USC - MEDICINE		
A. USC - MED: UNRESTRICT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,896,677	1,269,330
	(170.55)	(86.70)

STATUTES AT LARGE
General and Permanent Laws--2015
H27-UNIV OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	12,642,326	9,515,572
	(167.13)	(127.30)
OTHER PERSONAL SRVCS	1,015,541	
TOTAL PERSONAL SERVICE	19,554,544	10,784,902
	(337.68)	(214.00)
OTHER OPER EXPENSES	10,592,526	
TOTAL USC - MEDICINE: UNRESTRICTED	30,147,070	10,784,902
	(337.68)	(214.00)
<hr/>		
B. USC - MEDICINE: RESTRICT PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,316,700	
	(141.58)	
UNCLASSIFIED POSITIONS	13,679,419	
	(114.84)	
OTHER PERSONAL SRVCS	1,467,010	
TOTAL PERSONAL SERVICE	17,463,129	
	(256.42)	
OTHER OPER EXPENSES	11,356,490	
TOT USC - MED:RESTRICTED	28,819,619	
	(256.42)	
<hr/>		
C. USC - MEDICINE: EMPLOY BENEFITS		
EMPLOYER CONTRIBS	11,799,585	3,008,976
TOTAL FRINGE BENEFITS	11,799,585	3,008,976
TOTAL EMPLOYEE BENEFITS	11,799,585	3,008,976
<hr/>		
TOTAL USC - MEDICINE	70,766,274	13,793,878
	(594.10)	(214.00)
<hr/>		
III. USC GREENVILLE SCH OF MEDICINE		
A. UNRESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	375,000	
	(11.00)	

OF SOUTH CAROLINA
General and Permanent Laws--2015
H27-UNIV OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	1,200,000 (27.00)	
TOTAL PERSONAL SERVICE	1,575,000 (38.00)	
OTHER OPER EXPENSES	14,286,743	
TOTAL UNRESTRICTED	15,861,743 (38.00)	
=====		
B. RESTRICTED		
CLASSIFIED POSITIONS	480,000 (5.00)	
UNCLASSIFIED POSITIONS	(1.00)	
TOTAL PERSONAL SERVICE	480,000 (6.00)	
OTHER OPER EXPENSES	5,490,000	
TOTAL RESTRICTED	5,970,000 (6.00)	
=====		
C. GREENVILLE - MEDICINE:		
EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	780,000	
TOTAL FRINGE BENEFITS	780,000	
TOTAL EMPLOYEE BENEFITS	780,000	
=====		
TOTAL USC GREENVILLE SCHOOL OF MEDICINE	22,611,743 (44.00)	
=====		
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	115,870,572	22,119,150
TOTAL FRINGE BENEFITS	115,870,572	22,119,150
TOTAL EMPLOYEE BENEFITS	115,870,572	22,119,150
=====		

STATUTES AT LARGE
General and Permanent Laws--2015
H27-UNIV OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNIV OF SOUTH CAROLINA		
TOTAL FUNDS AVAILABLE	1,081,578,942	115,445,968
TOTAL AUTH FTE POSITIONS	<u>(4,825.45)</u>	<u>(2,664.38)</u>

SECTION 20B
H29-U S C - AIKEN CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,634,040	629,040
	(187.80)	(49.06)
UNCLASSIFIED POSITIONS	13,397,178	5,122,178
	(164.42)	(106.82)
OTHER PERSONAL SRVCS	1,300,000	
TOTAL PERSONAL SERVICE	<u>20,331,218</u>	<u>5,751,218</u>
	(352.22)	(155.88)
OTHER OPER EXPENSES	8,278,739	
TOTAL UNRESTRICTED	<u>28,609,957</u>	<u>5,751,218</u>
	<u>(352.22)</u>	<u>(155.88)</u>
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	64,471	
	(5.44)	
UNCLASSIFIED POSITIONS	487,302	
	(8.85)	
OTHER PERSONAL SRVCS	221,877	
TOTAL PERSONAL SERVICE	<u>773,650</u>	
	(14.29)	
OTHER OPER EXPENSES	16,830,364	
TOTAL RESTRICTED	<u>17,604,014</u>	
	<u>(14.29)</u>	

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT EDUCATION & GENERAL	46,213,971 (366.51)	5,751,218 (155.88)
II. AUXILIARY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	524,713 (13.75)	
OTHER PERSONAL SRVCS	200,000	
TOTAL PERSONAL SERVICE	724,713 (13.75)	
OTHER OPER EXPENSES	3,002,789	
TOTAL AUXILIARY	3,727,502 (13.75)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		
EMPLOYER CONTRIBS	6,988,436	1,524,722
TOTAL FRINGE BENEFITS	6,988,436	1,524,722
TOTAL EMPLOYEE BENEFITS	6,988,436	1,524,722
U S C - AIKEN CAMPUS		
TOTAL FUNDS AVAILABLE	56,929,909	7,275,940
TOTAL AUTH FTE POSITIONS	(380.26)	(155.88)

SECTION 20C
H34-U S C - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,396,940 (252.72)	1,248,432 (53.81)

STATUTES AT LARGE
General and Permanent Laws--2015
H34-U S C - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	22,273,294	6,760,565
	(247.21)	(131.01)
OTHER PERSONAL SRVCS	2,528,044	
TOTAL PERSONAL SERVICE	34,198,278	8,008,997
	(499.93)	(184.82)
OTHER OPER EXPENSES	17,104,394	
TOTAL UNRESTRICTED	51,302,672	8,008,997
	(499.93)	(184.82)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	69,092	
	(2.54)	
UNCLASSIFIED POSITIONS	507,063	
	(1.53)	
OTHER PERSONAL SRVCS	395,290	
TOTAL PERSONAL SERVICE	971,445	
	(4.07)	
OTHER OPER EXPENSES	24,943,866	
TOTAL RESTRICTED	25,915,311	
	(4.07)	
TOT EDUC & GENERAL	77,217,983	8,008,997
	(504.00)	(184.82)
II. AUXILIARY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	468,257	
	(12.00)	
OTHER PERSONAL SRVCS	354,480	
TOTAL PERSONAL SERVICE	822,737	
	(12.00)	
OTHER OPER EXPENSES	3,430,750	
TOTAL AUXILIARY SRVCS	4,253,487	
	(12.00)	

	TOTAL FUNDS	GENERAL FUNDS
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	11,776,500	2,111,993
TOTAL FRINGE BENEFITS	11,776,500	2,111,993
TOTAL EMPLOYEE BENEFITS	11,776,500	2,111,993
U S C - UPSTATE		
TOTAL FUNDS AVAILABLE	93,247,970	10,120,990
TOTAL AUTH FTE POSITIONS	(516.00)	(184.82)

SECTION 20D
H36-U S C - BEAUFORT CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION AND GENERAL		
A. UNRESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,999,906	216,777
	(79.99)	(3.74)
UNCLASSIFIED POSITIONS	7,122,654	2,405,625
	(83.10)	(17.75)
OTHER PERSONAL SRVCS	1,415,027	
TOTAL PERSONAL SERVICE	11,537,587	2,622,402
	(163.09)	(21.49)
OTHER OPER EXPENSES	4,039,185	
TOTAL UNRESTRICTED	15,576,772	2,622,402
	(163.09)	(21.49)
B. RESTRICTED PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,532	
UNCLASSIFIED POSITIONS	271,918	
	(3.75)	
OTHER PERSONAL SRVCS	77,292	

STATUTES AT LARGE
General and Permanent Laws--2015
H36-U S C - BEAUFORT CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	351,742	
	(3.75)	
OTHER OPER EXPENSES	7,333,157	
TOTAL RESTRICTED	7,684,899	
	(3.75)	
TOT EDUC & GENERAL	23,261,671	2,622,402
	(166.84)	(21.49)
II. AUXILIARY SRVCS		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	30,000	
TOTAL AUXILIARY SRVCS	30,000	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		
EMPLOYER CONTRIBS	3,951,030	395,373
TOTAL FRINGE BENEFITS	3,951,030	395,373
TOTAL EMPLOYEE BENEFITS	3,951,030	395,373
U S C - BEAUFORT CAMPUS		
TOTAL FUNDS AVAILABLE	27,242,701	3,017,775
TOTAL AUTH FTE POSITIONS	(166.84)	(21.49)

SECTION 20E
H37-U S C - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,839,987	73,998
	(51.03)	(5.41)

OF SOUTH CAROLINA
General and Permanent Laws--2015
H37-U S C - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	4,645,797	1,300,272
	(45.50)	(21.25)
OTHER PERSONAL SRVCS	1,411,481	
TOTAL PERSONAL SERVICE	7,897,265	1,374,270
	(96.53)	(26.66)
OTHER OPER EXPENSES	1,583,780	
TOTAL UNRESTRICTED	9,481,045	1,374,270
	(96.53)	(26.66)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,376	
UNCLASSIFIED POSITIONS	279,434	
OTHER PERSONAL SRVCS	56,228	
TOTAL PERSONAL SERVICE	347,038	
OTHER OPER EXPENSES	7,289,933	
TOTAL RESTRICTED	7,636,971	
TOT EDUC & GENERAL	17,118,016	1,374,270
	(96.53)	(26.66)
II. AUXILIARY		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	15,000	
TOTAL AUXILIARY	15,000	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		
EMPLOYER CONTRIBS	2,495,854	380,099
TOTAL FRINGE BENEFITS	2,495,854	380,099
TOTAL EMPLOYEE BENEFITS	2,495,854	380,099

STATUTES AT LARGE
General and Permanent Laws--2015
H37-U S C - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
U S C - LANCASTER CAMPUS		
TOTAL FUNDS AVAILABLE	19,628,870	1,754,369
TOTAL AUTH FTE POSITIONS	<u>(96.53)</u>	<u>(26.66)</u>

SECTION 20F
H38-U S C - SALKEHATCHIE CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	964,654	105,721
	(36.75)	(3.00)
UNCLASSIFIED POSITIONS	2,298,614	912,555
	(22.02)	(21.24)
OTHER PERSONAL SRVCS	721,818	
TOTAL PERSONAL SERVICE	3,985,086	1,018,276
	(58.77)	(24.24)
OTHER OPER EXPENSES	2,123,100	
SPECIAL ITEMS		
SALKEHATCHIE LEADERSHIP CENTER		
	100,460	100,460
TOTAL SPECIAL ITEMS	100,460	100,460
TOTAL UNRESTRICTED	6,208,646	1,118,736
	<u>(58.77)</u>	<u>(24.24)</u>
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,779	
UNCLASSIFIED POSITIONS	175,265	
	(1.00)	
OTHER PERSONAL SRVCS	112,310	
TOTAL PERSONAL SERVICE	308,354	
	(1.00)	
OTHER OPER EXPENSES	5,436,801	

OF SOUTH CAROLINA
General and Permanent Laws--2015
H38-U S C - SALKEHATCHIE CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
TOTAL RESTRICTED	5,745,155	
	(1.00)	
TOT EDUC & GENERAL	11,953,801	1,118,736
	(59.77)	(24.24)
II. AUXILIARY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	46,437	
TOTAL PERSONAL SERVICE	46,437	
OTHER OPER EXPENSES	256,756	
TOTAL AUXILIARY	303,193	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		
EMPLOYER CONTRIBS	1,389,262	273,521
TOTAL FRINGE BENEFITS	1,389,262	273,521
TOTAL EMPLOYEE BENEFITS	1,389,262	273,521
U S C - SALKEHATCHIE CAMP		
TOTAL FUNDS AVAILABLE	13,646,256	1,392,257
TOTAL AUTH FTE POSITIONS	(59.77)	(24.24)

SECTION 20G
H39-U S C - SUMTER CAMPUS

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,781,541	407,058
	(55.00)	(27.29)
UNCLASSIFIED POSITIONS	3,451,884	1,706,022
	(40.10)	(29.11)

STATUTES AT LARGE
General and Permanent Laws--2015
H39-U S C - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	417,816	
TOTAL PERSONAL SERVICE	5,651,241	2,113,080
	(95.10)	(56.40)
OTHER OPER EXPENSES	2,164,898	
TOTAL UNRESTRICTED	7,816,139	2,113,080
	(95.10)	(56.40)
<hr/>		
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	32,881	
	(1.46)	
UNCLASSIFIED POSITIONS	579,988	
	(1.00)	
OTHER PERSONAL SRVCS	272,731	
TOTAL PERSONAL SERVICE	885,600	
	(2.46)	
OTHER OPER EXPENSES	4,095,653	
TOTAL RESTRICTED	4,981,253	
	(2.46)	
<hr/>		
TOT EDUC & GENERAL	12,797,392	2,113,080
	(97.56)	(56.40)
<hr/>		
II. AUXILIARY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	67,342	
	(3.00)	
OTHER PERSONAL SRVCS	25,416	
TOTAL PERSONAL SERVICE	92,758	
	(3.00)	
OTHER OPER EXPENSES	427,089	
TOTAL AUXILIARY SRVCS	519,847	
	(3.00)	
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		

OF SOUTH CAROLINA
General and Permanent Laws--2015
H39-U S C - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
EMPLOYER CONTRIBS	2,017,548	595,604
TOTAL FRINGE BENEFITS	2,017,548	595,604
TOTAL EMPLOYEE BENEFITS	2,017,548	595,604
U S C - SUMTER CAMPUS		
TOTAL FUNDS AVAILABLE	15,334,787	2,708,684
TOTAL AUTH FTE POSITIONS	(100.56)	(56.40)

SECTION 20H
H40-U S C - UNION CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	612,759	87,992
	(21.75)	(6.54)
UNCLASSIFIED POSITIONS	1,152,479	431,722
	(13.07)	(11.06)
OTHER PERSONAL SRVCS	215,000	
TOTAL PERSONAL SERVICE	1,980,238	519,714
	(34.82)	(17.60)
OTHER OPER EXPENSES	648,136	
TOTAL UNRESTRICTED	2,628,374	519,714
	(34.82)	(17.60)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,416	
UNCLASSIFIED POSITIONS	134,456	
OTHER PERSONAL SRVCS	40,220	
TOTAL PERSONAL SERVICE	186,092	
OTHER OPER EXPENSES	2,818,820	
TOTAL RESTRICTED	3,004,912	

STATUTES AT LARGE
General and Permanent Laws--2015
H40-U S C - UNION CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT EDUC & GENERAL	5,633,286 (34.82)	519,714 (17.60)
<hr/>		
II. AUXILIARY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	41,472	
OTHER PERSONAL SRVCS	10,667	
<hr/>		
TOTAL PERSONAL SERVICE	52,139	
OTHER OPER EXPENSES	210,000	
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TOTAL AUXILIARY SRVCS	262,139	
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		
EMPLOYER CONTRIBS	852,074	138,472
<hr/>		
TOTAL FRINGE BENEFITS	852,074	138,472
<hr/>		
TOTAL EMPLOYEE BENEFITS	852,074	138,472
<hr/>		
U S C - UNION CAMPUS		
TOTAL FUNDS AVAILABLE	6,747,499	658,186
TOTAL AUTH FTE POSITIONS	(34.82)	(17.60)
<hr/>		
TOTAL UNIVERSITY OF		
SOUTH CAROLINA	1,314,356,934	142,374,169
<hr/>		
TOTAL AUTH FTE POSITIONS	(6,180.23)	(3,151.47)
<hr/>		

SECTION 21
H47-WINTHROP UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PERSONAL SERVICE		
PRESIDENT	169,970 (1.00)	169,970 (1.00)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	15,877,276	4,277,276
	(353.67)	(215.73)
UNCLASSIFIED POSITIONS	26,092,190	6,584,690
	(390.00)	(226.23)
OTHER PERSONAL SRVCS	7,840,000	
TOTAL PERSONAL SERVICE	49,979,436	11,031,936
	(744.67)	(442.96)
OTHER OPER EXPENSES	71,797,052	262,052
SPECIAL ITEMS		
ALLOC EIA - TCHR RECRUIT	3,968,320	
TOTAL SPECIAL ITEMS	3,968,320	
TOT EDUC & GENERAL	125,744,808	11,293,988
	(744.67)	(442.96)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,074,000	
	(60.11)	
UNCLASSIFIED POSITIONS	335,500	
	(3.00)	
OTHER PERSONAL SRVCS	640,500	
TOTAL PERSONAL SERVICE	3,050,000	
	(63.11)	
OTHER OPER EXPENSES	8,145,000	
TOTAL AUXILIARY	11,195,000	
	(63.11)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	14,975,863	3,130,863
TOTAL FRINGE BENEFITS	14,975,863	3,130,863
TOTAL EMPLOYEE BENEFITS	14,975,863	3,130,863

STATUTES AT LARGE
General and Permanent Laws--2015
H47-WINTHROP UNIVERSITY

	TOTAL FUNDS	GENERAL FUNDS
WINTHROP UNIVERSITY		
TOTAL FUNDS AVAILABLE	151,915,671	14,424,851
TOTAL AUTH FTE POSITIONS	(807.78)	(442.96)

SECTION 23
H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	TOTAL FUNDS	GENERAL FUNDS
I. EDUCATIONAL & GENERAL		
A. UNRESTRICTED		
PERSONAL SERVICE		
PRESIDENT	250,629	250,629
	(1.00)	(1.00)
CLASSIFIED POSITIONS	55,943,072	17,340,388
	(1,559.85)	(789.76)
UNCLASSIFIED POSITIONS	92,554,210	24,115,741
	(1,016.82)	(328.93)
OTHER PERSONAL SRVCS	11,048,639	
TOTAL PERSONAL SERVICE	159,796,550	41,706,758
	(2,577.67)	(1,119.69)
OTHER OPER EXPENSES	234,757,793	900,000
SPECIAL ITEMS		
DIABETES CENTER	123,470	123,470
RURAL DENTISTS INCENTIVE	176,101	176,101
HYPERTENSION INITIATIVE	240,433	240,433
HOSPITAL AUTHORITY-		
TELEMEDICINE PROGRAM	12,000,000	4,000,000
INSTITUTE OF MEDICINE	100,000	100,000
SCHOLARSHIPS & FELLOWS	1,356,224	
TOTAL SPECIAL ITEMS	13,996,228	4,640,004
TOTAL UNRESTRICTED	408,550,571	47,246,762
	(2,577.67)	(1,119.69)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,863,316	
	(117.59)	

H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	56,989,184	
	(313.16)	
OTHER PERSONAL SRVCS	24,547,232	
TOTAL PERSONAL SERVICE	102,399,732	
	(430.75)	
OTHER OPER EXPENSES	60,025,230	
SPECIAL ITEMS		
SCHOLARSHIPS & FELLOWS	1,353,905	
TOTAL SPECIAL ITEMS	1,353,905	
TOTAL RESTRICTED	163,778,867	
	(430.75)	
TOT EDUC & GENERAL	572,329,438	47,246,762
	(3,008.42)	(1,119.69)
II. AUXILIARY ENTERPRISES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,115,989	
	(64.75)	
UNCLASSIFIED POSITIONS		
	(1.00)	
OTHER PERSONAL SRVCS	112,294	
TOTAL PERSONAL SERVICE	1,228,283	
	(65.75)	
OTHER OPER EXPENSES	10,219,568	
TOT AUX ENTERPRISES	11,447,851	
	(65.75)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	48,142,809	14,425,364
TOTAL FRINGE BENEFITS	48,142,809	14,425,364
TOTAL EMPLOYEE BENEFITS	48,142,809	14,425,364

H51-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	TOTAL FUNDS	GENERAL FUNDS
MEDICAL UNIVERSITY OF SOUTH CAROLINA		
TOTAL FUNDS AVAILABLE	631,920,098	61,672,126
TOTAL AUTH FTE POSITIONS	(3,074.17)	(1,119.69)

SECTION 24

H53-AREA HEALTH EDUCATION CONSORTIUM

	TOTAL FUNDS	GENERAL FUNDS
I. CONSORTIUM		
A. GENERAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	805,088	669,107
	(7.67)	(7.39)
UNCLASSIFIED POSITIONS	1,376,555	1,148,244
	(5.87)	(5.35)
OTHER PERSONAL SRVCS	176,069	165,553
TOTAL PERSONAL SERVICE	2,357,712	1,982,904
	(13.54)	(12.74)
OTHER OPER EXPENSES	3,850,668	1,700,275
SPECIAL ITEMS		
RURAL PHYSICIANS PROG	500,000	500,000
NURSING RECRUITMENT	20,000	20,000
HLTH PROFESSIONS RURAL		
INFRASTRUCTURE PR	400,000	400,000
TOTAL SPECIAL ITEMS	920,000	920,000
TOT CONSORT-GENERAL	7,128,380	4,603,179
	(13.54)	(12.74)
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	39,740	6,740
	(.40)	
UNCLASSIFIED POSITIONS	134,631	44,831
	(1.35)	

H53-AREA HEALTH EDUCATION CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	174,371	51,571
	(1.75)	
OTHER OPER EXPENSES	694,100	
TOTAL CONSORT-RESTRICT	868,471	51,571
	(1.75)	
TOTAL CONSORTIUM	7,996,851	4,654,750
	(15.29)	(12.74)
II. FAMILY PRACTICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	258,362	258,362
	(2.77)	(2.77)
UNCLASSIFIED POSITIONS	1,694,895	1,694,895
	(8.26)	(8.26)
TOTAL PERSONAL SERVICE	1,953,257	1,953,257
	(11.03)	(11.03)
OTHER OPER EXPENSES	2,193,756	1,992,085
TOTAL FAMILY PRACTICE	4,147,013	3,945,342
	(11.03)	(11.03)
III. GRADUATE DOCTOR		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	82,055	
TOT GRAD DOCTOR EDUC	82,055	
IV. EMPLOYEE BENEFITS		
STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,180,350	1,152,550
TOTAL FRINGE BENEFITS	1,180,350	1,152,550
TOTAL EMPLOYEE BENEFITS	1,180,350	1,152,550

H53-AREA HEALTH EDUCATION CONSORTIUM

	TOTAL FUNDS	GENERAL FUNDS
AREA HEALTH EDUCATION CONSORTIUM		
TOTAL FUNDS AVAILABLE	13,406,269	9,752,642
TOTAL AUTH FTE POSITIONS	(26.32)	(23.77)
TOT MEDICAL UNIV OF SC	645,326,367	71,424,768
TOTAL AUTH FTE POSITIONS	(3,100.49)	(1,143.46)

SECTION 25

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
A. PRESIDENT'S OFFICE		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	187,000	187,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	292,198	292,198
	(11.00)	(11.00)
OTHER PERSONAL SRVCS	68,500	68,500
TOTAL PERSONAL SERVICE	547,698	547,698
	(12.00)	(12.00)
OTHER OPER EXPENSES	95,000	95,000
TOTAL PRESIDENT'S OFFICE	642,698	642,698
	(12.00)	(12.00)
B. FIN AND HUMAN RESOURCES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	679,653	679,653
	(18.00)	(18.00)
UNCLASSIFIED POSITIONS	261,338	261,338
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	94,771	94,771

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,035,762	1,035,762
	(20.00)	(20.00)
OTHER OPER EXPENSES	1,120,000	645,000
TOT FIN & HUMAN RESOURC	2,155,762	1,680,762
	(20.00)	(20.00)
C. INFO TECHNOLOGY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	627,591	577,591
	(16.00)	(15.00)
UNCLASSIFIED POSITIONS	141,822	141,822
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	54,796	54,796
TOTAL PERSONAL SERVICE	824,209	774,209
	(17.00)	(16.00)
OTHER OPER EXPENSES	1,771,500	335,500
TOTAL INFO TECHNOLOGY	2,595,709	1,109,709
	(17.00)	(16.00)
TOTAL ADMINISTRATION	5,394,169	3,433,169
	(49.00)	(48.00)
II. INSTRUCTIONAL PROGRAMS		
A. TECHNICAL COLLEGES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	135,655,357	28,005,574
	(2,616.41)	(1,714.67)
UNCLASSIFIED POSITIONS	173,067,781	33,368,053
	(1,935.60)	(1,390.63)
OTHER PERSONAL SRVCS	48,111,487	9,732,349
TOTAL PERSONAL SERVICE	356,834,625	71,105,976
	(4,552.01)	(3,105.30)
OTHER OPER EXPENSES	201,701,542	4,175,000
SPECIAL ITEMS		
CRITICAL NEEDS NURSING	322,512	322,512
SPARTANBURG - CHEROKEE		
EXPANSION	906,816	906,816
MIDLANDS TECH NURS PROG	370,943	370,943

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
FLORENCE DARLINGTON-OPER	302,271	302,271
FLORENCE DARLINGTON SIMT	906,817	906,817
TRIDENT TECH-CULIN ARTS	468,522	468,522
TOTAL SPECIAL ITEMS	<u>3,277,881</u>	<u>3,277,881</u>
TOT TECHNICAL COLLEGES	561,814,048	78,558,857
	<u>(4,552.01)</u>	<u>(3,105.30)</u>
B. SYSTEM WIDE PROG AND INITIATIVES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	367,601	322,601
	(17.00)	(16.00)
UNCLASSIFIED POSITIONS	127,457	127,457
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	136,691	45,000
TOTAL PERSONAL SERVICE	<u>631,749</u>	<u>495,058</u>
	(18.00)	(17.00)
OTHER OPER EXPENSES	534,205	55,000
SPECIAL ITEMS		
PATHWAYS TO PROSPERITY	604,545	604,545
WORKFORCE PATHWAYS	2,000,000	2,000,000
TOTAL SPECIAL ITEMS	<u>2,604,545</u>	<u>2,604,545</u>
TOTAL SYSTEM WIDE PROGRAM INITIATIVES	<u>3,770,499</u>	<u>3,154,603</u>
	<u>(18.00)</u>	<u>(17.00)</u>
C. EMPLOYEE BENEFITS (INSTRUCTIONAL)		
EMPLOYER CONTRIBS	<u>109,755,226</u>	<u>32,332,231</u>
TOTAL FRINGE BENEFITS	<u>109,755,226</u>	<u>32,332,231</u>
TOTAL EMPLOYEE BENEFITS FORMULA FUNDING	<u>109,755,226</u>	<u>32,332,231</u>
TOT INSTRUCT PROGRAMS	675,339,773	114,045,691
	<u>(4,570.01)</u>	<u>(3,122.30)</u>

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. ECONOMIC DEVELOPMENT		
A. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,808,129	1,808,129
	(41.00)	(41.00)
UNCLASSIFIED POSITIONS	131,391	131,391
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	1,939,520	1,939,520
	(42.00)	(42.00)
OTHER OPER EXPENSES	465,000	465,000
SPECIAL ITEMS		
E&G STEM:CRITICAL NEEDS		
WORKFORCE DEV INIT	2,500,000	2,500,000
WORKFORCE SCHOLARS AND		
GRANTS PROGRAM	1	1
TOTAL SPECIAL ITEMS	2,500,001	2,500,001
TOTAL ADMINISTRATION	4,904,521	4,904,521
	(42.00)	(42.00)
B. SPECIAL SCH TRAINING		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	1,460,000	1,460,000
TOTAL PERSONAL SERVICE	1,460,000	1,460,000
SPECIAL ITEMS		
OTHER DIRECT TRAIN COSTS	5,779,253	5,779,253
TOTAL SPECIAL ITEMS	5,779,253	5,779,253
TOT SPECIAL SCH TRAINING	7,239,253	7,239,253
TOT ECONOMIC DEVELOP	12,143,774	12,143,774
	(42.00)	(42.00)
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	3,037,424	2,994,320
TOTAL FRINGE BENEFITS	3,037,424	2,994,320
TOTAL EMPLOYEE BENEFITS	3,037,424	2,994,320

H59-TECHNICAL & COMPREHENSIVE EDUCATION BOARD

	TOTAL FUNDS	GENERAL FUNDS
TECHNICAL & COMPREHENSIVE EDUCATION BOARD		
TOTAL FUNDS AVAILABLE	695,915,140	132,616,954
TOTAL AUTH FTE POSITIONS	(4,661.01)	(3,212.30)

SECTION 26**H79-DEPARTMENT OF ARCHIVES AND HISTORY**

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION & PLANNING		
PERSONAL SERVICE		
DIRECTOR	92,769	92,769
	(1.00)	(1.00)
CLASSIFIED POSITIONS	170,523	170,523
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	64,000	
TOTAL PERSONAL SERVICE	327,292	263,292
	(5.00)	(5.00)
OTHER OPER EXPENSES	762,398	613,488
TOT ADMIN& PLANNING	1,089,690	876,780
	(5.00)	(5.00)
III. ARCHIVES & RECORDS MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	996,353	973,353
	(26.00)	(26.00)
OTHER PERSONAL SRVCS	55,100	
TOTAL PERSONAL SERVICE	1,051,453	973,353
	(26.00)	(26.00)
OTHER OPER EXPENSES	496,000	
TOT ARCHIVES & RECORDS MANAGEMENT	1,547,453	973,353
	(26.00)	(26.00)

H79-DEPARTMENT OF ARCHIVES AND HISTORY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. HISTORICAL SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	380,000	
	(8.00)	
OTHER PERSONAL SRVCS	37,075	
TOTAL PERSONAL SERVICE	417,075	
	(8.00)	
OTHER OPER EXPENSES	146,420	
SPECIAL ITEMS:		
STATE HIST GRANT FUND	415,000	
AFRICAN AMER HERITAGE		
HISTORY COMMISSIO	25,000	25,000
TOTAL SPECIAL ITEMS	440,000	25,000
DISTRIBUTION TO SUBDIV:		
ALLOC MUN-RESTRICTED	50,000	
ALLOC OTHER STATE AGENCIES	50,000	
ALLOC-PRIVATE SECTOR	40,000	
TOTAL DIST SUBDIV	140,000	
TOTAL HISTORICAL SRVCS	1,143,495	25,000
	(8.00)	
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	953,108	666,872
TOTAL FRINGE BENEFITS	953,108	666,872
TOTAL EMPLOYEE BENEFITS	953,108	666,872
DEPARTMENT OF ARCHIVES AND HISTORY		
TOTAL FUNDS AVAILABLE	4,733,746	2,542,005
TOTAL AUTH FTE POSITIONS	(39.00)	(31.00)

SECTION 27
H87-STATE LIBRARY

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	95,780	95,780
	(1.00)	(1.00)
CLASSIFIED POSITIONS	272,040	272,040
	(8.00)	(8.00)
NEW POSITIONS		
OTHER PERSONAL SRVCS	2,302	2,302
TOTAL PERSONAL SERVICE	370,122	370,122
	(9.00)	(9.00)
OTHER OPER EXPENSES	793,248	754,248
TOTAL ADMINISTRATION	1,163,370	1,124,370
	(9.00)	(9.00)
II. TALKING BOOK SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	300,699	
	(11.00)	
TOTAL PERSONAL SERVICE	300,699	
	(11.00)	
OTHER OPER EXPENSES	130,397	
TOTAL TALKING BOOK SRVCS	431,096	
	(11.00)	
III. LIBRARY RESOURCES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	597,473	343,522
	(13.00)	(5.00)
TOTAL PERSONAL SERVICE	597,473	343,522
	(13.00)	(5.00)
OTHER OPER EXPENSES	1,295,343	97,110
DISTRIBUTION TO SUBDIV		
DISCUS PROGRAMS (H87)	2,131,952	2,131,952
TOTAL DIST SUBDIV	2,131,952	2,131,952

	TOTAL FUNDS	GENERAL FUNDS
TOTAL LIBRARY RESOURCES	4,024,768 (13.00)	2,572,584 (5.00)
IV. STATEWIDE DEVELOP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	276,735 (14.00)	136,375 (9.00)
NEW POSITIONS		
<i>LIBRARY MANAGER I</i>	(1.00)	
TOTAL PERSONAL SERVICE	276,735 (15.00)	136,375 (9.00)
OTHER OPER EXPENSES	580,793	76,866
DISTRIBUTION TO SUBDIV		
ALLOC CNTY LIBRARIES	100,000	
ALLOC-PRIVATE SECTOR	50,000	
AID CNTY-LIBRARIES	6,706,976	6,706,976
ALLOC OTHER ST AGENCIES	50,000	
TOTAL DIST SUBDIV	6,906,976	6,706,976
TOT STATEWIDE DEVELOP	7,764,504 (15.00)	6,920,217 (9.00)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	463,184	261,605
TOTAL FRINGE BENEFITS	463,184	261,605
TOTAL EMPLOYEE BENEFITS	463,184	261,605
STATE LIBRARY		
TOTAL FUNDS AVAILABLE	13,846,922	10,878,776
TOTAL AUTH FTE POSITIONS	(48.00)	(23.00)

SECTION 28
H91-ARTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	98,080	52,248
	(1.00)	(.50)
TOTAL PERSONAL SERVICE	98,080	52,248
	(1.00)	(.50)
TOTAL ADMINISTRATION	98,080	52,248
	(1.00)	(.50)
II. STATEWIDE ARTS SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	675,650	377,588
	(22.50)	(14.50)
NEW POSITIONS		
<i>PROGRAM COORDINATOR I</i>	(1.00)	
TOTAL PERSONAL SERVICE	675,650	377,588
	(23.50)	(14.50)
OTHER OPER EXPENSES	360,608	45,000
DIST TO SUBDIV		
DISTRIBUTION TO SUBDIV	3,022,947	2,333,318
TOTAL DIST SUBDIV	3,022,947	2,333,318
TOT STATEWIDE ARTS SRVC	4,059,205	2,755,906
	(23.50)	(14.50)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	334,211	173,994
TOTAL FRINGE BENEFITS	334,211	173,994
TOTAL EMPLOYEE BENEFITS	334,211	173,994

	TOTAL FUNDS	GENERAL FUNDS
ARTS COMMISSION		
TOTAL FUNDS AVAILABLE	4,491,496	2,982,148
TOTAL AUTH FTE POSITIONS	(24.50)	(15.00)

SECTION 29
H95-STATE MUSEUM COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	102,247	102,247
	(1.00)	(1.00)
CLASSIFIED POSITIONS	155,587	154,891
	(6.00)	(6.00)
OTHER PERSONAL SRVCS	22,715	
TOTAL PERSONAL SERVICE	280,549	257,138
	(7.00)	(7.00)
OTHER OPER EXPENSES	2,364,675	1,483,831
TOTAL ADMINISTRATION	2,645,224	1,740,969
	(7.00)	(7.00)
II. PROGRAMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,148,783	1,007,875
	(28.00)	(25.00)
NEW POSITIONS		
<i>PROGRAM COORDINATOR I</i>	35,000	*35,000
	(1.00)	(1.00)
<i>PROGRAM COORDINATOR II</i>	40,000	*40,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	440,895	
TOTAL PERSONAL SERVICE	1,664,678	1,082,875
	(30.00)	(27.00)

* See note at end of Act.

STATUTES AT LARGE
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H95-STATE MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	1,491,950	151,000
TOTAL PROGRAMS	3,156,628 (30.00)	1,233,875 (27.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	625,651	452,659
TOTAL FRINGE BENEFITS	625,651	452,659
TOTAL EMPLOYEE BENEFITS	3,782,279 (30.00)	1,686,534 (27.00)
STATE MUSEUM COMMISSION		
TOTAL FUNDS AVAILABLE	6,427,503	3,427,503
TOTAL AUTH FTE POSITIONS	(37.00)	(34.00)

SECTION 30
H96-CONFEDERATE RELIC ROOM &
MILITARY MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. CONFEDERATE RELIC ROOM & MUSEUM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	230,091 (7.00)	230,091 (7.00)
UNCLASSIFIED POSITIONS	80,185 (1.00)	80,185 (1.00)
OTHER PERSONAL SRVCS	25,000	25,000
TOTAL PERSONAL SERVICE	335,276 (8.00)	335,276 (8.00)
OTHER OPER EXPENSES	769,252	350,000
SPECIAL ITEMS		
SOUTHERN MARI COLLECT	25,000	25,000
TOTAL SPECIAL ITEMS	25,000	25,000

OF SOUTH CAROLINA
General and Permanent Laws--2015
H96-CONFEDERATE RELIC ROOM &
MILITARY MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CONFEDERATE RELIC ROOM & MUSEUM	1,129,528 (8.00)	710,276 (8.00)
<hr/>		
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	113,899	113,899
TOTAL FRINGE BENEFITS	113,899	113,899
<hr/>		
TOTAL EMPLOYEE BENEFITS	113,899	113,899
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CONFEDERATE RELIC ROOM & MILITARY MUSEUM COMM		
TOTAL FUNDS AVAILABLE	1,243,427	824,175
TOTAL AUTH FTE POSITIONS	(8.00)	(8.00)
<hr/>		

SECTION 32
H73-VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	144,910 (1.00)	144,910 (1.00)
CLASSIFIED POSITIONS	3,601,198 (69.00)	1,076,850 (15.80)
UNCLASSIFIED POSITIONS	100,861 (1.00)	14,494 (.24)
OTHER PERSONAL SRVCS	439,275	15,000
TOTAL PERSONAL SERVICE	4,286,244 (71.00)	1,251,254 (17.04)
OTHER OPER EXPENSES	2,250,000	
<hr/>		
TOTAL ADMINISTRATION	6,536,244 (71.00)	1,251,254 (17.04)
<hr/>		

STATUTES AT LARGE
General and Permanent Laws--2015
H73-VOCATIONAL REHABILITATION

	TOTAL FUNDS	GENERAL FUNDS
II. VOCATIONAL REHAB. PROG		
A. BASIC SERVICE PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	32,743,805	7,766,937
	(781.26)	(171.43)
NEW POSITIONS		
<i>HUMAN SRVCS COORDINATOR I</i>	427,519	156,389
	(12.23)	(4.39)
<i>HUMAN SRVCS SPECIALIST I</i>	22,458	
	(.76)	
<i>HUMAN SRVCS SPECIALIST II</i>	94,601	
	(2.28)	
<i>OCC THERAPIST II</i>	38,000	
	(.76)	
<i>PROGRAM COORDINATOR II</i>	73,767	
	(1.52)	
<i>ADMINISTRATIVE ASSISTANT</i>	26,980	
	(.76)	
OTHER PERSONAL SRVCS	4,035,000	85,000
TOTAL PERSONAL SERVICE	37,462,130	8,008,326
	(799.57)	(175.82)
OTHER OPER EXPENSES	12,491,177	139,773
CASE SRVCS		
CASE SRVCS	10,943,948	1,162,348
TOTAL CASE SRVC/PUB ASST	10,943,948	1,162,348
TOTAL BASIC SERVICE PROG	60,897,255	9,310,447
	(799.57)	(175.82)
B. SPECIAL PROJECTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	285,615	
	(16.50)	
OTHER PERSONAL SRVCS	373,000	
TOTAL PERSONAL SERVICE	658,615	
	(16.50)	
OTHER OPER EXPENSES	598,672	66,557

OF SOUTH CAROLINA
General and Permanent Laws--2015
H73-VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SRVCS		
CASE SRVCS	261,889	
TOTAL CASE SRVC/PUB ASST	261,889	
TOTAL SPECIAL PROJECTS	1,519,176	66,557
	(16.50)	
<hr style="border-top: 3px double #000;"/>		
C. WORKSHOP PRODUCTION		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	21,000,000	
TOT WORKSHOP PRODUCT	21,000,000	
<hr style="border-top: 3px double #000;"/>		
TOT VOCATION REHAB PGM	83,416,431	9,377,004
	(816.07)	(175.82)
<hr style="border-top: 3px double #000;"/>		
III. DISABILITY DETERMIN		
SERV		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,534,009	
	(369.51)	
UNCLASSIFIED POSITIONS	1,504,991	
	(16.00)	
OTHER PERSONAL SRVCS	2,036,000	
TOTAL PERSONAL SERVICE	24,075,000	
	(385.51)	
OTHER OPER EXPENSES	5,814,284	
CASE SRVCS		
CASE SRVCS	15,796,913	
TOTAL CASE SRVC/PUB ASST	15,796,913	
<hr style="border-top: 3px double #000;"/>		
TOTAL DISABILITY DETERM		
DIV	45,686,197	
	(385.51)	
<hr style="border-top: 3px double #000;"/>		
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	22,752,344	4,057,219
TOTAL FRINGE BENEFITS	22,752,344	4,057,219
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STATUTES AT LARGE
General and Permanent Laws--2015
H73-VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	22,752,344	4,057,219
VOCATIONAL REHABILITATION		
TOTAL FUNDS AVAILABLE	158,391,216	14,685,477
TOTAL AUTH FTE POSITIONS	(1,272.58)	(192.86)

SECTION 33

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	154,879	61,721
	(1.00)	(.40)
CLASSIFIED POSITIONS	9,030,298	3,865,340
	(112.00)	(53.32)
UNCLASSIFIED POSITIONS	353,297	151,144
	(5.00)	(1.84)
TOTAL PERSONAL SERVICE	9,538,474	4,078,205
	(118.00)	(55.56)
OTHER OPER EXPENSES	32,040,872	12,890,890
TOTAL ADMINISTRATION	41,579,346	16,969,095
	(118.00)	(55.56)
II. PROGRAM AND SRVCS		
A. HEALTH SRVCS		
1. MEDICAL ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,970,141	6,865,652
	(469.11)	(171.18)
OTHER PERSONAL SRVCS	1,430,643	
TOTAL PERSONAL SERVICE	22,400,784	6,865,652
	(469.11)	(171.18)
OTHER OPER EXPENSES	19,965,450	3,719,275

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT MEDICAL ADMIN	42,366,234 (469.11)	10,584,927 (171.18)
2. MEDICAL CONTRACTS		
OTHER OPER EXPENSES		
A. PROVIDER SUPPORT	110,118,526	5,804,989
B. NURS HOME CONTRACTS	5,310,149	992,906
C. CLTC CONTRACTS	4,760,040	970,018
D. ELIGIBILITY CONTRACTS	26,971,220	5,991,311
E. MMIS - MED MGMT INFO	103,625,655	19,304,807
I. TELEMEDICINE	2,000,000	2,000,000
TOTAL MEDICAL CONTRACTS	<u>252,785,590</u>	<u>35,064,031</u>
3. MEDICAL ASSIST PAYMENT		
CASE SRVCS		
A. HOSPITAL SRVCS	498,422,994	39,997,942
B. NURSING HOME SRVCS	558,675,837	132,634,373
D. PHARMACEUTICAL		
SRVCS	72,527,229	18,084,860
E. PHYSICIAN SRVCS	89,240,781	22,340,228
F. DENTAL SRVCS	154,492,726	38,960,456
G. CLTC-COMMUNITY		
LONG-TERM CARE	151,788,478	41,665,511
I. HOME HEALTH SRVCS	12,992,989	3,772,839
J. EPSDT SRVCS	2,823,379	819,839
K. MEDICAL		
PROFESSIONAL SRVCS	20,691,967	6,008,430
L. TRANSPORTATION		
SRVCS	95,905,759	27,848,634
M. LAB & X-RAY SRVCS	12,787,691	3,713,226
N. FAMILY PLANNING	62,825,713	6,942,839
O. PREMIUMS MATCHED	180,000,000	52,267,500
P. PREMIUMS 100% STATE	17,381,975	17,381,975
Q. HOSPICE	14,733,783	4,278,322
R. OPTIONAL STATE		
SUPPLEMENT	22,607,703	22,607,703
S. OSCAP	10,695,773	10,695,773
T. CLINICAL SRVCS	36,858,789	9,250,996

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
U. DURABLE MEDICAL EQUIPMENT	23,763,350	6,900,283
V. COORDINATED CARE	2,919,593,632	447,122,236
W. PACE	17,057,506	4,953,073
X. CHILDREN'S COMMUNITY CARE	19,907,516	5,780,645
Y. MMA PHASED DOWN CONTRIBS	80,237,248	78,737,248
Z. BEHAVIORAL HEALTH SRVCS	147,562,229	37,621,892
TOTAL CASE SRVC/PUB ASST	<u>5,223,575,047</u>	<u>1,040,386,823</u>
TOTAL MEDICAL ASSISTANCE PAYMENT	<u>5,223,575,047</u>	<u>1,040,386,823</u>
4. ASSISTANCE PAYMENTS-STATE AGENCIES		
A. MENTAL HEALTH	125,774,007	
B. DISABILITIES & SPECIAL NEEDS	597,762,223	251,764
C. DHEC	7,390,368	
D. MUSC	43,348,419	225,086
E. USC	7,150,176	
K. DEPT. OF EDUCATION	51,693,998	
TOT CASE SRVC/PUB ASST	<u>833,119,191</u>	<u>476,850</u>
TOTAL ASSIST PAYMENTS - STATE AGENCIES	<u>833,119,191</u>	<u>476,850</u>
6. OTHER ENTITIES ASSIST PAYMENTS		
C. OTHER ENTITIES FUNDING	35,855,745	
F. DISPROPORTION SHARE	550,002,538	18,628,621
TOT CASE SRVC/PUB ASST	<u>585,858,283</u>	<u>18,628,621</u>
TOTAL OTHER ENTITIES ASSISTANCE PAYMENTS	<u>585,858,283</u>	<u>18,628,621</u>

J02-DEPT OF HEALTH AND HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
7. MEDICAID ELIGIBILITY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	16,238,632	6,007,773
	(471.89)	(188.04)
OTHER PERSONAL SRVCS	2,700,296	198,594
TOTAL PERSONAL SERVICE	18,938,928	6,206,367
	(471.89)	(188.04)
OTHER OPER EXPENSES	6,013,255	1,750,640
TOT MEDICAID ELIGIBILITY	24,952,183	7,957,007
	(471.89)	(188.04)
TOTAL HEALTH SRVCS	6,962,656,528	1,113,098,259
	(941.00)	(359.22)
TOT PROGRAM AND SRVCS	6,962,656,528	1,113,098,259
	(941.00)	(359.22)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	17,579,878	6,380,500
TOTAL FRINGE BENEFITS	17,579,878	6,380,500
TOTAL EMPLOYEE BENEFITS	17,579,878	6,380,500
DEPT OF HEALTH AND HUMAN SERVICES		
TOTAL FUNDS AVAILABLE	7,021,815,752	1,136,447,854
TOTAL AUTH FTE POSITIONS	(1,059.00)	(414.78)

SECTION 34

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	162,578	162,578
	(1.00)	(1.00)

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
CLASSIFIED POSITIONS	10,123,892	4,857,267
	(229.27)	(108.89)
UNCLASSIFIED POSITIONS	220,691	220,691
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	319,766	52,873
TOTAL PERSONAL SERVICE	10,826,927	5,293,409
	(233.27)	(112.89)
OTHER OPER EXPENSES	8,412,463	433,848
TOTAL ADMINISTRATION	19,239,390	5,727,257
	(233.27)	(112.89)
 II. PROGRAMS & SRVCS		
A. WATER QUALITY IMPROVE		
1. UNDRGRND STORAGE TANKS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,563,223	
	(37.39)	
OTHER PERSONAL SRVCS	45,244	
TOTAL PERSONAL SERVICE	1,608,467	
	(37.39)	
OTHER OPER EXPENSES	1,649,256	
TOT UNDERGROUND TANKS	3,257,723	
	(37.39)	
 A. WATER QUALITY IMPROVE		
2. WATER MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	10,221,302	2,266,031
	(431.77)	(128.78)
UNCLASSIFIED POSITIONS	131,031	131,031
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	352,547	21,105
TOTAL PERSONAL SERVICE	10,704,880	2,418,167
	(432.77)	(129.78)
OTHER OPER EXPENSES	7,717,398	1,913,277

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
AID TO SUBDIV:		
ALLOC MUN-RESTRICTED	708,582	
ALLOC CNTY-RESTRICTED	1,143,853	
ALLOC OTHER ST AGENCIES	91,988	
ALLOC OTHER ENTITIES	2,106,868	
ALLOC PLANNING DIST	55,654	
TOTAL DIST SUBDIV	<u>4,106,945</u>	
TOT WATER MANAGEMENT	22,529,223	4,331,444
	(432.77)	(129.78)
A. WATER QUALITY IMPROVE		
3. ENVIRONMENTAL HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	22,847,190	12,643,573
	(141.97)	(92.61)
OTHER PERSONAL SRVCS	817,850	190,463
TOTAL PERSONAL SERVICE	<u>23,665,040</u>	<u>12,834,036</u>
	(141.97)	(92.61)
OTHER OPER EXPENSES	10,315,556	4,174,718
TOT ENVIRONMENTAL HLTH	<u>33,980,596</u>	<u>17,008,754</u>
	(141.97)	(92.61)
TOTAL WATER QUALITY IMPROVEMENT	<u>59,767,542</u>	<u>21,340,198</u>
	(612.13)	(222.39)
B.COASTAL RESOURCE IMPROVEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,520,127	701,770
	(55.35)	(16.64)
UNCLASSIFIED POSITIONS	(1.00)	(1.00)
OTHER PERSONAL SRVCS	<u>67,319</u>	
TOTAL PERSONAL SERVICE	2,587,446	701,770
	(56.35)	(17.64)
OTHER OPER EXPENSES	<u>3,030,396</u>	<u>163,974</u>

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
TOTAL COASTAL RESOURCE IMPROVEMENT	5,617,842 (56.35)	865,744 (17.64)
<hr/>		
C. AIR QUALITY IMPROVE PERSONAL SERVICE		
CLASSIFIED POSITIONS	8,654,674 (210.62)	1,982,175 (21.33)
OTHER PERSONAL SRVCS	157,039	90,125
TOTAL PERSONAL SERVICE	8,811,713 (210.62)	2,072,300 (21.33)
OTHER OPER EXPENSES	3,431,863	380,046
AID TO SUBDIV:		
ALLOC OTHER ST AGENCIES	211,015	
ALLOC OTHER ENTITIES	1,603,144	
ALLOC MUN-RESTRICTED	234,872	
ALLOC CNTY-RESTRICTED	299,797	
ALLOC SCHOOL DIST	71,710	
TOTAL DIST SUBDIV	2,420,538	
TOT AIR QUAL IMPRVMT	14,664,114 (210.62)	2,452,346 (21.33)
<hr/>		
D. LAND & WASTE MGMT PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,472,343 (279.17)	931,401 (45.27)
OTHER PERSONAL SRVCS	205,785	20,030
TOTAL PERSONAL SERVICE	7,678,128 (279.17)	951,431 (45.27)
OTHER OPER EXPENSES	9,422,408	749,870
AID TO SUBDIV:		
ALLOC MUN-RESTRICTED	444,833	
ALLOC CNTY-RESTRICTED	4,968,797	
ALLOC SCHOOL DIST	528,487	
ALLOC OTHER ST AGENCIES	95,000	
ALLOC OTHER ENTITIES	1,304,617	
ALLOC-PRIVATE SECTOR	1,828,660	
AID TO OTHER ENTITIES	3,981,000	3,981,000

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC PLANNING DIST	824,724	
TOTAL DIST SUBDIV	13,976,118	3,981,000
TOT LAND & WASTE MGMT	31,076,654	5,682,301
	(279.17)	(45.27)
<hr/>		
E. FAMILY HEALTH		
1. INFECTIOUS DISEASE PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,681,185	4,272,382
	(274.21)	(143.55)
OTHER PERSONAL SRVCS	2,421,172	1,223,382
TOTAL PERSONAL SERVICE	14,102,357	5,495,764
	(274.21)	(143.55)
OTHER OPER EXPENSES	17,579,659	3,927,794
SPECIAL ITEMS:		
PALMETTO AIDS LIFE SUPP	50,000	50,000
TOTAL SPECIAL ITEMS	50,000	50,000
PUBLIC ASSISTANCE:		
CASE SRVCS	22,712,783	5,926,080
TOTAL CASE SRVC/PUB ASST	22,712,783	5,926,080
AID TO SUBDIV:		
ALLOC CNTY-RESTRICTED	5,000	
ALLOC OTHER ST AGENCIES	8,350,886	
ALLOC OTHER ENTITIES	15,396,414	
TOTAL DIST SUBDIV	23,752,300	
TOT INFECTIOUS DISEASE PREVENTION	78,197,099	15,399,638
	(274.21)	(143.55)
<hr/>		
E. FAMILY HEALTH		
2. MATERNAL/INFANT HLTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	26,101,430	1,350,254
	(429.58)	(26.31)
OTHER PERSONAL SRVCS	1,191,281	30,520

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	27,292,711	1,380,774
	(429.58)	(26.31)
OTHER OPER EXPENSES	16,517,812	208,147
SPECIAL ITEMS:		
ABSTINENCE UNTIL		
MARRIAGE EMERGING PROG	100,000	100,000
CONTINUATION TEEN		
PREGNANCY PREVENTION	546,972	546,972
NEWBORN HEARING SCREEN	421,750	421,750
	1,068,722	1,068,722
TOTAL SPECIAL ITEMS		
PUBLIC ASSISTANCE:		
CASE SRVCS	105,192,658	497,209
	105,192,658	497,209
TOTAL CASE SRVC/PUB ASST		
AID TO SUBDIV:		
ALLOC OTHER ST AGENCIES	793,527	
ALLOC OTHER ENTITIES	2,251,564	
	3,045,091	
TOTAL DIST SUBDIV		
TOT MATERN/INFANT HLTH	153,116,994	3,154,852
	(429.58)	(26.31)
	153,116,564	3,154,825
E. FAMILY HEALTH		
3. CHRONIC DISEASE		
PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,125,859	645,557
	(38.29)	(19.09)
OTHER PERSONAL SRVCS	502,081	42,504
	3,627,940	688,061
TOTAL PERSONAL SERVICE		
	(38.29)	(19.09)
OTHER OPER EXPENSES	10,457,182	387,666
SPECIAL ITEMS:		
YOUTH SMOKING PREVENT		
SMOKING PREVENT TRUST	592,738	
	8,800,000	
	9,392,738	
TOTAL SPECIAL ITEMS		
PUBLIC ASSISTANCE:		
CASE SRVCS	3,338,210	
	3,338,210	

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CASE SRVC/PUB ASST	3,338,210	
AID TO SUBDIV:		
ALLOC OTHER ST AGENCIES	2,116,038	
ALLOC OTHER ENTITIES	3,984,977	
	<hr/>	
TOTAL DIST SUBDIV	6,101,015	
	<hr/>	
TOT CHRONIC DISEASE PREVENTION	32,917,085	1,075,727
	(38.29)	(19.09)
	<hr/> <hr/>	<hr/> <hr/>
E. FAMILY HEALTH		
4. ACCESS TO CARE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	23,057,168	13,673,703
	(829.08)	(453.12)
UNCLASSIFIED POSITIONS	164,817	164,817
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	4,570,570	178,304
	<hr/>	<hr/>
TOTAL PERSONAL SERVICE	27,792,555	14,016,824
	(830.08)	(454.12)
OTHER OPER EXPENSES	17,047,987	4,624,882
PUBLIC ASSISTANCE:		
CASE SRVCS	426,224	3,608
	<hr/>	<hr/>
TOT CASE SRVC/PUB ASST AID TO SUBDIV:	426,224	3,608
ALLOC CNTY-RESTRICTED	30,000	
ALLOC CNTY-RESTRICTED	243,320	
ALLOC OTHER ST AGENCIES	534,241	
ALLOC OTHER ENTITIES	4,262,656	1,238
	<hr/>	<hr/>
TOTAL DIST SUBDIV	5,070,217	1,238
	<hr/>	<hr/>
TOTAL ACCESS TO CARE	50,336,983	18,646,552
	(830.08)	(454.12)
	<hr/> <hr/>	<hr/> <hr/>
E. FAMILY HEALTH		
5. DRUG CONTROL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,565,000	
	(35.89)	

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	70,000	
TOTAL PERSONAL SERVICE	1,635,000	
	(35.89)	
OTHER OPER EXPENSES	1,016,183	
TOTAL DRUG CONTROL	2,651,183	
	(35.89)	
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E. FAMILY HEALTH		
6. RAPE VIOLENCE PREVENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	69,865	
TOTAL PERSONAL SERVICE	69,865	
OTHER OPER EXPENSES	213,328	
PUBLIC ASSISTANCE:		
CASE SRVCS	1,348,114	1,348,114
TOT CASE SRVC/PUB ASST	1,348,114	1,348,114
AID TO SUBDIV:		
ALLOC OTHER ENTITIES	714,092	
AID TO OTHER ENTITIES	8,575	8,575
TOTAL DIST SUBDIV	722,667	8,575
TOTAL RAPE VIOLENCE		
PREVENTION	2,353,974	1,356,689
<hr style="border-top: 1px dashed black;"/>		
E. FAMILY HEALTH		
7. INDEPENDENT LIVING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	19,568,996	962,939
	(179.59)	(3.34)
OTHER PERSONAL SRVCS	4,852,984	2,034
TOT PERSONAL SERVICE	24,421,980	964,973
	(179.59)	(3.34)
OTHER OPER EXPENSES	5,371,109	827,201
SPECIAL ITEMS:		
SICKLE CELL PROF.		
EDUCATION	100,000	100,000
TOTAL SPECIAL ITEMS	100,000	100,000

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PUBLIC ASSISTANCE:		
CASE SRVCS	9,626,491	3,560,391
TOT CASE SRVC/PUB ASST	9,626,491	3,560,391
AID TO SUBDIV:		
TOT INDEPENDENT LIVING	39,519,580	5,452,565
	(179.59)	(3.34)
TOTAL FAMILY HEALTH	359,092,898	45,086,023
	(1,787.64)	(646.41)
F. HEALTH CARE STANDARDS		
1. RADIOLOGICAL MONITORING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,300,657	730,320
	(26.95)	(9.86)
OTHER PERSONAL SRVCS	28,000	10,000
TOTAL PERSONAL SERVICE	1,328,657	740,320
	(26.95)	(9.86)
OTHER OPER EXPENSES	687,282	121,171
TOTAL RADIOLOGICAL		
MONITORING	2,015,939	861,491
	(26.95)	(9.86)
F. HEALTH CARE STANDARDS		
2. FACIL/SVC DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	828,000	828,000
	(9.74)	(6.83)
UNCLASSIFIED POSITIONS		
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	10,000	10,000
TOTAL PERSONAL SERVICE	838,000	838,000
	(10.74)	(7.83)
OTHER OPER EXPENSES	621,894	604,571
TOT FACILITY & SRVC DEVEL	1,459,894	1,442,571
	(10.74)	(7.83)

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
F. HEALTH CARE STANDARDS		
3. FACILITY LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,954,267	1,452,547
	(46.60)	(28.61)
UNCLASSIFIED POSITIONS		
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	75,961	23,000
TOTAL PERSONAL SERVICE	2,030,228	1,475,547
	(47.60)	(29.61)
OTHER OPER EXPENSES	903,557	189,419
TOTAL FACILITY LICENSING	2,933,785	1,664,966
	(47.60)	(29.61)
=====		
F. HEALTH CARE STANDARDS		
4. CERTIFICATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,019,867	
	(71.25)	
OTHER PERSONAL SRVCS	80,395	
TOTAL PERSONAL SERVICE	3,100,262	
	(71.25)	
OTHER OPER EXPENSES	1,645,158	
TOTAL CERTIFICATION	4,745,420	
	(71.25)	
=====		
F. HEALTH CARE STANDARDS		
5. EMERGENCY MEDICAL		
SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	660,880	605,000
	(11.76)	(8.71)
OTHER PERSONAL SRVCS	51,500	50,000
TOTAL PERSONAL SERVICE	712,380	655,000
	(11.76)	(8.71)
OTHER OPER EXPENSES	872,254	291,653

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SPECIAL ITEMS:		
TRAUMA CENTER FUND	2,656,240	2,268,886
TOTAL SPECIAL ITEMS	2,656,240	2,268,886
AID TO SUBDIV:		
AID CNTY-RESTRICTED	536,382	536,382
AID EMS-REGION COUNCILS	164,579	164,579
TOTAL DIST SUBDIV	700,961	700,961
TOTAL E.M.S.	4,941,835	3,916,500
	(11.76)	(8.71)
TOT HLTH CARE STANDARDS	16,096,873	7,885,528
	(168.30)	(56.01)
G. HEALTH SURVEILLANCE SUPPORT		
1. HEALTH LAB		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,603,983	852,188
	(77.63)	(25.49)
OTHER PERSONAL SRVCS	484,848	10,000
TOTAL PERSONAL SERVICE	4,088,831	862,188
	(77.63)	(25.49)
OTHER OPER EXPENSES	10,309,853	221,206
TOTAL HEALTH LAB	14,398,684	1,083,394
	(77.63)	(25.49)
G. HEALTH SURVEILLANCE SUPPORT		
2. VITAL RECORDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,682,939	79,527
	(61.33)	(2.65)
OTHER PERSONAL SRVCS	945,265	
TOTAL PERSONAL SERVICE	3,628,204	79,527
	(61.33)	(2.65)
OTHER OPER EXPENSES	7,140,309	54,198

J04-DEPT OF HEALTH AND ENVIRONMENTAL CONTROL

	TOTAL FUNDS	GENERAL FUNDS
TOTAL VITAL RECORDS	10,768,513 (61.33)	133,725 (2.65)
<hr/>		
TOT HLTH SURVEILLANCE SUPPORT	25,167,197 (138.96)	1,217,119 (28.14)
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TOT PROGRAMS AND SRVCS	511,483,120 (3,253.17)	84,529,259 (1,037.19)
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	63,178,349	16,604,411
TOTAL FRINGE BENEFITS	63,178,349	16,604,411
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TOTAL EMPLOYEE BENEFITS	63,178,349	16,604,411
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DEPT OF HEALTH AND ENVIRONMENTAL CONTROL		
TOTAL FUNDS AVAILABLE	593,900,859	106,860,927
TOTAL AUTH FTE POSITIONS	(3,486.44)	(1,150.08)
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SECTION 35
J12-DEPT OF MENTAL HEALTH

	TOTAL FUNDS	GENERAL FUNDS
I. GENERAL ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	191,695 (1.00)	191,695 (1.00)
CLASSIFIED POSITIONS	2,656,656 (43.00)	2,518,961 (43.00)
UNCLASSIFIED POSITIONS	407,221 (3.50)	347,063 (3.50)
OTHER PERSONAL SRVCS	41,484	36,377
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	3,297,056	3,094,096
	(47.50)	(47.50)
OTHER OPER EXPENSES	931,008	336,424
CASE SRVCS		
CASE SRVCS	30,074	
TOT CASE SRVC/PUB ASST	<u>30,074</u>	
TOT GENERAL ADMIN	4,258,138	3,430,520
	(47.50)	(47.50)
II. PROGRAMS & SRVCS		
A. COMMUNITY MENTAL HEALTH		
1. MENTAL HEALTH CENTERS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	75,961,213	40,318,973
	(2,073.89)	(1,108.62)
UNCLASSIFIED POSITIONS	13,049,819	6,372,971
	(107.39)	(61.37)
OTHER PERSONAL SRVCS	4,439,301	1,626,196
TOTAL PERSONAL SERVICE	93,450,333	48,318,140
	(2,181.28)	(1,169.99)
OTHER OPER EXPENSES	37,431,120	3,995,398
CASE SRVCS		
CASE SRVCS	11,772,881	4,983,377
TOTAL CASE SRVC/PUB ASST	<u>11,772,881</u>	<u>4,983,377</u>
TOT MENTAL HLTH CNTRS	142,654,334	57,296,915
	(2,181.28)	(1,169.99)
2. PROJECTS & GRANTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,799,815	685,029
	(14.00)	(8.00)
UNCLASSIFIED POSITIONS	951,845	546,892
	(10.20)	(8.20)
OTHER PERSONAL SRVCS	283,407	66,200
TOT PERSONAL SERVICE	3,035,067	1,298,121
	(24.20)	(16.20)
OTHER OPER EXPENSES	7,452,372	2,467,459

STATUTES AT LARGE
General and Permanent Laws--2015
J12-DEPT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SRVCS		
CASE SRVCS	605,356	605,356
TOTAL CASE SRVC/PUB ASST	605,356	605,356
SPECIAL ITEMS:		
S.C. SHARE	250,000	
ALLIANCE FOR THE MENTALLY ILL	50,000	
TOTAL SPECIAL ITEMS	300,000	
DIST SUBDIV		
ALLOC-PRIVATE SECTOR	866,577	
TOTAL DIST SUBDIV	866,577	
TOT PROJECTS & GRANTS	12,259,372	4,370,936
	(24.20)	(16.20)
TOT COMMUN MENT HLTH	154,913,706	61,667,851
	(2,205.48)	(1,186.19)
B. INPATIENT BEHAV HEALTH		
1. PSYCHIATRIC REHAB		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,337,352	894,869
	(62.26)	(61.20)
UNCLASSIFIED POSITIONS	675,525	353,500
	(4.00)	(2.00)
OTHER PERSONAL SRVCS	158,863	13,898
TOTAL PERSONAL SERVICE	2,171,740	1,262,267
	(66.26)	(63.20)
OTHER OPER EXPENSES	398,403	344,969
CASE SRVCS		
CASE SRVCS	20,793	20,793
TOT CASE SRVC/PUB ASST	20,793	20,793
TOTAL PSYCHIATRIC REHABILITATION	2,590,936	1,628,029
	(66.26)	(63.20)

	TOTAL FUNDS	GENERAL FUNDS
2. BRYAN PSYCHIATRIC HOSP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	15,825,653	9,394,098
	(464.32)	(306.43)
UNCLASSIFIED POSITIONS	3,232,831	893,056
	(28.05)	(15.21)
OTHER PERSONAL SRVCS	3,185,340	658,178
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TOTAL PERSONAL SERVICE	22,243,824	10,945,332
	(492.37)	(321.64)
OTHER OPER EXPENSES	13,310,151	1,552,954
CASE SRVCS		
CASE SRVCS	17,300,651	6,705,372
<hr/>		
TOT CASE SRVC/PUB ASST	17,300,651	6,705,372
<hr/>		
TOT BRYAN PSYCHIATRIC HOSPITAL	52,854,626	19,203,658
	(492.37)	(321.64)
<hr/> <hr/>		
3. HALL PSYCHIATRIC INST		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,230,156	4,191,373
	(252.36)	(122.34)
UNCLASSIFIED POSITIONS	600,990	22,920
	(9.47)	(6.47)
OTHER PERSONAL SRVCS	1,958,151	266,827
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TOTAL PERSONAL SERVICE	11,789,297	4,481,120
	(261.83)	(128.81)
OTHER OPER EXPENSES	3,837,773	1,286,038
CASE SRVCS		
CASE SRVCS	46,534	
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TOT CASE SRVC/PUB ASST	46,534	
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TOTAL HALL PSYCHIATRIC INSTITUTE	15,673,604	5,767,158
	(261.83)	(128.81)
<hr/> <hr/>		
4. MORRIS VILLAGE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,646,148	5,550,414
	(167.93)	(146.98)

STATUTES AT LARGE
General and Permanent Laws--2015
J12-DEPT OF MENTAL HEALTH

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	506,213	180,783
	(5.48)	(4.48)
OTHER PERSONAL SRVCS	1,176,507	898,507
<hr/>		
TOTAL PERSONAL SERVICE	8,328,868	6,629,704
	(173.41)	(151.46)
OTHER OPER EXPENSES	2,128,843	
CASE SRVCS		
CASE SRVCS	55,250	
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TOT CASE SRVC/PUB ASST	55,250	
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TOTAL MORRIS VILLAGE	10,512,961	6,629,704
	(173.41)	(151.46)
<hr/> <hr/>		
5. HARRIS PSYCHIATRIC HOSP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,683,318	5,370,438
	(337.55)	(212.55)
UNCLASSIFIED POSITIONS	2,566,267	247,865
	(16.49)	(6.60)
OTHER PERSONAL SRVCS	768,339	430,000
<hr/>		
TOTAL PERSONAL SERVICE	13,017,924	6,048,303
	(354.04)	(219.15)
OTHER OPER EXPENSES	4,270,227	788,351
CASE SRVCS		
CASE SRVCS	1,313,965	559,971
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TOT CASE SRVC/PUB ASST	1,313,965	559,971
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TOT HARRIS PSYCHIATRIC HOSPITAL	18,602,116	7,396,625
	(354.04)	(219.15)
<hr/> <hr/>		
TOT INPATIENT BEHAV HEALTH	100,234,243	40,625,174
	(1,347.91)	(884.26)
<hr/> <hr/>		
C. TUCKER/DOWDY-GARDNER NURSING PERSONAL SERVICE		

	TOTAL FUNDS	GENERAL FUNDS
CLASSIFIED POSITIONS	9,332,504	3,840,432
	(327.85)	(119.67)
UNCLASSIFIED POSITIONS	333,521	133,521
	(12.88)	(4.88)
OTHER PERSONAL SRVCS	1,908,483	270,359
TOTAL PERSONAL SERVICE	11,574,508	4,244,312
	(340.73)	(124.55)
OTHER OPER EXPENSES	5,678,009	443,431
CASE SRVCS		
CASE SRVCS	236,653	
TOT CASE SRVC/PUB ASST	236,653	
TOTAL TUCKER/DOWDY- GARDNER NURSING	17,489,170	4,687,743
	(340.73)	(124.55)
 D. SUPPORT SRVCS		
1. ADMINISTRATIVE SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	12,336,683	12,108,560
	(335.18)	(321.43)
UNCLASSIFIED POSITIONS	216,564	199,822
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	809,276	782,276
TOTAL PERSONAL SERVICE	13,362,523	13,090,658
	(339.18)	(325.43)
OTHER OPER EXPENSES	14,359,950	7,565,837
CASE SRVCS		
CASE SRVCS	105,000	
TOT CASE SRVC/PUB ASST	105,000	
TOT ADMIN SRVCS	27,827,473	20,656,495
	(339.18)	(325.43)
 2. PUBLIC SAFETY DIVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,441,551	1,115,116
	(35.00)	(25.00)
OTHER PERSONAL SRVCS	97,755	83,955

STATUTES AT LARGE
General and Permanent Laws--2015
J12-DEPT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,539,306	1,199,071
	(35.00)	(25.00)
OTHER OPER EXPENSES	562,363	230,305
TOT PUBLIC SAFETY DIV	2,101,669	1,429,376
	(35.00)	(25.00)
TOTAL SUPPORT SRVCS	29,929,142	22,085,871
	(374.18)	(350.43)
E. VETERANS SRVCS		
1. STONE PAVILION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,346,978	1,866,259
	(132.75)	(45.85)
UNCLASSIFIED POSITIONS	53,728	53,728
	(3.50)	(3.50)
OTHER PERSONAL SRVCS	558,234	272,805
TOTAL PERSONAL SERVICE	3,958,940	2,192,792
	(136.25)	(49.35)
OTHER OPER EXPENSES	3,363,310	1,617,529
CASE SRVCS		
CASE SRVCS	24,003	6,000
TOT CASE SRVC/PUB ASST	24,003	6,000
TOTAL STONE PAVILION	7,346,253	3,816,321
	(136.25)	(49.35)
2. CAMPBELL VETS HOME		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	192,463	
	(4.25)	(1.00)
OTHER PERSONAL SRVCS	4,518	
TOTAL PERSONAL SERVICE	196,981	
	(4.25)	(1.00)
OTHER OPER EXPENSES	1,699,026	708,273
CASE SRVCS		
CASE SRVCS	15,682,569	5,705,819
TOT CASE SRVC/PUB ASST	15,682,569	5,705,819

	TOTAL FUNDS	GENERAL FUNDS
TOT CAMPBELL VETS HOME	17,578,576	6,414,092
	(4.25)	(1.00)
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3. VETS' VICTORY HOUSE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	141,130	
	(2.50)	
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TOTAL PERSONAL SERVICE	141,130	
	(2.50)	
OTHER OPER EXPENSES	1,228,257	595,136
CASE SRVCS		
CASE SRVCS	15,815,744	6,315,744
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TOT CASE SRVC/PUB ASST	15,815,744	6,315,744
<hr/>		
TOT VETS VICTORY HOUSE	17,185,131	6,910,880
	(2.50)	
<hr/>		
TOTAL VETERANS SRVCS	42,109,960	17,141,293
	(143.00)	(50.35)
<hr/>		
F. SEXUAL PREDATOR TREAT		
PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	5,307,827	5,307,827
	(164.74)	(146.74)
UNCLASSIFIED POSITIONS	18,561	18,561
	(6.37)	(5.37)
OTHER PERSONAL SRVCS	1,496,270	1,496,270
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TOTAL PERSONAL SERVICE	6,822,658	6,822,658
	(171.11)	(152.11)
OTHER OPER EXPENSES	3,763,421	3,763,421
CASE SRVCS		
CASE SRVCS	1,808,895	1,808,895
<hr/>		
TOT CASE SRVC/PUB ASST	1,808,895	1,808,895
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TOT SEXUAL PREDATOR		
TREATMENT PROGRAM	12,394,974	12,394,974
	(171.11)	(152.11)
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STATUTES AT LARGE
General and Permanent Laws--2015
J12-DEPT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PROGRAM & SRVCS	357,071,195 (4,582.41)	158,602,906 (2,747.89)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	74,474,499	41,548,834
TOTAL FRINGE BENEFITS	74,474,499	41,548,834
TOTAL EMPLOYEE BENEFITS	74,474,499	41,548,834
DEPT OF MENTAL HEALTH		
TOTAL FUNDS AVAILABLE	435,803,832	203,582,260
TOTAL AUTH FTE POSITIONS	(4,629.91)	(2,795.39)

SECTION 36

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	155,000 (1.00)	155,000 (1.00)
CLASSIFIED POSITIONS	3,934,461 (84.00)	3,768,324 (81.00)
OTHER PERSONAL SRVCS	157,637	20,000
TOTAL PERSONAL SERVICE	4,247,098 (85.00)	3,943,324 (82.00)
OTHER OPER EXPENSES	3,031,871	
TOTAL ADMINISTRATION	7,278,969 (85.00)	3,943,324 (82.00)
II. PROGRAM & SRVCS		
A. PREVENTION PROGRAM		
OTHER OPER EXPENSES	257,098	
SPECIAL ITEMS:		
GREENWOOD GENETIC CNTR	9,968,376	3,434,300

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SPECIAL ITEMS	9,968,376	3,434,300
TOT PREVENTION PROG	<u>10,225,474</u>	<u>3,434,300</u>
B. INTELLECTUAL DISABIL		
FAMILY SUPPORT		
1. CHILDREN'S SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	118,872	118,872
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	118,872	118,872
	(2.00)	(2.00)
OTHER OPER EXPENSES	14,740,263	2,935,037
SPECIAL ITEM:		
BABYNET	9,312,500	3,725,000
TOTAL SPECIAL ITEMS	<u>9,312,500</u>	<u>3,725,000</u>
TOTAL CHILDREN'S SRVCS	24,171,635	6,778,909
	(2.00)	(2.00)
2. IN-HOME FAMILY SUPPORTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	172,756	172,756
	(3.00)	(3.00)
TOTAL PERSONAL SERVICE	172,756	172,756
	(3.00)	(3.00)
OTHER OPER EXPENSES	76,158,139	36,825,402
CASE SRVCS		
CASE SRVCS	10,000	
TOT CASE SRVC/PUB ASST	<u>10,000</u>	
TOT IN-HOME FAMILY SUPP	76,340,895	36,998,158
	(3.00)	(3.00)
3. ADULT DEV & SUPPORTED		
EMPLOYMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	40,286	40,286
	(1.00)	(1.00)

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	40,286	40,286
	(1.00)	(1.00)
OTHER OPER EXPENSES	64,355,121	15,139,344
TOTAL ADULT DEVELOP & SUPPORTED EMPLOYM	64,395,407	15,179,630
	(1.00)	(1.00)
4. SERVICE COORDINATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	325,749	325,749
	(6.00)	(6.00)
TOTAL PERSONAL SERVICE	325,749	325,749
	(6.00)	(6.00)
OTHER OPER EXPENSES	22,329,861	6,239,098
CASE SRVCS		
CASE SRVCS	52,000	2,000
TOT CASE SRVC/PUB ASST	52,000	2,000
TOT SERVICE COORD	22,707,610	6,566,847
	(6.00)	(6.00)
TOT INTELLECTUAL DISABIL FAMILY SUPPORT	187,615,547	65,523,544
	(12.00)	(12.00)
C. AUTISM FAMILY SUPPORT PROGRAM		
1. AUTISM FAMILY SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	519,896	519,896
	(14.00)	(14.00)
OTHER PERSONAL SRVCS	200	200
TOTAL PERSONAL SERVICE	520,096	520,096
	(14.00)	(14.00)
OTHER OPER EXPENSES	13,576,210	4,129,238
CASE SRVCS		
CASE SRVCS	17,000	

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT CASE SRVC/PUB ASST	17,000	
TOT AUTISM FAMILY SUPP SRVCS	14,113,306 (14.00)	4,649,334 (14.00)
<hr/>		
3. PERVASIVE DEVELOP DISORDER (PDD) PERSONAL SERVICE CLASSIFIED POSITIONS	95,880 (2.00)	95,880 (2.00)
TOTAL PERSONAL SERVICE	95,880 (2.00)	95,880 (2.00)
OTHER OPER EXPENSES	12,931,223	7,790,914
TOTAL PERVASIVE DEVELOP DISORDER (PDD)	13,027,103 (2.00)	7,886,794 (2.00)
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TOT AUTISM FAMILY SUPP PROGRAM	27,140,409 (16.00)	12,536,128 (16.00)
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D. HEAD & SPINAL CORD INJ FAMILY SUPP PERSONAL SERVICE CLASSIFIED POSITIONS	158,990 (2.00)	158,990 (2.00)
TOTAL PERSONAL SERVICE	158,990 (2.00)	158,990 (2.00)
OTHER OPER EXPENSES	25,587,997	7,422,163
CASE SRVCS CASE SRVCS	12,000	12,000
TOTAL CASE SRVC/PUB ASST	12,000	12,000
TOT HEAD & SPINAL CORD INJURY FAMILY SUPPO	25,758,987 (2.00)	7,593,153 (2.00)
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J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. INTELLECTUAL DISABIL		
COMM RESIDENTIA		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,294,988	2,110,472
	(39.00)	(36.00)
OTHER PERSONAL SRVCS	210,000	50,000
TOTAL PERSONAL SERVICE	2,504,988	2,160,472
	(39.00)	(36.00)
OTHER OPER EXPENSES	269,083,176	58,163,280
CASE SRVCS		
CASE SRVCS	14,863,063	900,800
TOTAL CASE SRVC/PUB ASST	14,863,063	900,800
TOT INTELLECTUAL DISABIL		
COMMUNITY RESI	286,451,227	61,224,552
	(39.00)	(36.00)
F. AUTISM COMMUNITY		
RESIDENTIAL PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,404,704	1,230,093
	(49.00)	(44.00)
OTHER PERSONAL SRVCS	299,696	166,312
TOTAL PERSONAL SERVICE	1,704,400	1,396,405
	(49.00)	(44.00)
OTHER OPER EXPENSES	21,820,184	3,927,592
CASE SRVCS		
CASE SRVCS	33,025	
TOT CASE SRVC/PUB ASST	33,025	
TOT AUTISM COMMUNITY		
RESIDENTIAL PROGRAM	23,557,609	5,323,997
	(49.00)	(44.00)
G. HEAD & SPINAL CORD INJ		
COMMUNITY RESID		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	3,040,532	958,763

J16-DEPT OF DISABILITIES AND SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL HEAD & SPINAL CORD INJURY COMMUNITY R	3,040,532	958,763
H. REGIONAL CENTER RESIDENTIAL PROGRAM PERSONAL SERVICE CLASSIFIED POSITIONS	48,677,121 (1,919.90)	34,703,374 (1,270.85)
OTHER PERSONAL SRVCS	4,458,773	1,836,989
TOTAL PERSONAL SERVICE	53,135,894 (1,919.90)	36,540,363 (1,270.85)
OTHER OPER EXPENSES	17,873,449	
CASE SRVCS CASE SRVCS	441,222	
TOTAL CASE SRVC/PUB ASST	441,222	
TOTAL REGIONAL CENTER RESIDENTIAL PROGRAM	71,450,565 (1,919.90)	36,540,363 (1,270.85)
TOTAL PROGRAM & SRVCS	635,240,350 (2,037.90)	193,134,800 (1,380.85)
III. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	28,368,232	21,558,745
TOTAL FRINGE BENEFITS	28,368,232	21,558,745
TOTAL EMPLOYEE BENEFITS	28,368,232	21,558,745
DEPT OF DISABILITIES AND SPECIAL NEEDS		
TOTAL FUNDS AVAILABLE	670,887,551	218,636,869
TOTAL AUTH FTE POSITIONS	(2,122.90)	(1,462.85)

SECTION 37

J20-DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	119,928	59,964
	(1.00)	(.50)
CLASSIFIED POSITIONS	90,551	31,888
	(2.00)	(.75)
TOTAL PERSONAL SERVICE	210,479	91,852
	(3.00)	(1.25)
OTHER OPER EXPENSES	27,863	14,863
TOTAL ADMINISTRATION	238,342	106,715
	(3.00)	(1.25)
II. FINANCE & OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	628,658	204,283
	(20.86)	(9.21)
OTHER PERSONAL SRVCS	101,459	
TOTAL PERSONAL SERVICE	730,117	204,283
	(20.86)	(9.21)
OTHER OPER EXPENSES	2,017,979	13,489
SPECIAL ITEMS		
STATE BLOCK GRANT	174,474	174,474
LOCAL SALARY SUPPLE	3,485,125	3,485,125
TOTAL SPECIAL ITEMS	3,659,599	3,659,599
DIST SUBDIV		
ALLOC CNTY-RESTRICTED	5,000	
ALLOC OTHER ST AGENCIES	300,132	
ALCOHOL AND DRUG TREAT	22,178,973	
ALCOHOL & DRUG MATCH FDS	974,796	
ALCOHOL & DRUG PREVENT	4,561,135	
AID OTHER STATE AGENCIES	1,915,902	1,915,902
ALCOHOL & DRUG TREAT	310,818	310,818
AID TO ENT-ALCO & DRUG		
MATCH FUNDS	100,166	100,166

J20-DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
AID TO ENTITIES - ALCO & DRUG PREVENTION	84,329	84,329
TOTAL DIST SUBDIV	<u>30,431,251</u>	<u>2,411,215</u>
TOT FINANCE & OPERS	36,838,946 (20.86)	6,288,586 (9.21)
III. SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	122,327 (2.00)	71,484 (.90)
OTHER PERSONAL SRVCS	<u>119,304</u>	
TOTAL PERSONAL SERVICE	241,631 (2.00)	71,484 (.90)
OTHER OPER EXPENSES	<u>28,596</u>	<u>4,500</u>
TOTAL SRVCS	<u>270,227</u> (2.00)	<u>75,984</u> (.90)
IV. PROGRAMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	398,462 (7.95)	10,312 (.10)
OTHER PERSONAL SRVCS	<u>793,418</u>	<u>10,763</u>
TOTAL PERSONAL SERVICE	1,191,880 (7.95)	21,075 (.10)
OTHER OPER EXPENSES	<u>800,930</u>	<u>5,000</u>
TOTAL PROGRAMS	<u>1,992,810</u> (7.95)	<u>26,075</u> (.10)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	<u>813,882</u>	<u>146,309</u>
TOTAL FRINGE BENEFITS	<u>813,882</u>	<u>146,309</u>
TOTAL EMPLOYEE BENEFITS	<u>813,882</u>	<u>146,309</u>

J20-DEPT OF ALCOHOL & OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VI. NON-RECURR APPRO DRUG TESTING & SCREEN FOR DSS	3,120,000	
TOTAL NON-RECURR APPRO.	3,120,000	
TOTAL NON-RECURRING	3,120,000	
DEPT OF ALCOHOL & OTHER DRUG ABUSE SRVCS		
TOTAL RECURRING BASE	40,154,207	6,643,669
TOTAL FUNDS AVAILABLE	43,274,207	6,643,669
TOTAL AUTH FTE POSITIONS	(33.81)	(11.46)

SECTION 38**L04-DEPARTMENT OF SOCIAL SERVICES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE OFFICE		
A. AGENCY ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	154,879	154,879
	(1.00)	(1.00)
CLASSIFIED POSITIONS	6,788,031	2,508,379
	(149.75)	(57.25)
NEW POSITIONS		
<i>HUMAN RESOURCE MANAGER I</i>	44,315	15,986
	(1.00)	(.35)
<i>HUMAN RESOURCES SPECIALIST</i>	63,551	22,926
	(2.00)	(.71)
<i>MEDIA RESOURCES SPECIALIST II</i>	26,139	9,219
	(1.00)	(.35)
<i>PROGRAM COORDINATOR I</i>	31,805	11,218
	(1.00)	(.35)
<i>PROGRAM COORDINATOR II</i>	38,703	13,651
	(1.00)	(.35)
<i>PROGRAM MANAGER I</i>	65,612	23,669
	(1.00)	(.35)

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
<i>PUBLIC INFO SPECIALIST</i>	31,805	11,218
	(1.00)	(.35)
UNCLASSIFIED POSITIONS	230,372	80,378
OTHER PERSONAL SRVCS	534,051	186,330
TOTAL PERSONAL SERVICE	8,009,263	3,037,853
	(158.75)	(61.06)
OTHER OPER EXPENSES	15,117,999	1,094,524
TOT AGENCY ADMIN	23,127,262	4,132,377
	(158.75)	(61.06)
B. INFO RESOURCE MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,200,187	1,227,958
	(76.00)	(24.57)
OTHER PERSONAL SRVCS	825,100	156,955
TOT PERSONAL SERVICE	5,025,287	1,384,913
	(76.00)	(24.57)
OTHER OPER EXPENSES	54,548,430	697,314
TOTAL INFO RESOURCE MANAGEMENT	59,573,717	2,082,227
	(76.00)	(24.57)
C. COUNTY OFFICE ADMIN		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,138,223	4,188,397
	(373.05)	(145.50)
UNCLASSIFIED POSITIONS	120,000	43,416
	(.99)	(.38)
OTHER PERSONAL SRVCS	51,839	18,757
TOTAL PERSONAL SERVICE	11,310,062	4,250,570
	(374.04)	(145.88)
OTHER OPER EXPENSES	2,130,585	770,845
PUBLIC ASSISTANCE		
CASE SRVCS	336,001	121,565
TOT CASE SRVC/PUB ASST	336,001	121,565

L04-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL COUNTY OFFICE		
ADMINISTRATION	13,776,648	5,142,980
	(374.04)	(145.88)
D. CNTY SUPP OF LOCAL DSS		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	61,321	
TOTAL PERSONAL SERVICE	61,321	
OTHER OPER EXPENSES	390,758	
PUBLIC ASSISTANCE:		
AID TO SUBDIV:		
ALLOC CNTY-UNRESTRICT	3,900,703	
TOTAL DIST SUBDIV	3,900,703	
TOTAL CNTY SUPPORT OF LOCAL DSS	4,352,782	
E. PROGRAM MANAGEMENT		
1. CHILDREN'S SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,323,696	659,735
	(57.00)	(13.68)
OTHER PERSONAL SRVCS	341,974	8,028
TOTAL PERSONAL SERVICE	2,665,670	667,763
	(57.00)	(13.68)
OTHER OPER EXPENSES	5,263,878	490,827
PUBLIC ASSISTANCE:		
CASE SRVCS	25,154,949	138,325
TOT CASE SRVC/PUB ASST	25,154,949	138,325
TOTAL CHILDREN'S SRVCS	33,084,497	1,296,915
	(57.00)	(13.68)
2. ADULT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	377,169	
	(9.00)	
TOTAL PERSONAL SERVICE	377,169	
	(9.00)	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	4,976,631	
TOTAL ADULT SRVCS	5,353,800	
	(9.00)	
=====		
3. FAMILY INDEPENDENCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	312,827	
	(8.00)	
OTHER PERSONAL SRVCS	986,228	
TOTAL PERSONAL SERVICE	1,299,055	
	(8.00)	
OTHER OPER EXPENSES	10,761,483	
PUBLIC ASSISTANCE:		
CASE SRVCS	73,610	
TOT CASE SRVC/PUB ASST	73,610	
TOT FAMILY INDEPENDENCE	12,134,148	
	(8.00)	
=====		
4. ECONOMIC SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,530,518	29,045
	(76.00)	(.78)
OTHER PERSONAL SRVCS	687,872	
TOTAL PERSONAL SERVICE	3,218,390	29,045
	(76.00)	(.78)
OTHER OPER EXPENSES	5,733,347	1,653,863
TOTAL ECONOMIC SRVCS	8,951,737	1,682,908
	(76.00)	(.78)
=====		
TOT PROG MANAGEMENT	59,524,182	2,979,823
	(150.00)	(14.46)
=====		
TOTAL STATE OFFICE	160,354,591	14,337,407
	(758.79)	(245.97)
=====		
II. PROGRAMS AND SRVCS		
A. CHILD PROTECTIVE SRVCS		
1. CASE MANAGEMENT		

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PERSONAL SERVICE		
CLASSIFIED POSITIONS	22,824,259	7,780,377
	(654.00)	(213.16)
NEW POSITIONS		
<i>HUMAN SRVCS COORDINATOR I</i>	299,158	83,465
	(6.00)	(1.65)
<i>HUMAN SRVCS SPECIALIST I</i>	1,347,592	686,031
	(67.00)	(31.90)
<i>HUMAN SRVCS SPECIALIST II</i>	6,888,972	2,062,940
	(177.00)	(49.02)
OTHER PERSONAL SRVCS	351,533	116,386
TOTAL PERSONAL SERVICE	31,711,514	10,729,199
	(904.00)	(295.73)
OTHER OPER EXPENSES	11,158,598	2,125,003
PUBLIC ASSISTANCE:		
CASE SRVCS	1,500	495
TOTAL CASE SRVC/PUB ASST	1,500	495
TOTAL CASE MANAGEMENT	42,871,612	12,854,697
	(904.00)	(295.73)
2. LEGAL REPRESENTATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,381,196	695,067
	(85.00)	(14.45)
NEW POSITIONS		
<i>ADMINISTRATIVE ASSISTANT</i>	56,100	17,586
	(2.00)	(.59)
<i>ATTORNEY IV</i>	154,276	48,362
	(2.00)	(.58)
OTHER PERSONAL SRVCS	40,873	8,003
TOTAL PERSONAL SERVICE	3,632,445	769,018
	(89.00)	(15.62)
OTHER OPER EXPENSES	1,766,580	296,444
TOT LEGAL REPRESENT	5,399,025	1,065,462
	(89.00)	(15.62)

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT CHILD PROTECT SRVCS	48,270,637 (993.00)	13,920,159 (311.35)
<hr/>		
B. FOSTER CARE		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	19,324,156 (558.21)	6,333,620 (236.56)
OTHER PERSONAL SRVCS	1,007,904	204,221
TOTAL PERSONAL SERVICE	20,332,060 (558.21)	6,537,841 (236.56)
OTHER OPER EXPENSES	3,375,728	728,196
PUBLIC ASSISTANCE:		
CASE SRVCS	16,925	3,649
TOT CASE SRVC/PUB ASST	16,925	3,649
TOTAL CASE MANAGEMENT	23,724,713 (558.21)	7,269,686 (236.56)
<hr/>		
2. FOSTER CARE ASSISTANCE		
PAYMENTS		
PUBLIC ASSISTANCE:		
CASE SRVCS	37,308,040	7,064,203
TOT CASE SRVC/PUB ASST	37,308,040	7,064,203
TOT FOSTER CARE ASSIST		
PAYMENTS	37,308,040	7,064,203
<hr/>		
3. EMOTIONALLY DISTURBED		
CHILDREN		
SPECIAL ITEMS:		
IMD GROUP HOMES PAYMTS	20,676,781	20,676,781
TOTAL SPECIAL ITEMS	20,676,781	20,676,781
PUBLIC ASSISTANCE:		
CASE SRVCS	19,483,780	13,938,471
TOTAL CASE SRVC/PUB ASST	19,483,780	13,938,471
TOTAL EMOTIONALLY		
DISTURBED CHILDREN	40,160,561	34,615,252
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L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FOSTER CARE	101,193,314 (558.21)	48,949,141 (236.56)
<hr/>		
C. ADOPTIONS		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,141,159 (121.00)	1,749,519 (48.40)
OTHER PERSONAL SRVCS	43,672	17,831
TOTAL PERSONAL SERVICE	4,184,831 (121.00)	1,767,350 (48.40)
OTHER OPER EXPENSES	1,786,220	403,881
PUBLIC ASSISTANCE:		
CASE SRVCS	700	240
TOT CASE SRVC/PUB ASST	700	240
TOT CASE MANAGEMENT	5,971,751 (121.00)	2,171,471 (48.40)
<hr/>		
2. ADOPTIONS ASSISTANCE		
PUBLIC ASSISTANCE:		
CASE SRVCS	25,275,121	12,616,719
TOTAL CASE SRVC/PUB ASST	25,275,121	12,616,719
TOTAL ADOPTIONS ASSIST PAYMENTS	25,275,121	12,616,719
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TOTAL ADOPTIONS	31,246,872 (121.00)	14,788,190 (48.40)
<hr/>		
D. ADULT PROTECTIVE SRVCS		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,937,235 (88.00)	53,530
OTHER PERSONAL SRVCS	26,821	
TOTAL PERSONAL SERVICE	2,964,056 (88.00)	53,530
OTHER OPER EXPENSES	240,895	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CASE MANAGEMENT	3,204,951 (88.00)	53,530
<hr/>		
2. CASE SRVCS		
PUBLIC ASSISTANCE:		
CASE SRVCS	175,000	
TOT CASE SRVC/PUB ASST	175,000	
TOTAL CASE SRVCS	175,000	
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TOT ADULT PROTECT SRVCS	3,379,951 (88.00)	53,530
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E. EMPLOYMENT AND TRAINING SRVCS		
1. CASE MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,957,686 (374.00)	627,626 (19.44)
OTHER PERSONAL SRVCS	1,816,289	
TOTAL PERSONAL SERVICE	13,773,975 (374.00)	627,626 (19.44)
OTHER OPER EXPENSES	520,390	6,354
TOTAL CASE MANAGEMENT	14,294,365 (374.00)	633,980 (19.44)
<hr/>		
2. EMPLOYMENT AND TRAINING CASE SRVCS		
PUBLIC ASSISTANCE:		
CASE SRVCS	7,520,582	2,500
TOTAL CASE SRVC/PUB ASST	7,520,582	2,500
TOTAL EMPLOYMENT AND TRAINING CASE SRVCS	7,520,582	2,500
<hr/>		
3. TANF ASSIST PAYMTS		
PUBLIC ASSISTANCE:		
CASE SRVCS	62,048,519	3,625,903
TOT CASE SRVC/PUB ASST	62,048,519	3,625,903

L04-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
TOT TANF ASSIST PAYMTS	62,048,519	3,625,903
<hr/>		
TOT EMPLOYMENT AND TRAINING SRVCS	83,863,466 (374.00)	4,262,383 (19.44)
<hr/>		
F. CHILD SUPPORT ENFORCE PERSONAL SERVICE CLASSIFIED POSITIONS	7,712,120 (228.00)	2,181,145 (59.50)
OTHER PERSONAL SRVCS	489,162	
TOTAL PERSONAL SERVICE	8,201,282 (228.00)	2,181,145 (59.50)
OTHER OPER EXPENSES	50,273,436	734,862
AID TO SUBDIV: ALLOC OTHER ENTITIES	6,500	
TOTAL DIST SUBDIV	6,500	
TOT CHILD SUPP ENFORCE	58,481,218 (228.00)	2,916,007 (59.50)
<hr/>		
G. FOOD STAMP ASSIST PROGRAM		
1. ELIGIBILITY PERSONAL SERVICE CLASSIFIED POSITIONS	12,689,043 (439.00)	5,940,583 (183.00)
OTHER PERSONAL SRVCS	1,896,128	36,654
TOTAL PERSONAL SERVICE	14,585,171 (439.00)	5,977,237 (183.00)
OTHER OPER EXPENSES	1,507,654	51,652
TOT FOOD STAMPS PROG	16,092,825 (439.00)	6,028,889 (183.00)
<hr/>		
H. FAMILY PRESERVATION PERSONAL SERVICE CLASSIFIED POSITIONS	79,207 (1.00)	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	879,422	7,313
TOTAL PERSONAL SERVICE	958,629	7,313
	(1.00)	
OTHER OPER EXPENSES	3,674,663	124,090
PUBLIC ASSISTANCE:		
CASE SRVCS	1,783,245	
TOT CASE SRVC/PUB ASST	1,783,245	
TOT FAMILY PRESERVATION	6,416,537	131,403
	(1.00)	
=====		
I. HOMEMAKER		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,238,099	
	(69.00)	
TOTAL PERSONAL SERVICE	1,238,099	
	(69.00)	
OTHER OPER EXPENSES	276,400	
TOTAL HOMEMAKER	1,514,499	
	(69.00)	
=====		
J. BATTERED SPOUSE		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	33,730	
TOTAL PERSONAL SERVICE	33,730	
OTHER OPER EXPENSES	23,875	
AID TO SUBDIV:		
ALLOC OTHER ENTITIES	3,999,554	
AID TO OTHER ENTITIES	1,648,333	1,648,333
TOTAL DIST SUBDIV	5,647,887	1,648,333
TOTAL BATTERED SPOUSE	5,705,492	1,648,333
=====		
K. PREGNANCY PREVENTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	91,228	
	(2.00)	
OTHER PERSONAL SRVCS	32,749	
=====		

L04-DEPARTMENT OF SOCIAL SERVICES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	123,977	
	(2.00)	
OTHER OPER EXPENSES	26,200	
SPECIAL ITEMS		
CONTINUATION TEEN		
PREGNANCY PREVENTION	546,972	546,972
TOTAL SPECIAL ITEMS	546,972	546,972
TOT PREGNANCY PREVENT	697,149	546,972
	(2.00)	
<hr style="border-top: 3px double #000;"/>		
L. FOOD SRVCS		
PUBLIC ASSISTANCE:		
CASE SRVCS	36,036,715	
TOT CASE SRVC/PUB ASST	36,036,715	
TOTAL FOOD SERVICE	36,036,715	
M. CHILD CARE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,293,891	
	(131.99)	
NEW POSITIONS		
<i>HUMAN SRVCS SPECIALIST II</i>	545,887	
	(17.00)	
<i>PROGRAM COORDINATOR II</i>	154,812	
	(4.00)	
<i>PROGRAM MANAGER I</i>	47,092	
	(1.00)	
OTHER PERSONAL SRVCS	2,636,821	
TOTAL PERSONAL SERVICE	7,678,503	
	(153.99)	
OTHER OPER EXPENSES	14,808,846	16,377
PUBLIC ASSISTANCE:		
CASE SRVCS	65,471,307	7,017,437
TOT CASE SRVC/PUB ASST	65,471,307	7,017,437
AID TO SUBDIV:		
ALLOC-PRIVATE SECTOR	450,000	

L04-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL DIST SUBDIV	450,000	
TOTAL CHILD CARE	88,408,656 (153.99)	7,033,814
TOT PROGRAMS AND SRVCS	481,307,331 (3,027.20)	100,278,821 (858.25)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	50,522,120	18,309,913
TOTAL FRINGE BENEFITS	50,522,120	18,309,913
TOTAL EMPLOYEE BENEFITS	50,522,120	18,309,913
DEPT OF SOCIAL SERVICES		
TOTAL FUNDS AVAILABLE	692,184,042	132,926,141
TOTAL AUTH FTE POSITIONS	(3,785.99)	(1,104.22)

SECTION 39

L24-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	86,806 (1.00)	86,806 (1.00)
CLASSIFIED POSITIONS	550,874 (13.45)	550,874 (13.45)
OTHER PERSONAL SRVCS	38,100	38,100
TOTAL PERSONAL SERVICE	675,780 (14.45)	675,780 (14.45)
OTHER OPER EXPENSES	441,363	421,512
TOTAL ADMINISTRATION	1,117,143 (14.45)	1,097,292 (14.45)

STATUTES AT LARGE
General and Permanent Laws--2015
L24-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. REHABILITATION SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,650,760	588,239
	(83.34)	(15.69)
OTHER PERSONAL SRVCS	214,932	
TOTAL PERSONAL SERVICE	2,865,692	588,239
	(83.34)	(15.69)
OTHER OPER EXPENSES	1,751,476	787
CASE SRVCS		
PUBLIC ASSIST PAYMENTS	3,998,795	484,202
TOT CASE SRVC/PUB ASST	3,998,795	484,202
TOTAL REHAB SRVCS	8,615,963	1,073,228
	(83.34)	(15.69)
III. PREVENTION OF BLINDNESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	324,558	97,000
	(6.53)	(1.00)
OTHER PERSONAL SRVCS	5,000	
TOTAL PERSONAL SERVICE	329,558	97,000
	(6.53)	(1.00)
OTHER OPER EXPENSES	100,000	10,000
CASE SRVCS		
PUBLIC ASSIST PAYMENTS	306,188	159,000
TOT CASE SRVC/PUB ASST	306,188	159,000
TOT PREVENT OF BLINDNESS	735,746	266,000
	(6.53)	(1.00)
IV. COMMUNITY SERVICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	95,972	95,972
	(2.53)	(2.53)
TOTAL PERSONAL SERVICE	95,972	95,972
	(2.53)	(2.53)
OTHER OPER EXPENSES	30,000	30,000
CASE SRVCS	18,000	18,000

OF SOUTH CAROLINA
General and Permanent Laws--2015
L24-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL CASE SRVC/PUB ASST	18,000	18,000
TOT COMMUNITY SERVICE	143,972 (2.53)	143,972 (2.53)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,338,394	534,471
TOTAL FRINGE BENEFITS	1,338,394	534,471
TOTAL EMPLOYEE BENEFITS	1,338,394	534,471
COMMISSION FOR THE BLIND		
TOTAL FUNDS AVAILABLE	11,951,218	3,114,963
TOTAL AUTH FTE POSITIONS	(106.85)	(33.67)

SECTION 42

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE DIVISION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	119,850 (1.00)	
CLASSIFIED POSITIONS	790,621 (15.00)	
OTHER PERSONAL SRVCS	45,596	
TOTAL PERSONAL SERVICE	956,067 (16.00)	
OTHER OPER EXPENSES	647,274	
AID TO SUBDIV		
ALLOC MUN-RESTRICTED	400,000	
ALLOC CNTY-RESTRICTED	100,000	
ALLOC OTHER ST AGENCIES	3,700,000	
ALLOC OTHER ENTITIES	2,000,000	

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL DIST SUBDIV	6,200,000	
TOTAL EXECUTIVE DIV	7,803,341	
	(16.00)	
=====		
I. ADMINISTRATION		
B. FINANCE DIVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	732,138	
	(10.00)	
OTHER PERSONAL SRVCS	40,675	
TOTAL PERSONAL SERVICE	772,813	
	(10.00)	
OTHER OPER EXPENSES	205,545	
TOTAL FINANCE DIVISION	978,358	
	(10.00)	
=====		
I. ADMINISTRATION		
C. SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,007,566	
	(12.00)	
OTHER PERSONAL SRVCS	14,322	
TOTAL PERSONAL SERVICE	1,021,888	
	(12.00)	
OTHER OPER EXPENSES	932,360	
TOTAL SUPPORT SRVCS	1,954,248	
	(12.00)	
=====		
TOTAL ADMINISTRATION	10,735,947	
	(38.00)	
=====		
II. HOUSING PROGRAMS		
A. CONTRACT ADMIN & COMP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,537,877	
	(27.00)	
OTHER PERSONAL SRVCS	132,264	

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,670,141	
	(27.00)	
OTHER OPER EXPENSES	643,295	
PUBLIC ASSISTANCE		
CASE SRVCS	129,100,000	
TOT CASE SRVC/PUB ASST	129,100,000	
TOT CONTRACT ADMIN & COMPLIANCE	131,413,436	
	(27.00)	
=====		
II. HOUSING PROGRAMS		
B. RENTAL ASSISTANCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	747,857	
	(17.00)	
OTHER PERSONAL SRVCS	28,644	
TOTAL PERSONAL SERVICE	776,501	
	(17.00)	
OTHER OPER EXPENSES	1,051,060	
PUBLIC ASSISTANCE		
CASE SRVCS	11,500,000	
TOT CASE SRVC/PUB ASST	11,500,000	
TOT RENTAL ASSISTANCE	13,327,561	
	(17.00)	
=====		
II. HOUSING PROGRAMS		
C. HOUSING INITIATIVES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,043,844	
	(19.00)	
OTHER PERSONAL SRVCS	56,143	
TOTAL PERSONAL SERVICE	1,099,987	
	(19.00)	
OTHER OPER EXPENSES	934,349	
AID TO SUBDIV		
ALLOC MUN-RESTRICTED	1,700,000	
ALLOC CNTY-RESTRICTED	600,000	

L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC OTHER ST AGENCIES	1,500,000	
ALLOC OTHER ENTITIES	13,624,153	
	<hr/>	
TOTAL DIST SUBDIV	17,424,153	
	<hr/>	
TOT HOUSING INITIATIVES	19,458,489	
	(19.00)	
	<hr/> <hr/>	
II. HOUSING PROGRAMS		
D. HOUSING CREDIT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	293,971	
	(4.00)	
OTHER PERSONAL SRVCS	18,332	
	<hr/>	
TOTAL PERSONAL SERVICE	312,303	
	(4.00)	
OTHER OPER EXPENSES	335,485	
	<hr/>	
TOTAL HOUSING CREDIT	647,788	
	(4.00)	
	<hr/> <hr/>	
TOT HOUSING PROGRAMS	164,847,274	
	(67.00)	
	<hr/> <hr/>	
III. HOMEOWNERSHIP PROG		
A. MORTGAGE PRODUCTION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	473,771	
	(7.00)	
OTHER PERSONAL SRVCS	45,831	
	<hr/>	
TOTAL PERSONAL SERVICE	519,602	
	(7.00)	
OTHER OPER EXPENSES	779,838	
AID TO SUBDIV		
ALLOC OTHER ENTITIES	625,902	
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TOTAL DIST SUBDIV	625,902	
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TOT MORTGAGE PRODUCT	1,925,342	
	(7.00)	
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L32-HOUSING FINANCE AND DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. HOMEOWNERSHIP PROG		
B. MORTGAGE SERVICING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,032,146	
	(21.00)	
OTHER PERSONAL SRVCS	122,364	
TOTAL PERSONAL SERVICE	1,154,510	
	(21.00)	
OTHER OPER EXPENSES	872,417	
TOT MORTGAGE SERVICING	2,026,927	
	(21.00)	
TOT HOMEOWNERSHIP PROG	3,952,269	
	(28.00)	
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	2,536,177	
TOTAL FRINGE BENEFITS	2,536,177	
TOTAL EMPLOYEE BENEFITS	2,536,177	
HOUSING FINANCE AND DEVELOPMENT AUTHORITY		
TOTAL FUNDS AVAILABLE	182,071,667	
TOTAL AUTH FTE POSITIONS	(133.00)	

SECTION 43
P12-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
STATE FORESTER	114,597	114,597
	(1.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2015
P12-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	560,479	560,479
	(14.20)	(14.20)
UNCLASSIFIED POSITIONS	88,000	88,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	10,000	10,000
TOTAL PERSONAL SERVICE	773,076	773,076
	(16.20)	(16.20)
OTHER OPER EXPENSES	141,520	141,520
TOTAL ADMINISTRATION	914,596	914,596
	(16.20)	(16.20)
 II. FOREST PROTECTION AND DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,536,607	7,876,089
	(300.55)	(263.25)
NEW POSITIONS		
<i>FORESTER II</i>	85,000	85,000
	(2.00)	(2.00)
<i>FORESTRY TECHNICIAN I</i>	200,000	200,000
	(6.00)	(6.00)
OTHER PERSONAL SRVCS	353,000	175,000
TOTAL PERSONAL SERVICE	10,174,607	8,336,089
	(308.55)	(271.25)
OTHER OPER EXPENSES	7,896,777	1,566,210
SPECIAL ITEMS:		
FOREST RENEWAL PROG	1,000,000	200,000
TOTAL SPECIAL ITEMS	1,000,000	200,000
AID TO SUBDIV:		
ALLOC MUN-RESTRICTED	30,000	
ALLOC CNTY-RESTRICTED	47,000	
ALLOC OTHER ENTITIES	183,475	
ALLOC - PRIVATE SECTOR	545,000	
TOTAL DIST SUBDIV	805,475	

OF SOUTH CAROLINA
General and Permanent Laws--2015
P12-FORESTRY COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
TOT FOREST PROTECTION & DEVELOPMENT	19,876,859 (308.55)	10,102,299 (271.25)
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III. STATE FORESTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,080,000 (28.60)	
OTHER PERSONAL SRVCS	50,000	
TOTAL PERSONAL SERVICE	1,130,000 (28.60)	
OTHER OPER EXPENSES	1,047,713	
AID TO SUBDIV: ALLOC CNTY-RESTRICTED	1,095,000	
TOTAL DIST SUBDIV	1,095,000	
TOTAL STATE FORESTS	3,272,713 (28.60)	
<hr/>		
IV. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	190,000 (4.20)	190,000 (4.20)
OTHER PERSONAL SRVCS	5,000	5,000
TOTAL PERSONAL SERVICE	195,000 (4.20)	195,000 (4.20)
OTHER OPER EXPENSES	29,925	29,925
TOTAL EDUCATION	224,925 (4.20)	224,925 (4.20)
<hr/>		
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	5,110,159	4,015,159
TOTAL FRINGE BENEFITS	5,110,159	4,015,159
TOTAL EMPLOYEE BENEFITS	5,110,159	4,015,159

STATUTES AT LARGE
General and Permanent Laws--2015
P12-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
FORESTRY COMMISSION		
TOTAL FUNDS AVAILABLE	29,399,252	15,256,979
TOTAL AUTH FTE POSITIONS	<u>(357.55)</u>	<u>(291.65)</u>

SECTION 44
P16-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SRVCS		
PERSONAL SERVICE		
COMMSNR. OF AGRICULTURE	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	664,662	664,662
	<u>(14.00)</u>	<u>(14.00)</u>
TOTAL PERSONAL SERVICE	756,669	756,669
	(15.00)	(15.00)
OTHER OPER EXPENSES	<u>193,272</u>	<u>103,272</u>
TOT ADMIN SRVCS	<u>949,941</u>	<u>859,941</u>
	<u>(15.00)</u>	<u>(15.00)</u>
II. LABORATORY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	788,274	652,274
	<u>(18.00)</u>	<u>(17.00)</u>
TOTAL PERSONAL SERVICE	788,274	652,274
	(18.00)	(17.00)
OTHER OPER EXPENSES	<u>490,326</u>	<u>285,726</u>
TOTAL LABORATORY SRVCS	<u>1,278,600</u>	<u>938,000</u>
	<u>(18.00)</u>	<u>(17.00)</u>
III. CONSUMER SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,123,831	402,313
	(37.00)	(10.00)

OF SOUTH CAROLINA
General and Permanent Laws--2015
P16-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	19,035	
TOTAL PERSONAL SERVICE	1,142,866	402,313
	(37.00)	(10.00)
OTHER OPER EXPENSES	839,134	409,187
TOTAL CONSUMER SRVCS	1,982,000	811,500
	(37.00)	(10.00)
IV. MARKETING SRVCS		
A. MARKETING & PROMOTIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	505,564	460,564
	(16.51)	(16.51)
TOTAL PERSONAL SERVICE	505,564	460,564
	(16.51)	(16.51)
OTHER OPER EXPENSES	3,157,345	2,163,341
SPECIAL ITEMS:		
RENEWABLE ENERGY	350,000	
AGRIBUSINESS	750,000	750,000
TOTAL SPECIAL ITEMS	1,100,000	750,000
TOT MARKETING & PROMOS	4,762,909	3,373,905
	(16.51)	(16.51)
B. COMMODITY BOARDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	39,320	
	(3.00)	
OTHER PERSONAL SRVCS	50,280	
TOTAL PERSONAL SERVICE	89,600	
	(3.00)	
OTHER OPER EXPENSES	1,759,680	
TOT COMMODITY BOARDS	1,849,280	
	(3.00)	
C. MARKET SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	252,000	
	(19.12)	

STATUTES AT LARGE
General and Permanent Laws--2015
P16-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	64,500	
TOTAL PERSONAL SERVICE	316,500	
	(19.12)	
OTHER OPER EXPENSES	877,900	300,000
TOTAL MARKET SRVCS	1,194,400	300,000
	(19.12)	
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D. INSPECTION SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	960,000	
	(25.37)	
OTHER PERSONAL SRVCS	250,000	
TOTAL PERSONAL SERVICE	1,210,000	
	(25.37)	
OTHER OPER EXPENSES	621,200	
TOTAL INSPECTION SRVCS	1,831,200	
	(25.37)	
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E. MARKET BULLETIN		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	48,000	
	(4.00)	
TOTAL PERSONAL SERVICE	48,000	
	(4.00)	
OTHER OPER EXPENSES	111,500	
TOTAL MARKET BULLETIN	159,500	
	(4.00)	
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TOTAL MARKETING SRVCS	9,797,289	3,673,905
	(68.00)	(16.51)
<hr/>		
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,896,603	808,257
TOTAL FRINGE BENEFITS	1,896,603	808,257
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TOTAL EMPLOYEE BENEFITS	1,896,603	808,257
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OF SOUTH CAROLINA
General and Permanent Laws--2015
P16-DEPARTMENT OF AGRICULTURE

	TOTAL FUNDS	GENERAL FUNDS
DEPARTMENT OF AGRICULTURE		
TOTAL FUNDS AVAILABLE	15,904,433	7,091,603
TOTAL AUTH FTE POSITIONS	(138.00)	(58.51)

SECTION 45
P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	TOTAL FUNDS	GENERAL FUNDS
I. REGULATORY & PUBLIC SERVICE		
A. GENERAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,754,198	300,771
	(51.00)	(13.00)
UNCLASSIFIED POSITIONS	742,274	204,905
	(5.42)	(3.42)
OTHER PERSONAL SRVCS	314,204	
TOTAL PERSONAL SERVICE	2,810,676	505,676
	(56.42)	(16.42)
OTHER OPER EXPENSES	1,648,469	
TOTAL GENERAL	4,459,145	505,676
	(56.42)	(16.42)

I. REGULATORY & PUBLIC SRVC

B. RESTRICTED

PERSONAL SERVICE		
CLASSIFIED POSITIONS	292,279	
	(10.00)	
UNCLASSIFIED POSITIONS	18,500	
OTHER PERSONAL SRVCS	271,800	
TOTAL PERSONAL SERVICE	582,579	
	(10.00)	
OTHER OPER EXPENSES	379,068	
TOTAL RESTRICTED	961,647	
	(10.00)	

P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	TOTAL FUNDS	GENERAL FUNDS
TOT REGUL & PUBLIC SER	5,420,792 (66.42)	505,676 (16.42)
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II. LIVESTOCK-POULTRY HLTH		
A. GENERAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,083,667 (38.00)	961,811 (38.00)
UNCLASSIFIED POSITIONS	984,470 (7.33)	984,470 (7.33)
OTHER PERSONAL SRVCS	172,403	
TOTAL PERSONAL SERVICE	2,240,540 (45.33)	1,946,281 (45.33)
OTHER OPER EXPENSES	948,960	273,706
TOTAL GENERAL	3,189,500 (45.33)	2,219,987 (45.33)
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II. LIVESTOCK-POULTRY HLTH		
B. RESTRICTED		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	846,915 (21.00)	
UNCLASSIFIED POSITIONS	248,358 (4.50)	
OTHER PERSONAL SRVCS	72,219	
TOTAL PERSONAL SERVICE	1,167,492 (25.50)	
OTHER OPER EXPENSES	833,553	
TOTAL RESTRICTED	2,001,045 (25.50)	
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TOT LIVESTOCK - POUL HLTH	5,190,545 (70.83)	2,219,987 (45.33)
<hr/>		
III. AGRICULT RESEARCH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,285,480 (154.42)	3,244,916 (112.99)

P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	10,153,573	7,336,133
	(88.14)	(66.61)
NEW POSITIONS		
<i>SCIENTIST</i>	<i>100,000</i>	<i>100,000</i>
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	1,166,714	
TOTAL PERSONAL SERVICE	15,705,767	10,681,049
	(243.56)	(180.60)
OTHER OPER EXPENSES	3,922,687	212,400
TOT AGRICULT RESEARCH	19,628,454	10,893,449
	(243.56)	(180.60)
IV. COOP EXTENSION SVC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,456,280	3,370,256
	(163.04)	(92.54)
NEW POSITIONS		
<i>GIS ANALYST</i>	<i>40,000</i>	**40,000
	(1.00)	(1.00)
<i>PROGRAM ASSISTANT</i>	<i>35,000</i>	**35,000
	(1.00)	(1.00)
<i>PROGRAM MANAGER I</i>	<i>50,000</i>	**50,000
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	11,203,611	6,744,226
	(192.90)	(113.64)
NEW POSITIONS		
<i>EXTENSION ASSOCIATES</i>	<i>200,000</i>	**200,000
	(2.00)	(2.00)
<i>EXTENSION AGENT</i>	<i>600,000</i>	**600,000
	(15.00)	(15.00)
OTHER PERSONAL SRVCS	4,047,061	13,100
TOTAL PERSONAL SERVICE	20,631,952	11,052,582
	(375.94)	(226.18)
OTHER OPER EXPENSES	8,212,574	254,590

** See note at end of Act.

P20-CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)

	TOTAL FUNDS	GENERAL FUNDS
TOT COOP EXTENSION SERV	28,844,526	11,307,172
	(375.94)	(226.18)
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V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	14,771,995	9,445,366
TOTAL FRINGE BENEFITS	14,771,995	9,445,366
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TOTAL EMPLOYEE BENEFITS	14,771,995	9,445,366
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CLEMSON UNIV (PUBLIC SERVICE ACTIVITIES)		
TOTAL FUNDS AVAILABLE	73,856,312	34,371,650
TOTAL AUTH FTE POSITIONS	(756.75)	(468.53)
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SECTION 46

P21-SC STATE UNIV (PUBLIC SERVICE ACTIVITIES)

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	84,053	49,085
	(4.00)	(1.75)
UNCLASSIFIED POSITIONS	380,501	128,501
	(5.00)	(1.25)
OTHER PERSONAL SRVCS	73,787	
TOTAL PERSONAL SERVICE	538,341	177,586
	(9.00)	(3.00)
OTHER OPER EXPENSES	504,635	95,106
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TOTAL ADMINISTRATION	1,042,976	272,692
	(9.00)	(3.00)
<hr/>		
II. RESEARCH & EXTENSION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	753,721	72,996
	(16.00)	(1.00)

P21-SC STATE UNIV (PUBLIC SERVICE ACTIVITIES)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	812,668	307,161
	(29.00)	(5.00)
OTHER PERSONAL SRVCS	350,143	
TOTAL PERSONAL SERVICE	1,916,532	380,157
	(45.00)	(6.00)
OTHER OPER EXPENSES	3,648,019	2,223,644
TOT RESEARCH & EXT	5,564,551	2,603,801
	(45.00)	(6.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	971,414	528,707
TOTAL FRINGE BENEFITS	971,414	528,707
TOTAL EMPLOYEE BENEFITS	971,414	528,707
SC STATE UNIV (PUBLIC SERVICE ACTIVITIES)		
TOTAL FUNDS AVAILABLE	7,578,941	3,405,200
TOTAL AUTH FTE POSITIONS	(54.00)	(9.00)

SECTION 47
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	129,877	129,877
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,447,185	1,399,030
	(42.17)	(23.50)
UNCLASSIFIED POSITIONS	186,100	89,579
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	33,811	

STATUTES AT LARGE
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	2,796,973	1,618,486
	(44.17)	(25.50)
OTHER OPER EXPENSES	327,742	60,956
AID TO SUBDIV:		
ALLOC OTHER ENTITIES	50,000	
TOTAL DIST SUBDIV	<u>50,000</u>	
TOTAL ADMINISTRATION	3,174,715	1,679,442
	(44.17)	(25.50)
II. PROGRAMS & SRVCS		
A. CONSERVATION EDUC		
1. OUTREACH PROGRAMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	500,434	444,593
	(15.10)	(9.60)
UNCLASSIFIED POSITIONS	92,266	
	(1.00)	
TOTAL PERSONAL SERVICE	<u>592,700</u>	444,593
	(16.10)	(9.60)
OTHER OPER EXPENSES	837,000	800,000
TOTAL OUTREACH PROG	<u>1,429,700</u>	1,244,593
	(16.10)	(9.60)
2. MAGAZINE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	268,379	
	(4.15)	
TOTAL PERSONAL SERVICE	<u>268,379</u>	
	(4.15)	
OTHER OPER EXPENSES	608,507	
TOTAL MAGAZINE	<u>876,886</u>	
	(4.15)	
3. WEB SVCS & TECH DEV		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,253,218	538,472
	(20.18)	(12.83)

OF SOUTH CAROLINA
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	1,253,218	538,472
	(20.18)	(12.83)
OTHER OPER EXPENSES	1,524,225	335,615
<hr/>		
TOTAL WEB SVCS & TECH DEVELOPMENT	2,777,443	874,087
	(20.18)	(12.83)
<hr/>		
TOT CONSERVATION EDUC	5,084,029	2,118,680
	(40.43)	(22.43)
<hr/>		
B. TITLING & LICENS SRVCS		
1. BOAT TITLING & REGIST		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	795,275	
	(23.00)	
NEW POSITIONS		
<i>ADMINISTRATIVE SPECIALIST II</i>	49,052	
	(2.00)	
OTHER PERSONAL SRVCS	60,000	
<hr/>		
TOTAL PERSONAL SERVICE	904,327	
	(25.00)	
OTHER OPER EXPENSES	341,600	
<hr/>		
TOTAL BOAT TITLING & REGISTRATION	1,245,927	
	(25.00)	
<hr/>		
2. FISHING & HUNT LICENSES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	269,771	
	(7.60)	
OTHER PERSONAL SRVCS	44,887	
<hr/>		
TOTAL PERSONAL SERVICE	314,658	
	(7.60)	
OTHER OPER EXPENSES	756,730	
<hr/>		
TOTAL FISHING & HUNTING LICENSES	1,071,388	
	(7.60)	
<hr/>		

STATUTES AT LARGE
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT TITL & LICENSE SRVCS	2,317,315	(32.60)
<hr style="border-top: 3px double #000;"/>		
C. REGIONAL PROJECTS		
1. BOATING ACCESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	399,342	(5.50)
NEW POSITIONS		
<i>ENG/ASSOC ENG II</i>	52,500	(1.00)
	<hr style="border-top: 1px solid black;"/>	
TOTAL PERSONAL SERVICE	451,842	(6.50)
OTHER OPER EXPENSES	2,116,276	
	<hr style="border-top: 1px solid black;"/>	
TOTAL BOATING ACCESS	2,568,118	(6.50)
<hr style="border-top: 3px double #000;"/>		
2. COUNTY/WATER REC FUND		
OTHER OPER EXPENSES	263,000	
AID TO SUBDIV:		
ALLOC MUNI-RESTRICTED	435,000	
ALLOC CNTY-RESTRICTED	75,000	
	<hr style="border-top: 1px solid black;"/>	
TOTAL DIST SUBDIV	510,000	
	<hr style="border-top: 1px solid black;"/>	
TOT CNTY/WATER REC FUND	773,000	
<hr style="border-top: 3px double #000;"/>		
3. CNTY GAME & FISH FUND		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	5,583	
	<hr style="border-top: 1px solid black;"/>	
TOTAL PERSONAL SERVICE	5,583	
OTHER OPER EXPENSES	325,000	
	<hr style="border-top: 1px solid black;"/>	
TOT CNTY GAME & FISH FUND	330,583	
<hr style="border-top: 3px double #000;"/>		
TOTAL REGIONAL PROJECTS	3,671,701	(6.50)
<hr style="border-top: 3px double #000;"/>		

OF SOUTH CAROLINA
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
D. WILDLIFE/FW FISHERIES		
1. WILDLIFE-REGIONAL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,578,444	
	(93.95)	
NEW POSITIONS		
<i>NATURAL RESOURCE TECHN II</i>	72,900	72,900
	(3.00)	(3.00)
UNCLASSIFIED POSITIONS	94,686	
	(1.00)	
OTHER PERSONAL SRVCS	710,442	
TOTAL PERSONAL SERVICE	4,456,472	72,900
	(97.95)	(3.00)
OTHER OPER EXPENSES	8,182,136	74,398
TOT WILDLIFE - REGIONAL OPERATIONS	12,638,608	147,298
	(97.95)	(3.00)
2. WILDLIFE-STATEWIDE OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	520,715	
	(15.00)	
OTHER PERSONAL SRVCS	14,839	
TOTAL PERSONAL SERVICE	535,554	
	(15.00)	
OTHER OPER EXPENSES	1,473,118	
AID TO SUBDIV:		
ALLOC OTHER ENTITIES	20,000	
TOTAL DIST SUBDIV	20,000	
TOT WILDLIFE - STATEWIDE OPERATIONS	2,028,672	
	(15.00)	
3. ENDANGERED SPECIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	450,371	19,968
	(5.85)	(.50)

STATUTES AT LARGE
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SRVCS	200,664	
TOTAL PERSONAL SERVICE	651,035	19,968
	(5.85)	(.50)
OTHER OPER EXPENSES	1,047,206	89,181
TOT ENDANGERED SPECIES	1,698,241	109,149
	(5.85)	(.50)
<hr style="border-top: 1px dashed black;"/>		
4. FISHERIES-REGIONAL OPERATIONS		
PERSONAL SERVICE CLASSIFIED POSITIONS	1,293,423	
	(34.32)	
OTHER PERSONAL SRVCS	845,538	
TOTAL PERSONAL SERVICE	2,138,961	
	(34.32)	
OTHER OPER EXPENSES	2,307,563	
TOT FISHERIES - REGIONAL OPERATIONS	4,446,524	
	(34.32)	
<hr style="border-top: 1px dashed black;"/>		
5. FISHERIES-HATCHERY OPERATIONS		
PERSONAL SERVICE CLASSIFIED POSITIONS	1,620,589	
	(29.00)	
OTHER PERSONAL SRVCS	419,527	
TOTAL PERSONAL SERVICE	2,040,116	
	(29.00)	
OTHER OPER EXPENSES	2,706,280	300,000
TOT FISHERIES - HATCHERY OPERATIONS	4,746,396	300,000
	(29.00)	
<hr style="border-top: 1px dashed black;"/>		
TOTAL WILDLIFE & FRESHWATER FISHERIES	25,558,441	556,447
	(182.12)	(3.50)
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General and Permanent Laws--2015
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	TOTAL FUNDS	GENERAL FUNDS
E. LAW ENFORCEMENT		
1. CONSERVATION ENFORCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	11,517,149	8,474,166
	(281.14)	(203.40)
NEW POSITIONS		
OTHER PERSONAL SRVCS	287,388	
TOTAL PERSONAL SERVICE	11,804,537	8,474,166
	(281.14)	(203.40)
OTHER OPER EXPENSES	5,973,128	1,523,128
TOT CONSERV ENFORCE	17,777,665	9,997,294
	(281.14)	(203.40)
2. BOATING SAFETY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	785,493	
	(18.00)	
UNCLASSIFIED POSITIONS	102,590	
	(1.00)	
OTHER PERSONAL SRVCS	156,213	
TOTAL PERSONAL SERVICE	1,044,296	
	(19.00)	
OTHER OPER EXPENSES	2,408,157	
TOTAL BOATING SAFETY	3,452,453	
	(19.00)	
3. HUNTER SAFETY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	745,610	
	(9.00)	
OTHER PERSONAL SRVCS	226,801	
TOTAL PERSONAL SERVICE	972,411	
	(9.00)	
OTHER OPER EXPENSES	2,454,619	
TOTAL HUNTER SAFETY	3,427,030	
	(9.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL LAW ENFORCEMENT	24,657,148 (309.14)	9,997,294 (203.40)
<hr/>		
F. MARINE RESOURCES		
1. CONSERVATION & MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,942,118 (65.44)	637,334 (11.52)
UNCLASSIFIED POSITIONS	173,022 (1.55)	62,676 (.60)
OTHER PERSONAL SRVCS	930,604	
TOTAL PERSONAL SERVICE	4,045,744 (66.99)	700,010 (12.12)
OTHER OPER EXPENSES	3,871,265	
SPECIAL ITEMS:		
ATLANTIC MARINE FISHERIES COMMISSION	34,980	
TOTAL SPECIAL ITEMS	34,980	
TOTAL MARINE CONSERV & MGMT	7,951,989 (66.99)	700,010 (12.12)
<hr/>		
2. MARINE RESEARCH & MONITORING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,139,617 (28.04)	416,867 (4.00)
UNCLASSIFIED POSITIONS	337,634 (6.45)	319,563 (3.90)
OTHER PERSONAL SRVCS	1,254,995	
TOTAL PERSONAL SERVICE	2,732,246 (34.49)	736,430 (7.90)
OTHER OPER EXPENSES	2,358,172	137,044
SPECIAL ITEMS:		
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OF SOUTH CAROLINA
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	TOTAL FUNDS	GENERAL FUNDS
TOTAL MARINE RESEARCH & MONITORING	5,090,418 (34.49)	873,474 (7.90)
<hr/>		
TOT MARINE RESOURCES	13,042,407 (101.48)	1,573,484 (20.02)
<hr/>		
G. LAND, WATER & CONSERV		
1. EARTH SCIENCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,263,469 (27.66)	954,579 (16.32)
UNCLASSIFIED POSITIONS	102,630 (1.00)	102,630 (1.00)
OTHER PERSONAL SRVCS	142,300	
TOTAL PERSONAL SERVICE	1,508,399 (28.66)	1,057,209 (17.32)
OTHER OPER EXPENSES	1,121,209	415,357
TOTAL EARTH SCIENCE	2,629,608 (28.66)	1,472,566 (17.32)
<hr/>		
2. CONSERVATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	299,265 (12.39)	203,028 (5.89)
OTHER PERSONAL SRVCS	89,000	
TOTAL PERSONAL SERVICE	388,265 (12.39)	203,028 (5.89)
OTHER OPER EXPENSES	2,039,252	80,200
AID TO SUBDIV:		
AID TO CONSERVATION DISTRICTS	1,208,698	690,000
TOTAL DIST SUBDIV	1,208,698	690,000
TOTAL CONSERVATION	3,636,215 (12.39)	973,228 (5.89)

STATUTES AT LARGE
General and Permanent Laws--2015
P24-DEPT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. HERITAGE TRUST		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	424,190	
	(7.71)	
OTHER PERSONAL SRVCS	60,535	
	<hr/>	
TOTAL PERSONAL SERVICE	484,725	
	(7.71)	
OTHER OPER EXPENSES	949,343	
	<hr/>	
TOTAL HERITAGE TRUST	1,434,068	
	(7.71)	
	<hr/> <hr/>	
TOTAL LAND, WATER & CONSERVATION	7,699,891	2,445,794
	(48.76)	(23.21)
	<hr/> <hr/>	
TOT PROGRAMS AND SRVCS	82,030,932	16,691,699
	(721.03)	(272.56)
	<hr/> <hr/>	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	13,010,487	5,029,181
	<hr/>	
TOTAL FRINGE BENEFITS	13,010,487	5,029,181
	<hr/> <hr/>	
TOTAL EMPLOYEE BENEFITS	13,010,487	5,029,181
	<hr/> <hr/>	
DEPT OF NATURAL RESOURCES		
TOTAL FUNDS AVAILABLE	98,216,134	23,400,322
TOTAL AUTH FTE POSITIONS	(765.20)	(298.06)
	<hr/> <hr/>	

SECTION 48
P26-SEA GRANT CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	89,247	89,247
	(1.00)	(1.00)

OF SOUTH CAROLINA
General and Permanent Laws--2015
P26-SEA GRANT CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	595,361	290,197
	(13.00)	(6.26)
OTHER PERSONAL SRVCS	464,287	
TOTAL PERSONAL SERVICE	1,148,895	379,444
	(14.00)	(7.26)
OTHER OPER EXPENSES	511,882	100,873
AID TO SUBDIV:		
ALLOC OTHER ST AGENCIES	1,679,150	
ALLOC OTHER ENTITIES	1,504,866	
ALLOC - PRIVATE SECTOR	270,483	
TOTAL DIST SUBDIV	3,454,499	
TOTAL ADMINISTRATION	5,115,276	480,317
	(14.00)	(7.26)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	326,012	128,971
TOTAL FRINGE BENEFITS	326,012	128,971
TOTAL EMPLOYEE BENEFITS	326,012	128,971
SEA GRANT CONSORTIUM		
TOTAL FUNDS AVAILABLE	5,441,288	609,288
TOTAL AUTH FTE POSITIONS	(14.00)	(7.26)

SECTION 49

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE OFFICES		
PERSONAL SERVICE		
DIRECTOR	125,194	125,194
	(1.00)	(1.00)

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	366,101	366,101
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	115,287	115,287
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	200,000	200,000
TOTAL PERSONAL SERVICE	806,582	806,582
	(10.00)	(10.00)
OTHER OPER EXPENSES	108,414	108,414
TOT EXECUTIVE OFFICES	914,996	914,996
	(10.00)	(10.00)
B. ADMIN.SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,235,197	1,210,197
	(27.00)	(26.75)
OTHER PERSONAL SRVCS	54,000	
TOTAL PERSONAL SERVICE	1,289,197	1,210,197
	(27.00)	(26.75)
OTHER OPER EXPENSES	1,210,631	1,071,151
SPECIAL ITEMS:		
FIRST IN GOLF	75,000	
SPORTS DEVELOP FUND	50,000	
TOTAL SPECIAL ITEMS	125,000	
AID TO SUBDIV:		
** ALLOC MUN-RESTRICTED	1,806,000	500,000
** ALLOC CNTY-RESTRICTED	1,514,500	500,000
ALLOC OTHER ST AGENCIES	478,600	
ALLOC OTHER ENTITIES	395,000	
TOTAL DIST SUBDIV	4,194,100	1,000,000
TOT ADMIN SRVCS	6,818,928	3,281,348
	(27.00)	(26.75)
TOTAL ADMINISTRATION	7,733,924	4,196,344
	(37.00)	(36.75)

** See note at end of Act.

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROGRAMS AND SRVCS		
A. TOURISM SALES & MKTG		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	690,511	628,289
	(11.00)	(11.00)
OTHER PERSONAL SRVCS	21,389	
TOTAL PERSONAL SERVICE	711,900	628,289
	(11.00)	(11.00)
OTHER OPER EXPENSES	110,189	88,800
SPECIAL ITEMS:		
REGIONAL PROMOTIONS	2,475,000	2,475,000
ADVERTISING	15,014,793	13,214,793
DESTINATION-SPECIFIC ADVERTISING	14,000,000	14,000,000
SPORTS MARKETING GRANT PROGRAM	500,000	**500,000
TOTAL SPECIAL ITEMS	31,989,793	30,189,793
TOT TOURISM SALES & MKTG	32,811,882	30,906,882
	(11.00)	(11.00)
B. WELCOME CENTERS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,193,088	1,093,088
	(39.00)	(37.00)
OTHER PERSONAL SRVCS	175,000	175,000
TOTAL PERSONAL SERVICE	1,368,088	1,268,088
	(39.00)	(37.00)
OTHER OPER EXPENSES	3,976,200	111,200
TOTAL WELCOME CENTERS	5,344,288	1,379,288
	(39.00)	(37.00)
C. HERITAGE CORRIDOR		
AID TO SUBDIV:		
ALLOC MUN - RESTRICTED	50,000	
ALLOC CNTY-RESTRICTED	50,000	
ALLOC OTHER ST AGENCIES	20,000	

** See note at end of Act.

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC OTHER ENTITIES	573,530	
TOTAL DIST SUBDIV	693,530	
TOT SC HERITAGE CORRIDOR	693,530	
D. STATE PARKS SERVICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,760,110	2,832,106
	(283.00)	(96.25)
OTHER PERSONAL SRVCS	3,250,000	
TOTAL PERSONAL SERVICE	13,010,110	2,832,106
	(283.00)	(96.25)
OTHER OPER EXPENSES	13,303,875	
TOT STATE PARKS SERVICE	26,313,985	2,832,106
	(283.00)	(96.25)
E. COMMUNICATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	206,844	206,844
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	206,844	206,844
	(2.00)	(2.00)
OTHER OPER EXPENSES	18,000	18,000
TOTAL COMMUNICATIONS	224,844	224,844
	(2.00)	(2.00)
F. RESEARCH & POLICY DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	114,271	114,271
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	114,271	114,271
	(2.00)	(2.00)
OTHER OPER EXPENSES	20,000	20,000
TOT RESEARCH & POLICY DEV	134,271	134,271
	(2.00)	(2.00)

P28-DEPT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
G. STATE FILM OFFICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	127,872	
	(2.00)	
OTHER PERSONAL SRVCS	50,000	
TOTAL PERSONAL SERVICE	177,872	
	(2.00)	
OTHER OPER EXPENSES	360,000	
AID TO SUBDIV:		
ALLOC-PRIVATE SECTOR	13,293,767	
TOTAL DIST SUBDIV	13,293,767	
TOTAL FILM OFFICE	13,831,639	
	(2.00)	
TOT PROG AND SRVCS	79,354,439	35,477,391
	(339.00)	(148.25)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	6,755,384	3,058,039
TOTAL FRINGE BENEFITS	6,755,384	3,058,039
TOTAL EMPLOYEE BENEFITS	6,755,384	3,058,039
DEPT OF PARKS, RECREATION & TOURISM		
TOTAL FUNDS AVAILABLE	93,843,747	42,731,774
TOTAL AUTH FTE POSITIONS	(376.00)	(185.00)

SECTION 50

P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMIN. & SUPPORT		
A. OFFICE OF SEC'Y		
PERSONAL SERVICE		

STATUTES AT LARGE
General and Permanent Laws--2015
P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DIRECTOR	169,146	169,146
	(1.00)	(1.00)
CLASSIFIED POSITIONS	313,494	313,494
	(4.00)	(4.00)
NEW POSITIONS		
<i>EXECUTIVE ASSISTANT I</i>	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	145,000	145,000
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	627,640	627,640
	(7.00)	(7.00)
OTHER OPER EXPENSES	153,000	153,000
TOTAL OFF. OF SECRETARY	780,640	780,640
	(7.00)	(7.00)
<hr/>		
B. FINANCIAL SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	430,000	430,000
	(7.21)	(7.21)
OTHER PERSONAL SRVCS	5,000	5,000
TOTAL PERSONAL SERVICE	435,000	435,000
	(7.21)	(7.21)
OTHER OPER EXPENSES	440,000	190,000
TOTAL FINANCIAL SRVCS	875,000	625,000
	(7.21)	(7.21)
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C. INFO. TECHNOLOGY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	250,000	175,000
	(4.00)	(2.50)
TOTAL PERSONAL SERVICE	250,000	175,000
	(4.00)	(2.50)
OTHER OPER EXPENSES	180,000	126,000
TOTAL INFO TECHNOLOGY	430,000	301,000
	(4.00)	(2.50)

OF SOUTH CAROLINA
General and Permanent Laws--2015
P32-DEPARTMENT OF COMMERCE

	TOTAL FUNDS	GENERAL FUNDS
TOT ADMIN& SUPPORT	2,085,640	1,706,640
	(18.21)	(16.71)
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II. PROGRAMS AND SRVCS		
A. GLOBAL BUSINESS DEVELOP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	883,000	800,500
	(17.00)	(16.00)
NEW POSITIONS		
<i>ECON DEVELOPMENT DEPT MGR</i>		
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	127,000	127,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	100,000	100,000
TOTAL PERSONAL SERVICE	1,110,000	1,027,500
	(19.00)	(18.00)
OTHER OPER EXPENSES	1,592,000	1,567,000
SPECIAL ITEMS:		
PUBLIC-PRIVATE PARTNERS	101,065	101,065
LOCAL ECO.DEVEL.ALLIAN	5,000,000	5,000,000
LOCATE SC	4,000,000	4,000,000
TOTAL SPECIAL ITEMS	9,101,065	9,101,065
TOTAL GLOBAL BUSINESS DEVELOPMENT	11,803,065	11,695,565
	(19.00)	(18.00)
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B. SMALL BUSINESS/EXISTING INDUSTRY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	656,000	466,000
	(10.00)	(7.80)
NEW POSITIONS		
<i>ECON DEVELOPMENT MGR II</i>		
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	80,000	70,000
TOTAL PERSONAL SERVICE	736,000	536,000
	(11.00)	(8.80)

STATUTES AT LARGE
General and Permanent Laws--2015
P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	403,000	235,000
AID TO SUBDIV: ALLOC-PRIVATE SECTOR	125,000	125,000
TOTAL DIST SUBDIV	125,000	125,000
TOT SMALL BUSI/EXISTING INDUSTRY	1,264,000 (11.00)	896,000 (8.80)
C. COMMUNITY & RURAL DEVELOPMENT		
PERSONAL SERVICE CLASSIFIED POSITIONS	350,000 (4.00)	
OTHER PERSONAL SRVCS	50,000	
TOTAL PERSONAL SERVICE	400,000 (4.00)	
OTHER OPER EXPENSES	245,000	
TOT COMMUNITY & RURAL DEVELOPMENT	645,000 (4.00)	
D. MKTG, COMMUNICATIONS & RESEARCH		
PERSONAL SERVICE CLASSIFIED POSITIONS	665,000 (14.00)	665,000 (14.00)
OTHER PERSONAL SRVCS	25,000	25,000
TOT PERSONAL SERVICE	690,000 (14.00)	690,000 (14.00)
OTHER OPER EXPENSES	215,000	215,000
SPECIAL ITEMS: BUS. DEVEL. & MKTG. MFG EXTENSION PARTNERS	750,000 932,049	750,000 932,049
TOTAL SPECIAL ITEMS	1,682,049	1,682,049
TOTAL MKTG, COMMUNIC, & RESEARCH	2,587,049 (14.00)	2,587,049 (14.00)

OF SOUTH CAROLINA
General and Permanent Laws--2015
P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. GRANT PROGRAMS		
1. COORD COUNCIL ECO DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	325,000	
	(6.00)	
NEW POSITIONS		
<i>GRANTS COORDINATOR II</i>	<i>70,000</i>	
	<i>(1.00)</i>	
UNCLASSIFIED POSITIONS	118,750	
	(1.00)	
OTHER PERSONAL SRVCS	31,250	
TOTAL PERSONAL SERVICE	545,000	
	(8.00)	
OTHER OPER EXPENSES	175,000	
SPECIAL ITEMS:		
CLOSING FUND	8,000,000	8,000,000
TOTAL SPECIAL ITEMS	8,000,000	8,000,000
AID TO SUBDIV:		
ALLOC MUN-RESTRICTED	4,000,000	
ALLOC CNTY-RESTRICTED	36,266,000	
TOTAL DIST SUBDIV	40,266,000	
TOT COORD COUNCIL	48,986,000	8,000,000
	(8.00)	
=====		
2. COMMUNITY GRANTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	628,036	188,036
	(10.89)	(3.00)
OTHER PERSONAL SRVCS	50,000	25,000
TOTAL PERSONAL SERVICE	678,036	213,036
	(10.89)	(3.00)
OTHER OPER EXPENSES	250,000	
AID TO SUBDIV:		
ALLOC MUN-RESTRICTED	14,850,000	
ALLOC CNTY-RESTRICTED	4,469,015	
TOTAL DIST SUBDIV	19,319,015	

STATUTES AT LARGE
General and Permanent Laws--2015
P32-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT COMMUNITY GRANTS	20,247,051 (10.89)	213,036 (3.00)
TOT GRANT PROGRAMS	69,233,051 (18.89)	8,213,036 (3.00)
F. REGIONAL EDUCATION CNTRS		
PERSONAL SERVICE		
NEW POSITIONS ADDED BY THE		
BUDGET AND CONTROL BOARD		
<i>PROGRAM MANAGER I</i>		
	(12.00)	
OTHER OPER EXPENSES	1,000,000	500,000
TOTAL REGIONAL EDUC		
CENTERS	1,000,000 (12.00)	500,000
G. INNOVATION/EMERGING		
INDUSTRIES		
PERSONAL SERVICE		
NEW POSITIONS		
<i>PROJECT MANAGER II</i>		
	92,500	92,500
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	20,000	20,000
TOTAL PERSONAL SERVICE	112,500 (1.00)	112,500 (1.00)
OTHER OPER EXPENSES	106,500	106,500
TOT INNOVA/EMERGING		
INDUSTRIES	219,000 (1.00)	219,000 (1.00)
TOT PROGRAMS AND SRVCS	86,751,165 (79.89)	24,110,650 (44.80)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,705,020	1,168,020
TOTAL FRINGE BENEFITS	1,705,020	1,168,020

OF SOUTH CAROLINA
General and Permanent Laws--2015
P32-DEPARTMENT OF COMMERCE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL EMPLOYEE BENEFITS	1,705,020	1,168,020
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DEPARTMENT OF COMMERCE		
TOTAL FUNDS AVAILABLE	90,541,825	26,985,310
TOTAL AUTH FTE POSITIONS	(98.10)	(61.51)
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SECTION 51

P34-JOBS-ECONOMIC DEVELOPMENT AUTHORITY

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	110,000	
	(1.00)	
OTHER PERSONAL SRVCS	60,000	
TOTAL PERSONAL SERVICE	170,000	
	(1.00)	
OTHER OPER EXPENSES	200,500	
TOTAL ADMINISTRATION	370,500	
	(1.00)	
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II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	52,650	
TOTAL FRINGE BENEFITS	52,650	
TOTAL EMPLOYEE BENEFITS	52,650	
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JOBS-ECONOMIC DEVELOPMENT AUTHORITY		
TOTAL FUNDS AVAILABLE	423,150	
TOTAL AUTH FTE POSITIONS	(1.00)	
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SECTION 52

P36-PATRIOTS POINT DEVELOPMENT AUTHORITY

	TOTAL FUNDS	GENERAL FUNDS
I. NAVAL & MARITIME MUSEUM		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	107,000	
	(1.00)	
CLASSIFIED POSITIONS	3,412,000	
	(83.00)	
NEW POSITIONS ADDED BY THE BUDGET AND CONTROL BOARD		
<i>TRADES SPECIALIST V</i>		
	(1.00)	
OTHER PERSONAL SRVCS	704,000	
TOTAL PERSONAL SERVICE	4,223,000	
	(85.00)	
OTHER OPER EXPENSES	8,039,012	
DEBT SERVICE		
INTEREST - LOAN NOTE	174,000	
TOTAL DEBT SERVICE	174,000	
TOTAL NAVAL & MARITIME MUSEUM		
	12,436,012	
	(85.00)	
II. EMPLOYEE BENEFITS:		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,400,000	
TOTAL FRINGE BENEFITS	1,400,000	
TOTAL EMPLOYEE BENEFITS	1,400,000	
Patriots Point Development Authority		
TOTAL FUNDS AVAILABLE	13,836,012	
TOTAL AUTH FTE POSITIONS	(85.00)	

SECTION 53
P40-S. C. CONSERVATION BANK

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	151,055	
	(2.00)	
NEW POSITIONS		
<i>PROGRAM MANAGER I</i>	<i>70,000</i>	
	<i>(1.00)</i>	
TOTAL PERSONAL SERVICE	221,055	
	(3.00)	
OTHER OPER EXPENSES	223,528	
SPECIAL ITEMS:		
CONSERV BANK TRUST	14,492,556	
TOTAL SPECIAL ITEMS	14,492,556	
TOTAL ADMINISTRATION	14,937,139	
	(3.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	62,861	
TOTAL FRINGE BENEFITS	62,861	
TOTAL EMPLOYEE BENEFITS	62,861	
S. C. CONSERVATION BANK		
TOTAL FUNDS AVAILABLE	15,000,000	
TOTAL AUTH FTE POSITIONS	(3.00)	

SECTION 54
P45-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		

P45-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DIRECTOR	119,600	
	(1.00)	
CLASSIFIED POSITIONS	175,400	
	(3.00)	
OTHER PERSONAL SRVCS	5,000	
TOTAL PERSONAL SERVICE	300,000	
	(4.00)	
OTHER OPER EXPENSES	150,000	
TOTAL ADMINISTRATION	450,000	
	(4.00)	
II. RURAL INFRA FUND		
SPECIAL ITEMS:		
RURAL INFRA FUND	25,055,079	5,055,079
TOTAL SPECIAL ITEMS	25,055,079	5,055,079
TOTAL RURAL INFRA FUND	25,055,079	5,055,079
III. OFFICE OF LOCAL GOVT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	340,000	
	(6.00)	
OTHER PERSONAL SRVCS	10,000	
TOTAL PERSONAL SERVICE	350,000	
	(6.00)	
OTHER OPER EXPENSES	250,000	
SPECIAL ITEMS		
LOANS	5,341,800	4,641,800
TOTAL SPECIAL ITEMS	5,341,800	4,641,800
TOT OFFICE OF LOCAL GOVT	5,941,800	4,641,800
	(6.00)	
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	219,000	
TOTAL FRINGE BENEFITS	219,000	

P45-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	219,000	
RURAL INFRASTRUCTURE AUTHORITY		
TOTAL FUNDS AVAILABLE	31,665,879	9,696,879
TOTAL AUTH FTE POSITIONS	(10.00)	

SECTION 57
B04-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. THE COURT:		
A. SUPREME COURT:		
PERSONAL SERVICE		
CHIEF JUSTICE	151,317	151,317
	(1.00)	(1.00)
ASSOCIATE JUSTICE	576,444	576,444
	(4.00)	(4.00)
TAXABLE SUBSISTENCE	2,500	2,500
UNCLASSIFIED POSITIONS	2,541,015	2,391,000
	(51.47)	(48.47)
OTHER PERSONAL SRVCS	45,000	45,000
TOTAL PERSONAL SERVICE	3,316,276	3,166,261
	(56.47)	(53.47)
OTHER OPER EXPENSES	1,324,000	424,000
TOT THE SUPREME COURT	4,640,276	3,590,261
	(56.47)	(53.47)
B. BD OF LAW EXAMINERS:		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	89,248	
	(1.00)	
OTHER PERSONAL SRVCS	156,600	
TOTAL PERSONAL SERVICE	245,848	
	(1.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
B04-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	588,182	
TOT BD OF LAW EXAMINERS	834,030 (1.00)	
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C. OFFICE OF DISCIPLINARY COUNSEL		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	915,766 (14.00)	
TOTAL PERSONAL SERVICE	915,766 (14.00)	
OTHER OPER EXPENSES	125,000	
TOT OFFICE OF DISCIPLINARY COUNSEL	1,040,766 (14.00)	
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D. COMMISSION ON CONDUCT		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	390,238 (8.00)	
OTHER PERSONAL SRVCS	3,000	
TOTAL PERSONAL SERVICE	393,238 (8.00)	
OTHER OPER EXPENSES	87,000	
TOT COMMISS ON CONDUCT	480,238 (8.00)	
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TOTAL THE COURT	6,995,310 (79.47)	3,590,261 (53.47)
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II. COURT OF APPEALS:		
PERSONAL SERVICE		
CHIEF APPEALS CRT JUDGE	142,670 (1.00)	142,670 (1.00)
ASSOC. APPEALS CRT JUDGE	1,124,064 (8.00)	1,124,064 (8.00)
TAXABLE SUBSISTENCE	20,000	20,000

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	2,686,615	2,536,600
	(59.00)	(56.00)
OTHER PERSONAL SRVCS	45,000	45,000
TOTAL PERSONAL SERVICE	4,018,349	3,868,334
	(68.00)	(65.00)
OTHER OPER EXPENSES	610,000	310,000
TOTAL COURT OF APPEALS	4,628,349	4,178,334
	(68.00)	(65.00)
 III. CIRCUIT COURT:		
PERSONAL SERVICE		
CIRCUIT COURT JUDGE		
	6,576,829	6,576,829
	(49.00)	(49.00)
TAXABLE SUBSISTENCE	140,000	140,000
UNCLASSIFIED POSITIONS	5,499,038	3,025,291
	(170.00)	(101.00)
OTHER PERSONAL SRVCS	11,000	1,000
TOTAL PERSONAL SERVICE	12,226,867	9,743,120
	(219.00)	(150.00)
OTHER OPER EXPENSES	1,265,058	1,065,058
SPECIAL ITEMS:		
REACTIVATED JUDGES		
DIFFERENTIAL		
	575,000	
TOTAL SPECIAL ITEMS	575,000	
TOTAL CIRCUIT COURT	14,066,925	10,808,178
	(219.00)	(150.00)
 IV. FAMILY COURT:		
PERSONAL SERVICE		
FAMILY COURT JUDGE		
	7,731,516	7,731,516
	(58.00)	(58.00)
TAXABLE SUBSISTENCE	160,000	160,000
UNCLASSIFIED POSITIONS	3,665,955	3,665,955
	(121.00)	(121.00)
NEW POSITIONS		
<i>FAMILY COURT JUDGE</i>		
	266,604	266,604
	(2.00)	(2.00)

STATUTES AT LARGE
General and Permanent Laws--2015
B04-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
<i>COURT REPORTER I</i>	76,000	76,000
	(2.00)	(2.00)
<i>ADMINISTRATIVE ASSISTANT</i>	60,000	60,000
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	1,000	1,000
TOTAL PERSONAL SERVICE	11,961,075	11,961,075
	(185.00)	(185.00)
OTHER OPER EXPENSES	1,117,058	917,058
TOTAL FAMILY COURT	13,078,133	12,878,133
	(185.00)	(185.00)
V. ADMINISTRATION:		
A. COURT ADMINISTRATION:		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	1,025,095	
	(20.00)	
TOTAL PERSONAL SERVICE	1,025,095	
	(20.00)	
OTHER OPER EXPENSES	275,000	
SPECIAL ITEMS:		
STATE COURT IMPROVEMENT X TRAINING	369,835	
STATE COURT IMPROVEMENT X DATA SHARE	150,000	
STATE COURT IMPROVEMENT XI TRAINING	315,558	
TOTAL SPECIAL ITEMS	835,393	
TOTAL COURT ADMIN	2,135,488	
	(20.00)	
B. FINANCE AND PERSONNEL:		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	1,037,034	
	(20.00)	
TOTAL PERSONAL SERVICE	1,037,034	
	(20.00)	

OF SOUTH CAROLINA
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B04-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	280,000	
TOT FINANCE & PERSONNEL	1,317,034 (20.00)	
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C. INFO TECHNOLOGY		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	3,074,970 (40.00)	
TOTAL PERSONAL SERVICE	3,074,970 (40.00)	
OTHER OPER EXPENSES	5,172,000	1,212,000
SPECIAL ITEMS:		
CASE MANAGEMENT	2,163,000	
TOTAL SPECIAL ITEMS	2,163,000	
TOTAL INFO TECHNOLOGY	10,409,970 (40.00)	1,212,000
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TOTAL ADMINISTRATION	13,862,492 (80.00)	1,212,000
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VI. JUDICIAL COMMITMENT:		
SPECIAL ITEM:		
JUDICIAL COMMITMENT	375,000	
TOTAL SPECIAL ITEMS	375,000	
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TOT JUD COMMITMENT	375,000	
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VII. LANG INTERPRETERS		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	170,000	90,000
TOT LANG INTERPRETERS	170,000	90,000
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VIII. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	17,181,217	14,267,127
TOTAL FRINGE BENEFITS	17,181,217	14,267,127

STATUTES AT LARGE
General and Permanent Laws--2015
B04-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	17,181,217	14,267,127
JUDICIAL DEPARTMENT		
TOTAL FUNDS AVAILABLE	70,357,426	47,024,033
TOTAL AUTH FTE POSITIONS	(631.47)	(453.47)

SECTION 58
C05-ADMINISTRATIVE LAW COURT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CHIEF JUDGE	120,799	120,799
	(1.00)	(1.00)
ASSOCIATE JUDGE	536,886	536,886
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	1,503,973	752,973
	(38.00)	(12.50)
TOTAL PERSONAL SERVICE	2,161,658	1,410,658
	(44.00)	(18.50)
OTHER OPER EXPENSES	841,363	355,840
TOTAL ADMINISTRATION	3,003,021	1,766,498
	(44.00)	(18.50)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	859,402	625,685
TOTAL FRINGE BENEFITS	859,402	625,685
TOTAL EMPLOYEE BENEFITS	859,402	625,685
ADMINISTRATIVE LAW COURT		
TOTAL FUNDS AVAILABLE	3,862,423	2,392,183
TOTAL AUTH FTE POSITIONS	(44.00)	(18.50)

SECTION 59
E20-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE LITIGATION		
PERSONAL SERVICE		
ATTORNEY GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	6,455,268	4,234,910
	(198.25)	(89.05)
NEW POSITIONS		
<i>ATTORNEY II</i>	<i>65,000</i>	<i>65,000</i>
	(1.00)	(1.00)
<i>ATTORNEY III</i>	<i>175,700</i>	<i>175,700</i>
	(3.00)	(3.00)
<i>ACCOUNTANT/FISCAL MANAGER I</i>	<i>57,500</i>	<i>57,500</i>
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	125,000	
	(1.00)	
OTHER PERSONAL SRVCS	765,010	25,000
TOTAL PERSONAL SERVICE	7,735,485	4,650,117
	(205.25)	(95.05)
OTHER OPER EXPENSES	13,477,461	77,378
TOTAL STATE LITIGATION	21,212,946	4,727,495
	(205.25)	(95.05)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	2,059,875	1,165,032
TOTAL FRINGE BENEFITS	2,059,875	1,165,032
TOTAL EMPLOYEE BENEFITS	2,059,875	1,165,032
ATTORNEY GENERAL'S OFFICE		
TOTAL FUNDS AVAILABLE	23,272,821	5,892,527
TOTAL AUTH FTE POSITIONS	(205.25)	(95.05)

SECTION 60
E21-PROSECUTION COORDINATION COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	109,450	109,450
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	319,077	319,077
	(5.00)	(5.00)
OTHER PERSONAL SRVCS	99,550	2,400
	528,077	430,927
TOTAL PERSONAL SERVICE	(6.00)	(6.00)
OTHER OPER EXPENSES	352,550	131,109
	880,627	562,036
TOTAL ADMINISTRATION	(6.00)	(6.00)
II. OFFICES OF CIRCUIT SOLICITORS		
PERSONAL SERVICE		
CIRCUIT SOLICITOR	2,190,480	2,190,480
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	577,270	577,270
	(16.00)	(16.00)
	2,767,750	2,767,750
TOTAL PERSONAL SERVICE	(32.00)	(32.00)
OTHER OPER EXPENSES	96,000	96,000
SPECIAL ITEMS		
JUDICIAL CIRCUIT STATE SUPP	5,872,002	5,872,002
RICHLAND CNTY DRUG COURT	56,436	56,436
KERSHAW CNTY DRUG COURT	52,965	52,965
SALUDA CNTY DRUG COURT	38,000	38,000
DRUG COURT FUNDING	2,800,000	
FEE FOR MOTIONS	450,000	
LAW ENFORCEMENT FUNDING	4,000,000	
COURT FEES	300,000	
CRIMINAL DOM VIOLENCE		
PROSECUTION	1,600,000	1,600,000
DUI PROSECUTION	1,179,041	1,179,041

E21-PROSECUTION COORDINATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
12TH JUDICIAL CIRCUIT DRUG COURT	150,000	150,000
TRAFFIC EDUCATION PROG (MAGISTRATE)	50,000	
TRAFFIC EDUCATION PROG (MUNICIPAL)	50,000	
CONDITIONAL DISCHARGE - GENERAL SESSIONS	225,000	
CONDITIONAL DISCHARGE - MAGISTRATE	175,000	
CONDITIONAL DISCHARGE - MUNICIPAL	100,000	
VIOLENT CRIME PROSECUT VICTIM'S ASSISTANCE PROG	1,600,000 132,703	1,600,000 132,703
TOTAL SPECIAL ITEMS	<u>18,831,147</u>	<u>10,681,147</u>
TOTAL OFFICES OF CIRCUIT SOLICITORS	21,694,897 (32.00)	13,544,897 (32.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,790,970	1,753,978
TOTAL FRINGE BENEFITS	<u>1,790,970</u>	<u>1,753,978</u>
TOTAL EMPLOYEE BENEFITS	<u>1,790,970</u>	<u>1,753,978</u>
PROSECUTION COORDINATION COMMISSION		
TOTAL FUNDS AVAILABLE	24,366,494	15,860,911
TOTAL AUTH FTE POSITIONS	<u>(38.00)</u>	<u>(38.00)</u>

SECTION 61
E23-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		

E23-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
EXECUTIVE DIRECTOR	130,229	130,229
	(1.00)	(1.00)
CLASSIFIED POSITIONS	539,450	404,205
	(9.50)	(9.50)
NEW POSITIONS		
<i>ATTORNEY II</i>	(.50)	
OTHER PERSONAL SRVCS	1,234	1,234
TOTAL PERSONAL SERVICE	670,913	535,668
	(11.00)	(10.50)
OTHER OPER EXPENSES	300,000	
SPECIAL ITEMS:		
DEATH PENALTY TRIAL FDS	2,500,000	
CONFLICT FUND	2,500,000	
LEGAL AID FUNDING	1,700,000	
RULE 608 APPOINTMENT FD	7,050,000	7,050,000
PROFESSIONAL TRAINING & DEVELOPMENT	252,000	
COURT FINE ASSESSMENT	1,315,132	
TOTAL SPECIAL ITEMS	<u>15,317,132</u>	<u>7,050,000</u>
TOTAL ADMINISTRATION	16,288,045	7,585,668
	<u>(11.00)</u>	<u>(10.50)</u>
II. DIVISION OF APPELLATE DEFENSE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	993,877	750,034
	(21.50)	(21.50)
TOTAL PERSONAL SERVICE	993,877	750,034
	(21.50)	(21.50)
OTHER OPER EXPENSES	302,600	
TOTAL DIV OF APPELLATE DEFENSE	1,296,477	750,034
	<u>(21.50)</u>	<u>(21.50)</u>

E23-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. OFFICE OF CIRCUIT PUBLIC DEFENDERS		
PERSONAL SERVICE		
CIRCUIT PUBLIC DEFENDERS	2,147,542	2,147,542
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	405,985	405,985
	(16.00)	(16.00)
TOTAL PERSONAL SERVICE	2,553,527	2,553,527
	(32.00)	(32.00)
OTHER OPER EXPENSES	96,000	96,000
SPECIAL ITEMS:		
DEFENSE OF INDIGENTS PER CAPITA		
	10,212,602	6,039,550
DUI DEFENSE OF INDIGENTS	976,593	976,593
CRIMINAL DOM VIOLENCE	1,377,185	1,377,185
TOTAL SPECIAL ITEMS	12,566,380	8,393,328
TOT OFF OF CIRCUIT PUBLIC DEFENDERS		
	15,215,907	11,042,855
	(32.00)	(32.00)
IV. DEATH PENALTY TRIAL DIV		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	296,000	
	(5.00)	
TOTAL PERSONAL SERVICE	296,000	
	(5.00)	
OTHER OPER EXPENSES	115,200	
TOTAL DEATH PENALTY TRIAL DIVISION	411,200	
	(5.00)	
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	2,057,772	1,968,972
TOTAL FRINGE BENEFITS	2,057,772	1,968,972

STATUTES AT LARGE (No. 91)
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E23-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL EMPLOYEE BENEFITS	2,057,772	1,968,972
COMMISS ON INDIGENT DEFENSE		
TOTAL FUNDS AVAILABLE	35,269,401	21,347,529
TOTAL AUTH FTE POSITIONS	(69.50)	(64.00)

SECTION 62

D10-GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE:		
CHIEF	161,356	161,356
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,967,908	1,918,908
	(39.00)	(36.00)
NEW POSITIONS		
<i>ADMINISTRATIVE SPECIALIST II</i>	30,000	30,000
	(1.00)	(1.00)
<i>PROGRAM MANAGER I</i>	55,000	55,000
	(1.00)	(1.00)
<i>PUBLIC INFO SPECIALIST</i>	30,000	30,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	270,000	5,000
TOTAL PERSONAL SERVICE	2,514,264	2,200,264
	(43.00)	(40.00)
OTHER OPER EXPENSES	619,082	130,240
TOTAL ADMINISTRATION	3,133,346	2,330,504
	(43.00)	(40.00)
II. PROGRAMS & SRVCS		
A. INVESTIGATIVE SRVCS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	11,611,152	10,839,882
	(193.94)	(176.94)

D10-GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS:		
<i>ADMINISTRATIVE SPECIALIST II</i>	30,000	30,000
	(1.00)	(1.00)
<i>LAW ENFORCEMENT OFFICER II</i>	546,875	546,875
	(19.00)	(19.00)
NEW POSITIONS ADDED BY THE BUDGET AND CONTROL BOARD		
<i>ADMINSTRATIVE COORDINATOR I</i>	(0.01)	(0.01)
OTHER PERSONAL SRVCS	576,110	400,765
TOTAL PERSONAL SERVICE	12,764,137	11,817,522
	(213.95)	(196.95)
OTHER OPER EXPENSES	7,833,250	1,096,000
SPECIAL ITEMS:		
AGENT OPERATIONS	92,625	92,625
METH LAB CLEAN UP	1,500,000	1,500,000
TOTAL SPECIAL ITEMS	1,592,625	1,592,625
TOT INVESTIGATIVE SRVCS	22,190,012	14,506,147
	(213.95)	(196.95)
B. FORENSIC SRVCS		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	5,499,610	4,964,910
	(108.80)	(96.00)
NEW POSITIONS		
<i>CRIMINALIST I</i>	90,000	90,000
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	1,449,702	174,702
TOTAL PERSONAL SERVICE	7,039,312	5,229,612
	(110.80)	(98.00)
OTHER OPER EXPENSES	4,011,819	494,904
SPECIAL ITEMS:		
DNA DATABASE PROGRAM	370,000	
BREATHTESTING SITE		
VIDEOTAPING	250,000	
IMPLIED CONSENT	89,855	89,855
TOTAL SPECIAL ITEMS	709,855	89,855

D10-GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION

	TOTAL FUNDS	GENERAL FUNDS
CASE SVC/PUBLIC ASSIST HOSPITAL SRVCS	6,000	6,000
TOT CASE SRVC/PUB ASST	6,000	6,000
TOTAL FORENSIC SRVCS	11,766,986 (110.80)	5,820,371 (98.00)
<hr style="border-top: 3px double black;"/>		
C. DATA CENTER		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	2,131,503 (53.59)	2,131,503 (53.59)
NEW POSITIONS ADDED BY THE BUDGET AND CONTROL BOARD <i>INFO RESOURCE CONSULTANT II</i>		
	(.01)	(.01)
OTHER PERSONAL SRVCS	280,601	96,601
TOTAL PERSONAL SERVICE	2,412,104 (53.60)	2,228,104 (53.60)
OTHER OPER EXPENSES	5,541,567	40,580
TOTAL DATA CENTER	7,953,671 (53.60)	2,268,684 (53.60)
<hr style="border-top: 3px double black;"/>		
D. REGULATORY		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,850,495 (40.00)	757,897 (15.00)
OTHER PERSONAL SRVCS	747,427	194,112
TOTAL PERSONAL SERVICE	2,597,922 (40.00)	952,009 (15.00)
OTHER OPER EXPENSES	1,563,670	172,640
TOTAL REGULATORY	4,161,592 (40.00)	1,124,649 (15.00)
<hr style="border-top: 3px double black;"/>		
E. HOMELAND SECURITY PROG		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	255,016 (3.65)	124,996 (1.85)
OTHER PERSONAL SRVCS	544,183	8,841

D10-GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	799,199	133,837
	(3.65)	(1.85)
OTHER OPER EXPENSES	819,652	30,800
DISTRIBUTION TO SUBDIV:		
ALOC MUNICIPALITIES	1,614,177	
ALOC CNTY-RESTRICTED	6,488,493	
ALOC OTHER ST AGENCIES	4,332,180	
ALOC OTHER ENTITIES	1,000,000	
TOTAL DIST SUBDIV	<u>13,434,850</u>	
TOT HOMELAND SECURITY	15,053,701	164,637
	(3.65)	(1.85)
G. CJIS/FUSION CENTER		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	4,046,401	2,965,877
	(81.00)	(51.00)
OTHER PERSONAL SRVCS	1,000,311	57,629
TOTAL PERSONAL SERVICE	<u>5,046,712</u>	<u>3,023,506</u>
	(81.00)	(51.00)
OTHER OPER EXPENSES	3,279,272	337,077
SPECIAL ITEM:		
AMBER ALERT	58,795	58,795
TOTAL SPECIAL ITEMS	<u>58,795</u>	<u>58,795</u>
TOTAL CJIS/FUSION CENTER	<u>8,384,779</u>	<u>3,419,378</u>
	(81.00)	(51.00)
H. COUNTER-TERRORISM		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	3,290,454	3,247,454
	(58.00)	(57.00)
OTHER PERSONAL SRVCS	303,391	214,391
TOTAL PERSONAL SERVICE	<u>3,593,845</u>	<u>3,461,845</u>
	(58.00)	(57.00)
OTHER OPER EXPENSES	3,460,827	467,940
TOT COUNTER-TERRORISM	<u>7,054,672</u>	<u>3,929,785</u>
	(58.00)	(57.00)

D10-GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT PROGRAMS AND SRVCS	76,565,413 (561.00)	31,233,651 (473.40)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	12,090,717	9,677,276
TOTAL FRINGE BENEFITS	12,090,717	9,677,276
TOTAL EMPLOYEE BENEFITS	12,090,717	9,677,276
IV. NON-RECURR APPRO		
AFIS UPGRADE	5,000,000	
TOTAL NON-RECURR APPRO	5,000,000	
TOTAL NON-RECURRING	5,000,000	
GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION		
TOTAL RECURRING BASE	91,789,476	43,241,431
TOTAL FUNDS AVAILABLE	96,789,476	43,241,431
TOTAL AUTH FTE POSITIONS	(604.00)	(513.40)
TOTAL GOVERNOR'S OFFICE	96,789,476	43,241,431
TOTAL AUTH FTE POSITIONS	(604.00)	(513.40)

SECTION 63
K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SRVCS		
PERSONAL SERVICE		
DIRECTOR	159,130 (1.00)	128,528 (.80)
CLASSIFIED POSITIONS	3,867,986 (87.71)	3,662,986 (76.40)
OTHER PERSONAL SRVCS	257,261	164,700

K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	4,284,377	3,956,214
	(88.71)	(77.20)
OTHER OPER EXPENSES	2,154,879	37,481
DEBT SERVICE		
DEBT SERVICE	2,337,625	
TOTAL DEBT SERVICE	<u>2,337,625</u>	
TOT ADMIN SRVCS	8,776,881	3,993,695
	(88.71)	(77.20)
II. PROGRAMS AND SRVCS		
A.1. HIGHWAY PATROL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	46,923,009	42,952,406
	(1,112.70)	(1,018.30)
NEW POSITIONS		
<i>LAW ENFORCE OFFICER II</i>	1,036,562	
	(24.00)	
UNCLASSIFIED POSITIONS	117,092	117,092
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	2,538,835	906,160
TOTAL PERSONAL SERVICE	50,615,498	43,975,658
	(1,137.70)	(1,019.30)
OTHER OPER EXPENSES	27,469,006	3,286,388
TOTAL HIGHWAY PATROL	<u>78,084,504</u>	<u>47,262,046</u>
	(1,137.70)	(1,019.30)
A.2. ILLEGAL IMMIGRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	426,544	426,544
	(12.00)	(12.00)
TOTAL PERSONAL SERVICE	426,544	426,544
	(12.00)	(12.00)
OTHER OPER EXPENSES	118,525	118,525
TOT ILLEGAL IMMIGRATION	<u>545,069</u>	<u>545,069</u>
	(12.00)	(12.00)

K05-DEPARTMENT OF PUBLIC SAFETY

	TOTAL FUNDS	GENERAL FUNDS
TOTAL HIGHWAY PATROL	78,629,573 (1,149.70)	47,807,115 (1,031.30)
<hr/>		
B. STATE TRANSPORT POLICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	6,066,052 (147.01)	1,946,237 (45.90)
UNCLASSIFIED POSITIONS	101,908 (1.00)	101,908 (1.00)
OTHER PERSONAL SRVCS	375,123	25,000
TOTAL PERSONAL SERVICE	6,543,083 (148.01)	2,073,145 (46.90)
OTHER OPER EXPENSES	3,183,475	
TOT STATE TRANS POLICE	9,726,558 (148.01)	2,073,145 (46.90)
<hr/>		
C. BUREAU OF PROTECT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,609,615 (91.00)	1,672,017 (55.00)
NEW POSITIONS		
<i>LAW ENFORCE OFFICER II</i>	<i>63,000</i> (2.00)	
OTHER PERSONAL SRVCS	62,402	
TOTAL PERSONAL SERVICE	2,735,017 (93.00)	1,672,017 (55.00)
OTHER OPER EXPENSES	25,870	
TOTAL BUREAU OF PROTECTIVE SRVCS	2,760,887 (93.00)	1,672,017 (55.00)
<hr/>		
D. HALL OF FAME		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	137,000 (3.00)	
TOT PERSONAL SERVICE	137,000 (3.00)	

K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	126,000	
TOTAL HALL OF FAME	263,000	
	(3.00)	
=====		
E. SAFETY AND GRANTS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,906,214	508,490
	(38.58)	(6.40)
OTHER PERSONAL SRVCS	491,780	3,000
TOTAL PERSONAL SERVICE	2,397,994	511,490
	(38.58)	(6.40)
OTHER OPER EXPENSES	7,027,179	31,819
SPECIAL ITEM:		
LOC LAW ENFORCE GRANTS	300,000	300,000
BODY CAMERAS	2,400,000	2,400,000
TOTAL SPECIAL ITEMS	2,700,000	2,700,000
DISTRIBUTION TO SUBDIV		
ALLOC MUN - RESTRICTED	3,396,800	
ALLOC CNTY-RESTRICTED	4,295,153	
ALLOC OTHER ST AGENCIES	4,666,000	
ALLOC OTHER ENTITIES	7,715,000	
TOTAL DIST SUBDIV	20,072,953	
TOTAL SAFETY AND GRANTS	32,198,126	3,243,309
	(38.58)	(6.40)
=====		
TOT PROGRAMS AND SRVCS	123,578,144	54,795,586
	(1,432.29)	(1,139.60)
=====		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	28,308,694	22,315,848
TOTAL FRINGE BENEFITS	28,308,694	22,315,848
=====		
TOTAL EMPLOYEE BENEFITS	28,308,694	22,315,848
=====		
IV. NON-RECURR APPRO		
DUI TEAM VEHICLES & EQUIP	768,000	
=====		

STATUTES AT LARGE
General and Permanent Laws--2015
K05-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL NON-RECURR APPRO	768,000	
TOTAL NON-RECURRING	768,000	
DEPT OF PUBLIC SAFETY		
TOTAL RECURRING BASE	160,663,719	81,105,129
TOTAL FUNDS AVAILABLE	161,431,719	81,105,129
TOTAL AUTH FTE POSITIONS	(1,521.00)	(1,216.80)

SECTION 64

N20-LAW ENFORCEMENT TRAINING COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	100,152	
	(1.00)	
CLASSIFIED POSITIONS	2,377,779	
	(59.00)	
OTHER PERSONAL SRVCS	47,000	
TOTAL PERSONAL SERVICE	2,524,931	
	(60.00)	
OTHER OPER EXPENSES	1,917,646	327,336
SPECIAL ITEM		
ETV-STATE & LOCAL TRAIN		
OF LAW ENFORCEME	140,000	140,000
TOTAL SPECIAL ITEMS	140,000	140,000
TOTAL ADMINISTRATION	4,582,577	467,336
	(60.00)	
II. TRAINING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,734,522	
	(64.25)	
OTHER PERSONAL SRVCS	212,988	

N20-LAW ENFORCEMENT TRAINING COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	2,947,510	
	(64.25)	
OTHER OPER EXPENSES	4,192,505	300,000
	=====	=====
TOTAL TRAINING	7,140,015	300,000
	(64.25)	
	=====	=====
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,596,200	1,456
	=====	=====
TOTAL FRINGE BENEFITS	1,596,200	1,456
	=====	=====
TOTAL EMPLOYEE BENEFITS	1,596,200	1,456
	=====	=====
LAW ENFORCEMENT TRAINING COUNCIL		
TOTAL FUNDS AVAILABLE	13,318,792	768,792
TOTAL AUTH FTE POSITIONS	(124.25)	
	=====	=====

SECTION 65**N04-DEPARTMENT OF CORRECTIONS**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. INTERNAL ADMIN & SUPPORT		
PERSONAL SERVICE		
COMMISSIONER/S	157,977	157,977
	(1.00)	(1.00)
CLASSIFIED POSITIONS	9,474,613	8,769,952
	(146.00)	(132.40)
UNCLASSIFIED POSITIONS	453,741	453,741
	(3.00)	(3.00)
TEMP GRANTS EMPLOYEE	55,000	
OTHER PERSONAL SRVCS	370,102	337,893
	=====	=====
TOT PERSONAL SERVICE	10,511,433	9,719,563
	(150.00)	(136.40)
OTHER OPER EXPENSES	5,102,500	4,000,000
	=====	=====

N04-DEPARTMENT OF CORRECTIONS

	TOTAL FUNDS	GENERAL FUNDS
TOT INTERNAL ADMIN & SUPP	15,613,933	13,719,563
	(150.00)	(136.40)
<hr/>		
II. PROGRAMS & SRVCS		
A. HOUSING, CARE, SECURITY & SUPERVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	181,013,074	178,640,272
	(5,761.13)	(5,627.32)
NEW POSITIONS		
<i>PROGRAM COORDINATOR II</i>	<i>231,000</i>	<i>231,000</i>
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	526,271	526,271
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	4,420,272	3,829,903
TOTAL PERSONAL SERVICE	186,190,617	183,227,446
	(5,771.13)	(5,637.32)
OTHER OPER EXPENSES	93,458,260	75,931,960
CASE SRVCS/PUBLIC ASSISTANCE		
CASE SRVCS	18,239,233	15,189,233
PROSTHETICS	100,000	100,000
TOT CASE SRVC/PUB ASST	18,339,233	15,289,233
TOT HOUSING, CARE, SECURITY & SUPERVISION	297,988,110	274,448,639
	(5,771.13)	(5,637.32)
<hr/>		
II. PROGRAMS AND SRVCS		
B. QUOTA ELIMINATION		
SPECIAL ITEMS		
QUOTA ELIMINATION	1,967,720	1,967,720
TOTAL SPECIAL ITEMS	1,967,720	1,967,720
TOTAL QUOTA ELIMINATION	1,967,720	1,967,720
<hr/>		
II. PROGRAMS AND SRVCS		
C. WORK AND VOCATIONAL ACTIVITIES		
PERSONAL SERVICE		

N04-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	6,325,607	552,915
	(142.52)	(25.00)
OTHER PERSONAL SRVCS	9,902,681	351,131
TOTAL PERSONAL SERVICE	16,228,288	904,046
	(142.52)	(25.00)
OTHER OPER EXPENSES	15,218,845	357,638
TOTAL WORK AND VOCATIONAL ACTIVITIES	31,447,133	1,261,684
	(142.52)	(25.00)
II. PROGRAMS AND SRVCS		
D. PALMETTO UNIFIED SCHOOL DISTRICT #1 PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,240,841	1,128,341
	(21.85)	(14.00)
UNCLASSIFIED POSITIONS	3,290,000	1,800,000
	(55.49)	(25.16)
OTHER PERSONAL SRVCS	1,862,794	650,000
TOTAL PERSONAL SERVICE	6,393,635	3,578,341
	(77.34)	(39.16)
OTHER OPER EXPENSES	1,890,238	70,190
TOTAL PALMETTO UNIFIED SCHOOL DISTRICT #1	8,283,873	3,648,531
	(77.34)	(39.16)
II. PROGRAMS AND SRVCS		
E. INDIVIDUAL GROWTH AND MOTIVATION PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,816,237	2,816,237
	(76.00)	(76.00)
OTHER PERSONAL SRVCS	692,157	545,907
TOTAL PERSONAL SERVICE	3,508,394	3,362,144
	(76.00)	(76.00)
OTHER OPER EXPENSES	433,497	84,747

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT INDIVIDUAL GROWTH & MOTIVATION	3,941,891 (76.00)	3,446,891 (76.00)
<hr/>		
II. PROGRAMS AND SRVCS		
F. PENAL FACILITY		
INSPECTION SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	107,968 (2.00)	107,968 (2.00)
<hr/>		
TOTAL PERSONAL SERVICE	107,968 (2.00)	107,968 (2.00)
OTHER OPER EXPENSES	6,000	6,000
<hr/>		
TOTAL PENAL FACILITIES		
INSPECTION SERVICE	113,968 (2.00)	113,968 (2.00)
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TOT PROG AND SRVCS	343,742,695 (6,068.99)	284,887,433 (5,779.48)
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	90,662,520	86,120,116
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TOTAL FRINGE BENEFITS	90,662,520	86,120,116
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TOTAL EMPLOYEE BENEFITS	90,662,520	86,120,116
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DEPARTMENT OF CORRECTIONS		
TOTAL FUNDS AVAILABLE	450,019,148	384,727,112
TOTAL AUTH FTE POSITIONS	(6,218.99)	(5,915.88)
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SECTION 66
N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	98,120 (1.00)	98,120 (1.00)

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	1,503,000	885,169
	(32.00)	(18.00)
UNCLASSIFIED POSITIONS	90,788	90,788
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	117,596	85,000
TOTAL PERSONAL SERVICE	1,809,504	1,159,077
	(34.00)	(20.00)
OTHER OPER EXPENSES	158,182	
TOTAL ADMINISTRATION	1,967,686	1,159,077
	(34.00)	(20.00)
II. PROGRAMS AND SRVCS		
A. OFFENDER PROGRAM		
1. OFFENDER SUPERVISION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	23,381,654	8,982,394
	(532.00)	(254.00)
NEW POSITIONS		
<i>INFOR RESOURCE CONSULT II</i>	60,000	60,000
	(1.00)	(1.00)
<i>PROBATION & PAROLE</i>		
<i>SPECIALIST</i>	1,452,000	1,452,000
	(44.00)	(44.00)
UNCLASSIFIED POSITIONS	188,960	188,960
	(2.00)	(2.00)
OTHER PERSONAL SRVCS	261,422	38,370
TOTAL PERSONAL SERVICE	25,344,036	10,721,724
	(579.00)	(301.00)
OTHER OPER EXPENSES	10,349,940	580,844
CASE SRVCS/PUBLIC		
ASSISTANCE PAYMENTS		
CASE SRVCS	32,425	
TOT CASE SRVC/PUB ASST	32,425	
TOT OFFENDER SUPERVIS	35,726,401	11,302,568
	(579.00)	(301.00)

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. SEX OFFENDMONITORING PROGRAM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,245,473	2,245,473
	(54.00)	(54.00)
OTHER PERSONAL SRVCS	10,000	10,000
TOTAL PERSONAL SERVICE	2,255,473	2,255,473
	(54.00)	(54.00)
OTHER OPER EXPENSES	595,001	295,001
EMPLOYER CONTRIBS	720,118	720,118
TOTAL FRINGE BENEFITS	720,118	720,118
TOT SEX OFFEND MONITOR AND SUPERVISIO	3,570,592	3,270,592
	(54.00)	(54.00)
3. SENTENCING REFORM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,765,618	1,765,618
	(52.00)	(52.00)
OTHER PERSONAL SRVCS	20,000	20,000
TOTAL PERSONAL SERVICE	1,785,618	1,785,618
	(52.00)	(52.00)
OTHER OPER EXPENSES	1,206,784	1,206,784
CASE SRVCS/PUBLIC ASSISTANCE PAYMENTS		
CASE SRVCS	340,000	340,000
TOT CASE SRVC/PUB ASST	340,000	340,000
TOT SENTENCING REFORM	3,332,402	3,332,402
	(52.00)	(52.00)
TOT OFFEND PROGRAM	42,629,395	17,905,562
	(685.00)	(407.00)
II. PROGRAMS AND SRVCS		
B. RE-ENTRY PROGRAMS		
1. SPARTBG RE-ENTRY CNTR		
PERSONAL SERVICE		

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	300,000	
	(6.00)	
OTHER PERSONAL SRVCS	320,000	
TOTAL PERSONAL SERVICE	620,000	
	(6.00)	
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	225,000	
CASE SRVCS/PUBLIC		
ASSISTANCE PAYMENTS		
CASE SRVCS	10,000	
TOT CASE SRVC/PUB ASST	10,000	
TOTAL SPARTANBURG RE-ENTRY CENTER	855,000	
	(6.00)	
TOTAL RE-ENTRY PROG	855,000	
	(6.00)	
II. PROGRAMS AND SRVCS		
C. PAROLE BOARD OPERS		
PERSONAL SERVICE		
PROBATION, PARDON &		
PAROLE BOARD		
	155,230	155,230
CLASSIFIED POSITIONS	877,863	403,274
	(20.00)	(9.00)
OTHER PERSONAL SRVCS	59,853	
TOTAL PERSONAL SERVICE	1,092,946	558,504
	(20.00)	(9.00)
OTHER OPER EXPENSES	67,132	
CASE SRVCS/PUBLIC		
ASSISTANCE PAYMENTS		
CASE SRVCS/PUBLIC		
ASSISTANCE PAYMENTS	45,000	
TOT CASE SRVC/PUB ASST	45,000	
TOT PAROLE BD OPERS	1,205,078	558,504
	(20.00)	(9.00)

N08-DEPT OF PROBATION, PAROLE & PARDON SERVICES

	TOTAL FUNDS	GENERAL FUNDS
TOT PROG AND SRVCS	44,689,473 (711.00)	18,464,066 (416.00)
<hr/>		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	10,907,653	5,543,838
<hr/>		
TOTAL FRINGE BENEFITS	10,907,653	5,543,838
<hr/>		
TOTAL EMPLOYEE BENEFITS	10,907,653	5,543,838
<hr/>		
DEPT OF PROBATION, PAROLE & PARDON SERVICES		
TOTAL FUNDS AVAILABLE	57,564,812	25,166,981
TOTAL AUTH FTE POSITIONS	(745.00)	(436.00)

SECTION 67
N12-DEPARTMENT OF JUVENILE JUSTICE

	TOTAL FUNDS	GENERAL FUNDS
I. PAROLE DIVISION		
PERSONAL SERVICE		
PROBATION, PARDON & PAROLE BOARD		
CLASSIFIED POSITIONS	12,272 312,977 (5.00)	12,272 312,977 (5.00)
UNCLASSIFIED POSITIONS	70,742 (1.00)	70,742 (1.00)
<hr/>		
TOTAL PERSONAL SERVICE	395,991 (6.00)	395,991 (6.00)
OTHER OPER EXPENSES	51,869	51,869
<hr/>		
TOTAL PAROLE DIVISION	447,860 (6.00)	447,860 (6.00)
<hr/>		
II. ADMINISTRATION DIV		
PERSONAL SERVICE		
COMMISSIONER/S	118,545 (1.00)	118,545 (1.00)

N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	3,335,909	3,292,649
	(66.00)	(65.00)
UNCLASSIFIED POSITIONS	106,305	106,305
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	105,146	105,146
TOTAL PERSONAL SERVICE	3,665,905	3,622,645
	(68.00)	(67.00)
OTHER OPER EXPENSES	1,325,839	1,217,539
TOTAL ADMINISTRATION	4,991,744	4,840,184
	(68.00)	(67.00)
III. PROGRAMS AND SRVCS		
A. COMMUNITY SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	12,348,862	12,348,862
	(375.18)	(375.18)
UNCLASSIFIED POSITIONS	100,349	100,349
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	125,777	95,717
TOTAL PERSONAL SERVICE	12,574,988	12,544,928
	(376.18)	(376.18)
OTHER OPER EXPENSES	1,753,693	1,428,819
CASE SRVCS/PUBLIC ASSISTANCE PAYMENTS		
CASE SRVCS	2,903,613	1,733,613
TOT CASE SRVC/PUB ASST	2,903,613	1,733,613
SPECIAL ITEMS		
COMMUN ADVOCACY PROG	250,000	250,000
SEX OFFENDER MONITOR	27,410	27,410
TOTAL SPECIAL ITEMS	277,410	277,410
TOT COMMUNITY SRVCS	17,509,704	15,984,770
	(376.18)	(376.18)
B. LONGTERM FACILITIES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	12,951,098	12,726,919
	(542.00)	(530.00)

N12-DEPARTMENT OF JUVENILE JUSTICE

	TOTAL FUNDS	GENERAL FUNDS
UNCLASSIFIED POSITIONS	108,708	108,708
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	636,210	636,210
TOTAL PERSONAL SERVICE	13,696,016	13,471,837
	(543.00)	(531.00)
OTHER OPER EXPENSES	5,379,808	4,046,343
CASE SRVCS/PUBLIC ASST		
CASE SRVCS	2,516	2,516
TOT CASE SRVC/PUB ASST	2,516	2,516
TOT LONGTERM FACILITIES	19,078,340	17,520,696
	(543.00)	(531.00)
C. RECEPTION & EVAL		
CENTER		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,506,917	6,211,690
	(227.95)	(173.00)
OTHER PERSONAL SRVCS	545,039	436,470
TOTAL PERSONAL SERVICE	8,051,956	6,648,160
	(227.95)	(173.00)
OTHER OPER EXPENSES	1,008,462	581,335
CASE SRVCS/PUBLIC		
ASSISTANCE		
CASE SRVCS	10,945	4,945
TOT CASE SRVC/PUB ASST	10,945	4,945
TOT RECEPTION AND EVAL	9,071,363	7,234,440
	(227.95)	(173.00)
D. CNTY SERV-DETENT CNTR		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,255,623	794,701
	(107.00)	(20.00)
OTHER PERSONAL SRVCS	163,269	
TOTAL PERSONAL SERVICE	3,418,892	794,701
	(107.00)	(20.00)
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	281,364	

N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SRVCS/PUBLIC ASSISTANCE		
CASE SRVCS/PUBLIC ASSISTANCE	13,184	
TOT CASE SRVC/PUB ASST	13,184	
TOTAL COUNTY SRVCS - DETENTION CENTER	3,713,440 (107.00)	794,701 (20.00)
E. RESIDENTIAL OPERS PERSONAL SERVICE CLASSIFIED POSITIONS	542,478 (10.00)	542,478 (10.00)
OTHER PERSONAL SRVCS	21,410	21,410
TOTAL PERSONAL SERVICE	563,888 (10.00)	563,888 (10.00)
OTHER OPER EXPENSES CASE SRVCS/PUBLIC ASST. CASE SRVCS	49,106 27,934,494	49,106 27,441,147
TOTAL CASE SRVC/PUB ASST SPECIAL ITEM TARGETED CASE MGMTT	27,934,494 1,700,000	27,441,147 1,700,000
TOTAL SPECIAL ITEMS	1,700,000	1,700,000
TOT RESIDENTIAL OPERS	30,247,488 (10.00)	29,754,141 (10.00)
F. JUVENILE HLTH & SAFETY PERSONAL SERVICE CLASSIFIED POSITIONS	3,081,724 (44.50)	2,886,929 (40.50)
OTHER PERSONAL SRVCS	321,432	309,856
TOTAL PERSONAL SERVICE	3,403,156 (44.50)	3,196,785 (40.50)
OTHER OPER EXPENSES CASE SRVCS/PUBLIC ASSISTANCE PAYMENTS CASE SRVCS	2,837,286 1,513,757	1,850,337 1,112,687

STATUTES AT LARGE (No. 91)
General and Permanent Laws--2015
N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT CASE SRVC/PUB ASST	1,513,757	1,112,687
TOTAL JUVENILE HEALTH	7,754,199	6,159,809
	(44.50)	(40.50)
<hr/>		
G. PROGRAM ANALYSIS/STAFF DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	1,152,442	1,152,442
	(22.00)	(22.00)
OTHER PERSONAL SRVCS	126,300	79,000
TOTAL PERSONAL SERVICE	1,278,742	1,231,442
	(22.00)	(22.00)
OTHER OPER EXPENSES	338,489	105,106
CASE SRVCS/PUBLIC ASSISTANCE PAYMENTS		
CASE SRVCS		
	28,000	28,000
TOTAL CASE SRVC/PUB ASST	28,000	28,000
<hr/>		
TOT PROG ANALYSIS/STAFF DEVEL & QUALITY A	1,645,231	1,364,548
	(22.00)	(22.00)
<hr/>		
H. EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	773,104	257,416
	(22.00)	(8.00)
UNCLASSIFIED POSITIONS	3,775,579	159,143
	(65.30)	(1.00)
OTHER PERSONAL SRVCS	311,851	5,136
TOTAL PERSONAL SERVICE	4,860,534	421,695
	(87.30)	(9.00)
OTHER OPER EXPENSES	1,040,852	148,751
TOTAL EDUCATION	5,901,386	570,446
	(87.30)	(9.00)
<hr/>		
TOT PROGRAMS AND SRVCS	94,921,151	79,383,551
	(1,417.93)	(1,181.68)
<hr/>		

N12-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	22,982,261	19,514,830
TOTAL FRINGE BENEFITS	22,982,261	19,514,830
TOTAL EMPLOYEE BENEFITS	22,982,261	19,514,830
DEPT OF JUVENILE JUSTICE		
TOTAL FUNDS AVAILABLE	123,343,016	104,186,425
TOTAL AUTH FTE POSITIONS	(1,491.93)	(1,254.68)

SECTION 70
L36-HUMAN AFFAIRS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
COMMISSIONER/S	104,070	104,070
	(1.00)	(1.00)
CLASSIFIED POSITIONS	302,394	302,394
	(7.00)	(7.00)
OTHER PERSONAL SRVCS	3,500	3,500
TOTAL PERSONAL SERVICE	409,964	409,964
	(8.00)	(8.00)
OTHER OPER EXPENSES	93,502	90,002
TOTAL ADMINISTRATION	503,466	499,966
	(8.00)	(8.00)
II. CONSULTIVE SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	95,888	95,888
	(5.00)	(4.00)
NEW POSITIONS		
PROGRAM COORDINATOR I	35,000	35,000
	(1.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2015
L36-HUMAN AFFAIRS COMMISSION

(No. 91)

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	130,888	130,888
	(6.00)	(5.00)
OTHER OPER EXPENSES	69,051	51,051
TOT CONSULTIVE SRVCS	199,939	181,939
	(6.00)	(5.00)
III. COMPLIANCE PROG		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	850,359	436,471
	(26.00)	(14.50)
NEW POSITIONS		
<i>PROGRAM COORDINATOR I</i>	<i>160,000</i>	<i>160,000</i>
	(4.00)	(4.00)
TOTAL PERSONAL SERVICE	1,010,359	596,471
	(30.00)	(18.50)
OTHER OPER EXPENSES	295,842	104,008
TOT COMPLIANCE PROG	1,306,201	700,479
	(30.00)	(18.50)
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	682,671	531,890
TOTAL FRINGE BENEFITS	682,671	531,890
TOTAL EMPLOYEE BENEFITS	682,671	531,890
HUMAN AFFAIRS COMMISSION		
TOTAL FUNDS AVAILABLE	2,692,277	1,914,274
TOTAL AUTH FTE POSITIONS	(44.00)	(31.50)

SECTION 71
L46-STATE COMMISSION FOR MINORITY AFFAIRS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	70,535	70,535
	(1.00)	(1.00)

L46-STATE COMMISSION FOR MINORITY AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	466,822 (9.00)	376,822 (7.00)
TOTAL PERSONAL SERVICE	537,357 (10.00)	447,357 (8.00)
OTHER OPER EXPENSES	330,514	182,700
TOTAL ADMINISTRATION	867,871 (10.00)	630,057 (8.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	133,962	109,962
TOTAL FRINGE BENEFITS	133,962	109,962
TOTAL EMPLOYEE BENEFITS	133,962	109,962
STATE COMMISSION FOR MINORITY AFFAIRS		
TOTAL FUNDS AVAILABLE	1,001,833	740,019
TOTAL AUTH FTE POSITIONS	(10.00)	(8.00)

SECTION 72
R04-PUBLIC SERVICE COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	110,000 (1.00)	
CHAIRMAN	101,304 (1.00)	
COMMISSIONER/S	596,394 (6.00)	
CLASSIFIED POSITIONS	2,063,197 (30.00)	
NEW POSITIONS		
ENG/ASSOC ENG III	40,000 (1.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
R04-PUBLIC SERVICE COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	2,910,895	
	(39.00)	
OTHER OPER EXPENSES	654,017	
	=====	
TOTAL ADMINISTRATION	3,564,912	
	(39.00)	
	=====	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	918,396	
	=====	
TOTAL FRINGE BENEFITS	918,396	
	=====	
TOTAL EMPLOYEE BENEFITS	918,396	
	=====	
PUBLIC SERVICE COMMISSION		
TOTAL FUNDS AVAILABLE	4,483,308	
TOTAL AUTH FTE POSITIONS	(39.00)	
	=====	

SECTION 73
R06-OFFICE OF REGULATORY STAFF

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. OFFICE OF THE EXECUTIVE		
DIRECTOR		
PERSONAL SERVICE		
DIRECTOR	175,117	
	(1.00)	
UNCLASSIFIED POSITIONS	859,961	
	(10.00)	
	=====	
TOTAL PERSONAL SERVICE	1,035,078	
	(11.00)	
OTHER OPER EXPENSES	1,133,847	
SPECIAL ITEMS		
DUAL PARTY RELAY FUND	4,165,696	
	=====	
TOTAL SPECIAL ITEMS	4,165,696	
	=====	

OF SOUTH CAROLINA
General and Permanent Laws--2015
R06-OFFICE OF REGULATORY STAFF

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL OFFICE OF EXECUTIVE DIRECTOR	6,334,621 (11.00)	
<hr style="border-top: 3px double #000;"/>		
II. SUPPORT SRVCS PERSONAL SERVICE UNCLASSIFIED POSITIONS	1,491,109 (29.00)	
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	1,491,109 (29.00)	
<hr style="border-top: 3px double #000;"/>		
TOTAL SUPPORT SRVCS	1,491,109 (29.00)	
<hr style="border-top: 3px double #000;"/>		
III. TELECOM, TRANS PERSONAL SERVICE UNCLASSIFIED POSITIONS	1,079,645 (16.00)	
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	1,079,645 (16.00)	
<hr style="border-top: 3px double #000;"/>		
TOTAL TELECOM, TRANS, WATER/WASTEWATER	1,079,645 (16.00)	
<hr style="border-top: 3px double #000;"/>		
IV. ELECTRIC & GAS PERSONAL SERVICE UNCLASSIFIED POSITIONS	1,219,643 (18.00)	
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	1,219,643 (18.00)	
<hr style="border-top: 3px double #000;"/>		
TOTAL ELECTRIC AND GAS	1,219,643 (18.00)	
<hr style="border-top: 3px double #000;"/>		
V. ENERGY OFFICE A. ENERGY PROGRAMS PERSONAL SERVICE CLASSIFIED POSITIONS	(13.33)	

STATUTES AT LARGE
General and Permanent Laws--2015
R06-OFFICE OF REGULATORY STAFF

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	707,347	
OTHER PERSONAL SRVCS	47,712	
TOTAL PERSONAL SERVICE	755,059	
	(13.33)	
OTHER OPER EXPENSES	306,188	
DISTRIBUTION TO SUBDIV		
ALLOC OTHER ENTITIES	60,000	
TOTAL DIST SUBDIV	60,000	
TOTAL ENERGY PROGRAMS	1,121,247	
	(13.33)	
=====		
B. RADIOACTIVE WASTE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS		
	(4.67)	
UNCLASSIFIED POSITIONS	249,085	
OTHER PERSONAL SRVCS	7,488	
TOTAL PERSONAL SERVICE	256,573	
	(4.67)	
OTHER OPER EXPENSES	108,568	
TOTAL RADIOACTIVE WASTE	365,141	
	(4.67)	
=====		
TOTAL ENERGY OFFICE	1,486,388	
	(18.00)	
=====		
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,852,706	
TOTAL FRINGE BENEFITS	1,852,706	
=====		
TOTAL EMPLOYEE BENEFITS	1,852,706	
=====		
OFFICE OF REGULATORY STAFF		
TOTAL FUNDS AVAILABLE	13,464,112	
TOTAL AUTH FTE POSITIONS	(92.00)	
=====		

SECTION 74
R08-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	98,915	98,915
	(1.00)	(1.00)
CLASSIFIED POSITIONS	612,211	47,092
	(19.00)	(8.00)
OTHER PERSONAL SRVCS	41,000	
TOTAL PERSONAL SERVICE	752,126	146,007
	(20.00)	(9.00)
OTHER OPER EXPENSES	1,075,649	75,000
TOTAL ADMINISTRATION	1,827,775	221,007
	(20.00)	(9.00)
II. JUDICIAL		
A. COMMISSIONERS		
PERSONAL SERVICE		
CHAIRMAN	121,268	121,268
	(1.00)	(1.00)
COMMISSIONER/S	698,231	698,231
	(6.00)	(6.00)
TAXABLE SUBSISTENCE	55,000	
CLASSIFIED POSITIONS	313,837	313,837
	(7.00)	(7.00)
TOTAL PERSONAL SERVICE	1,188,336	1,133,336
	(14.00)	(14.00)
OTHER OPER EXPENSES	230,700	
TOTAL COMMISSIONERS	1,419,036	1,133,336
	(14.00)	(14.00)
B. MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	322,046	29,267
	(10.00)	(2.00)
TOTAL PERSONAL SERVICE	322,046	29,267
	(10.00)	(2.00)

R08-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	12,800	
TOTAL MANAGEMENT	334,846	29,267
	(10.00)	(2.00)
TOTAL JUDICIAL	1,753,882	1,162,603
	(24.00)	(16.00)
III. INSURANCE & MED SRVC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	471,632	26,632
	(11.00)	(2.00)
OTHER PERSONAL SRVCS	22,881	
TOTAL PERSONAL SERVICE	494,513	26,632
	(11.00)	(2.00)
OTHER OPER EXPENSES	54,500	
TOTAL INSURANCE & MEDICAL SRVCS	549,013	26,632
	(11.00)	(2.00)
IV. CLAIMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	349,233	77,223
	(9.00)	(1.00)
TOTAL PERSONAL SERVICE	349,233	77,223
	(9.00)	(1.00)
OTHER OPER EXPENSES	19,700	
TOTAL CLAIMS	368,933	77,223
	(9.00)	(1.00)
V. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,056,724	496,796
TOTAL FRINGE BENEFITS	1,056,724	496,796
TOTAL EMPLOYEE BENEFITS	1,056,724	496,796

R08-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
WORKERS' COMP COMMISSION		
TOTAL FUNDS AVAILABLE	5,556,327	1,984,261
TOTAL AUTH FTE POSITIONS	(64.00)	(28.00)

SECTION 75
R12-STATE ACCIDENT FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	103,886	
	(1.00)	
CLASSIFIED POSITIONS	3,061,466	
	(80.00)	
TOTAL PERSONAL SERVICE	3,165,352	
	(81.00)	
OTHER OPER EXPENSES	4,430,180	
SPECIAL ITEMS:		
EDUCATIONAL TRAINING	5,000	
TOTAL SPECIAL ITEMS	5,000	
TOTAL ADMINISTRATION	7,600,532	
	(81.00)	
II. UNINSURED EMP FUND		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	529,232	
	(11.00)	
TOTAL PERSONAL SERVICE	529,232	
	(11.00)	
OTHER OPER EXPENSES	398,340	
TOT UNINSURED EMP FUND	927,572	
	(11.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
R12-STATE ACCIDENT FUND

	TOTAL FUNDS	GENERAL FUNDS
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,446,034	
TOTAL FRINGE BENEFITS	1,446,034	
TOTAL EMPLOYEE BENEFITS	1,446,034	
STATE ACCIDENT FUND		
TOTAL FUNDS AVAILABLE	9,974,138	
TOTAL AUTH FTE POSITIONS	(92.00)	

SECTION 76
R14-PATIENTS' COMPENSATION FUND

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	97,848	
	(1.00)	
CLASSIFIED POSITIONS	208,032	
	(4.00)	
OTHER PERSONAL SRVCS	15,000	
TOTAL PERSONAL SERVICE	320,880	
	(5.00)	
OTHER OPER EXPENSES	581,623	
TOTAL ADMINISTRATION	902,503	
	(5.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	93,498	
TOTAL FRINGE BENEFITS	93,498	
TOTAL EMPLOYEE BENEFITS	93,498	

R14-PATIENTS' COMPENSATION FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PATIENTS' COMPENSATION FUND		
TOTAL FUNDS AVAILABLE	996,001	
TOTAL AUTH FTE POSITIONS	(5.00)	

SECTION 78

R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR OF INSURANCE	135,200	135,200
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,750,755	717,121
	(28.25)	(22.30)
UNCLASSIFIED POSITIONS	257,049	176,000
	(1.50)	(1.50)
OTHER PERSONAL SRVCS	194,959	143,642
TOTAL PERSONAL SERVICE	2,337,963	1,171,963
	(30.75)	(24.80)
OTHER OPER EXPENSES	1,036,920	244,830
TOTAL ADMINISTRATION	3,374,883	1,416,793
	(30.75)	(24.80)
II. PROGRAMS & SRVCS		
A. SOLVENCY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	598,055	130,441
	(15.00)	(1.00)
UNCLASSIFIED POSITIONS	83,856	544
	(.50)	
OTHER PERSONAL SRVCS	217,042	29,150
TOTAL PERSONAL SERVICE	898,953	160,135
	(15.50)	(1.00)
OTHER OPER EXPENSES	469,296	13,257

STATUTES AT LARGE
General and Permanent Laws--2015
R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SOLVENCY	1,368,249 (15.50)	173,392 (1.00)
<hr/>		
B. LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	327,933 (9.00)	63,381 (2.00)
UNCLASSIFIED POSITIONS	23,234 (.50)	
OTHER PERSONAL SRVCS	56,371	297
TOTAL PERSONAL SERVICE	407,538 (9.50)	63,678 (2.00)
OTHER OPER EXPENSES	329,884	4,981
TOTAL LICENSING	737,422 (9.50)	68,659 (2.00)
<hr/>		
C. TAXATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	245,829 (3.00)	89,814 (.50)
OTHER PERSONAL SRVCS	15,852	15,852
TOTAL PERSONAL SERVICE	261,681 (3.00)	105,666 (.50)
OTHER OPER EXPENSES	175,467	8,740
TOTAL TAXATION	437,148 (3.00)	114,406 (.50)
<hr/>		
D. CONSUMER SRVCS/COMP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	423,375 (9.00)	286,372 (2.00)
UNCLASSIFIED POSITIONS	81,651 (.50)	27,880 (.50)
OTHER PERSONAL SRVCS	46,954	29,728
TOTAL PERSONAL SERVICE	551,980 (9.50)	343,980 (2.50)
OTHER OPER EXPENSES	164,107	28,907

OF SOUTH CAROLINA
General and Permanent Laws--2015
R20-DEPARTMENT OF INSURANCE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL CONSUMER SRVCS/COMPLAINTS	716,087 (9.50)	372,887 (2.50)
<hr/>		
E. POLICY FORMS & RATES PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,007,526 (14.00)	657,526 (6.00)
UNCLASSIFIED POSITIONS	176,536 (.50)	85,536 (.50)
OTHER PERSONAL SRVCS	5,564	5,564
TOTAL PERSONAL SERVICE	1,189,626 (14.50)	748,626 (6.50)
OTHER OPER EXPENSES	338,439	101,671
TOT POLICY FORMS & RATES	1,528,065 (14.50)	850,297 (6.50)
<hr/>		
F. LOSS MITIGATION PERSONAL SERVICE		
CLASSIFIED POSITIONS	131,637 (2.75)	
OTHER PERSONAL SRVCS	72,363	
TOTAL PERSONAL SERVICE	204,000 (2.75)	
OTHER OPER EXPENSES	4,087,254	
TOTAL LOSS MITIGATION	4,291,254 (2.75)	
<hr/>		
G. UNINSURED MOTORIST AID TO SUBDIV:		
ALLOC-PRIVATE SECTOR	2,155,000	
TOTAL DIST SUBDIV	2,155,000	
TOT UNINSURED MOTORISTS	2,155,000	
<hr/>		
H. CAPTIVES PERSONAL SERVICE		
CLASSIFIED POSITIONS	665,913 (8.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
R20-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	67,002	
	(.50)	
OTHER PERSONAL SRVCS	169,085	
TOTAL PERSONAL SERVICE	902,000	
	(8.50)	
OTHER OPER EXPENSES	1,249,655	
TOTAL CAPTIVES	2,151,655	
	(8.50)	
TOT PROG AND SRVCS	13,384,880	1,579,641
	(63.25)	(12.50)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,920,020	802,595
TOTAL FRINGE BENEFITS	1,920,020	802,595
TOTAL EMPLOYEE BENEFITS	1,920,020	802,595
DEPARTMENT OF INSURANCE		
TOTAL FUNDS AVAILABLE	18,679,783	3,799,029
TOTAL AUTH FTE POSITIONS	(94.00)	(37.30)

SECTION 79
R23-BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	3,465	
TOTAL PERSONAL SERVICE	3,465	
OTHER OPER EXPENSES	30,912	
TOTAL ADMINISTRATION	34,377	

OF SOUTH CAROLINA
General and Permanent Laws--2015
R23-BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. BANKING EXAMINERS		
PERSONAL SERVICE		
COMMISSIONER OF BANKING	83,489	
	(1.00)	
CLASSIFIED POSITIONS	1,303,378	
	(23.00)	
TOTAL PERSONAL SERVICE	1,386,867	
	(24.00)	
OTHER OPER EXPENSES	396,320	
TOTAL BANKING EXAMINERS	1,783,187	
	(24.00)	
III. CONSUMER FINANCE		
PERSONAL SERVICE		
DIRECTOR	70,836	
	(1.00)	
CLASSIFIED POSITIONS	1,094,327	
	(20.00)	
OTHER PERSONAL SRVCS	2,600	
TOTAL PERSONAL SERVICE	1,167,763	
	(21.00)	
OTHER OPER EXPENSES	429,073	
TOTAL CONSUMER FINANCE	1,596,836	
	(21.00)	
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	869,580	
TOTAL FRINGE BENEFITS	869,580	
TOTAL EMPLOYEE BENEFITS	869,580	
BD OF FINANCIAL INSTITUTIONS		
TOTAL FUNDS AVAILABLE	4,283,980	
TOTAL AUTH FTE POSITIONS	(45.00)	

SECTION 80
R28-DEPARTMENT OF CONSUMER AFFAIRS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
ADMINISTRATOR	108,897	108,897
	(1.00)	(1.00)
CLASSIFIED POSITIONS	423,273	58,365
	(8.00)	(1.00)
TOTAL PERSONAL SERVICE	532,170	167,262
	(9.00)	(2.00)
OTHER OPER EXPENSES	181,920	111,745
TOTAL ADMINISTRATION	714,090	279,007
	(9.00)	(2.00)
II. LEGAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	588,462	114,787
	(13.00)	(3.00)
OTHER PERSONAL SRVCS	20,000	
TOTAL PERSONAL SERVICE	608,462	114,787
	(13.00)	(3.00)
OTHER OPER EXPENSES	308,984	56,000
TOTAL LEGAL	917,446	170,787
	(13.00)	(3.00)
III. CONSUMER SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	349,551	34,269
	(8.00)	(1.00)
OTHER PERSONAL SRVCS	30,000	
TOTAL PERSONAL SERVICE	379,551	34,269
	(8.00)	(1.00)
OTHER OPER EXPENSES	52,036	27,036
TOTAL CONSUMER SRVCS	431,587	61,305
	(8.00)	(1.00)

R28-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. CONSUMER ADVOCACY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	219,731	124,731
	(4.00)	(2.00)
NEW POSITIONS		
<i>PROGRAM ASSISTANT</i>	23,469	23,469
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	243,200	148,200
	(5.00)	(3.00)
OTHER OPER EXPENSES	115,000	115,000
TOT CONSUMER ADVOCACY	358,200	263,200
	(5.00)	(3.00)
V. PUBLIC INFO & EDUCATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	69,000	69,000
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	69,000	69,000
	(2.00)	(2.00)
OTHER OPER EXPENSES	15,000	15,000
TOTAL PUBLIC INFO & EDUCATION	84,000	84,000
	(2.00)	(2.00)
VI. ID THEFT UNIT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	168,120	168,120
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	10,000	
TOTAL PERSONAL SERVICE	178,120	168,120
	(4.00)	(4.00)
OTHER OPER EXPENSES	53,250	53,250
TOTAL ID THEFT UNIT	231,370	221,370
	(4.00)	(4.00)

STATUTES AT LARGE
General and Permanent Laws--2015
R28-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	631,779	229,137
TOTAL FRINGE BENEFITS	<u>631,779</u>	<u>229,137</u>
TOTAL EMPLOYEE BENEFITS	<u>631,779</u>	<u>229,137</u>
DEPT OF CONSUMER AFFAIRS		
TOTAL FUNDS AVAILABLE	3,368,472	1,308,806
TOTAL AUTH FTE POSITIONS	<u>(41.00)</u>	<u>(15.00)</u>

SECTION 81

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	107,645	
	(1.00)	
CLASSIFIED POSITIONS	3,199,152	
	(60.09)	
NEW POSITIONS		
<i>ADMINISTRATIVE ASSISTANT</i>		(2.00)
<i>ATTORNEY I</i>		(3.00)
<i>AUDITOR IV</i>		(1.00)
<i>SENIOR INFOR RESOURCE</i>		(1.00)
<i>CONSULTANT</i>		(1.00)
<i>SYSTEMS PROGRAMMER I</i>		(1.00)
OTHER PERSONAL SRVCS	500,000	
TOTAL PERSONAL SERVICE	<u>3,806,797</u>	<u>(69.09)</u>

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	1,282,996	
TOTAL ADMINISTRATION	5,089,793 (69.09)	
II. PROGRAMS & SRVCS		
A. OSHA VOLUNTARY PROG		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	601,301 (19.98)	37,039 (6.26)
TOTAL PERSONAL SERVICE	601,301 (19.98)	37,039 (6.26)
OTHER OPER EXPENSES	293,161	40,000
TOT OSHA VOLUNTARY PROG	894,462 (19.98)	77,039 (6.26)
B. OCCUP SAFETY & HEALTH		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,899,250 (47.44)	832,756 (25.56)
OTHER PERSONAL SRVCS	8,397	4,302
TOTAL PERSONAL SERVICE	1,907,647 (47.44)	837,058 (25.56)
OTHER OPER EXPENSES	400,355	191,562
TOTAL OCCUP SAFETY & HEALTH	2,308,002 (47.44)	1,028,620 (25.56)
C. FIRE ACADEMY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,451,463 (41.00)	
OTHER PERSONAL SRVCS	1,789,100	
TOTAL PERSONAL SERVICE	3,240,563 (41.00)	
OTHER OPER EXPENSES	4,079,111	
TOTAL FIRE ACADEMY	7,319,674 (41.00)	

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
D. STATE FIRE MARSHAL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,650,841	
	(32.00)	
OTHER PERSONAL SRVCS	305,622	
	1,956,463	
TOTAL PERSONAL SERVICE	1,956,463	
	(32.00)	
OTHER OPER EXPENSES	1,290,816	
	3,247,279	
TOTAL OFFICE OF STATE FIRE MARSHAL	3,247,279	
	(32.00)	
=====		
E. ELEVATORS & AMUSE RIDES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	700,000	
	(7.00)	
NEW POSITIONS		
<i>ADMINISTRATIVE ASSISTANT</i>		(1.00)
	700,000	
TOTAL PERSONAL SERVICE	700,000	
	(8.00)	
OTHER OPER EXPENSES	215,000	
	915,000	
TOTAL ELEVATORS & AMUSEMENT RIDES	915,000	
	(8.00)	
=====		
F. PROF & OCCUPATIONAL LICENSING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,154,295	
	(168.90)	
NEW POSITIONS		
<i>ADMINISTRATIVE ASSISTANT</i>		(1.00)
<i>INSPECTOR I</i>		(2.00)
<i>PHARMACIST</i>		(1.00)

R36-DEPT OF LABOR, LICENSING AND REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	97,618	
	(1.00)	
OTHER PERSONAL SRVCS	411,514	
TOTAL PERSONAL SERVICE	7,663,427	
	(173.90)	
OTHER OPER EXPENSES	6,383,069	
SPECIAL ITEMS		
RESEARCH & EDUCATION	200,000	
TOTAL SPECIAL ITEMS	200,000	
TOTAL PROFESSIONAL & OCCUPATIONAL LICENSING	14,246,496	
	(173.90)	
G. LABOR SRVCS		
OTHER OPER EXPENSES	85,000	
TOTAL LABOR SRVCS	85,000	
H. BUILDING CODES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	430,000	
	(12.56)	
TOTAL PERSONAL SERVICE	430,000	
	(12.56)	
OTHER OPER EXPENSES	350,000	
TOTAL BUILDING CODES	780,000	
	(12.56)	
TOT PROG AND SRVCS	29,795,913	1,105,659
	(334.88)	(31.82)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	6,162,166	240,341
TOTAL FRINGE BENEFITS	6,162,166	240,341
TOTAL EMPLOYEE BENEFITS	6,162,166	240,341

R36-DEPT OF LABOR, LICENSING AND REGULATION

	TOTAL FUNDS	GENERAL FUNDS
DEPT OF LABOR, LICENSING AND REGULATION		
TOTAL FUNDS AVAILABLE	41,047,872	1,346,000
TOTAL AUTH FTE POSITIONS	(403.97)	(31.82)

SECTION 82

R40-DEPARTMENT OF MOTOR VEHICLES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	122,969	
	(1.00)	
CLASSIFIED POSITIONS	4,377,002	
	(118.00)	
UNCLASSIFIED POSITIONS	203,478	
	(2.00)	
OTHER PERSONAL SRVCS	85,174	
TOTAL PERSONAL SERVICE	4,788,623	
	(121.00)	
OTHER OPER EXPENSES	2,368,782	
TOTAL ADMINISTRATION	7,157,405	
	(121.00)	
II. PROGRAMS AND SRVCS		
A. CUSTOMER SERVICE		
1. CUSTOMER SERVICE CNTRS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	20,953,097	
	(792.00)	
OTHER PERSONAL SRVCS	1,276,149	
TOTAL PERSONAL SERVICE	22,229,246	
	(792.00)	
OTHER OPER EXPENSES	12,553,340	

R40-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT CUSTOMER SRVC CNTRS	34,782,586	
	(792.00)	
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2. CUSTOMER SRVC DELIVERY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,186,374	
	(157.00)	
UNCLASSIFIED POSITIONS	98,378	
	(1.00)	
OTHER PERSONAL SRVCS	331,037	
TOTAL PERSONAL SERVICE	4,615,789	
	(158.00)	
OTHER OPER EXPENSES	2,700,724	
PLATE REPLACEMENT	4,900,000	
TOTAL SPECIAL ITEMS	4,900,000	
TOT CUSTOMER SRVC DELIV	12,216,513	
	(158.00)	
<hr/>		
TOTAL CUSTOMER SERVICE	46,999,099	
	(950.00)	
<hr/>		
II. PROGRAMS AND SRVCS		
B. PROCEDURES AND COMP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,588,556	
	(119.00)	
UNCLASSIFIED POSITIONS	98,111	
	(1.00)	
OTHER PERSONAL SRVCS	50,606	
TOTAL PERSONAL SERVICE	3,737,273	
	(120.00)	
OTHER OPER EXPENSES	3,226,958	
TOT PROCEDURES AND COMP	6,964,231	
	(120.00)	
<hr/>		
II. PROGRAMS AND SRVCS		
D. INSPECTOR GENERAL		
PERSONAL SERVICE		

R40-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	1,683,334	
	(50.00)	
UNCLASSIFIED POSITIONS	91,863	
	(1.00)	
OTHER PERSONAL SRVCS	28,500	
TOTAL PERSONAL SERVICE	1,803,697	
	(51.00)	
OTHER OPER EXPENSES	354,458	
SPECIAL ITEM:		
FACIAL RECOGNITION PROG	245,000	
TOTAL SPECIAL ITEMS	245,000	
TOTAL INSPECTOR GENERAL	2,403,155	
	(51.00)	
=====		
II. PROGRAMS AND SRVCS		
E. TECHNOLOGY AND PROG		
DEVELOPMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,989,664	
	(50.00)	
TOTAL PERSONAL SERVICE	2,989,664	
	(50.00)	
OTHER OPER EXPENSES	6,622,380	
TOTAL TECHNOLOGY AND		
PROGRAM DEVELOPMENT	9,612,044	
	(50.00)	
=====		
TOTAL TECHNOLOGY AND		
PROGRAM DEVELOPMENT	9,612,044	
	(50.00)	
=====		
TOT PROGRAMS AND SRVCS	65,978,529	
	(1,171.00)	
=====		
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	14,831,662	
=====		

R40-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	14,831,662	
TOTAL EMPLOYEE BENEFITS	14,831,662	
DEPT OF MOTOR VEHICLES		
TOTAL FUNDS AVAILABLE	87,967,596	
TOTAL AUTH FTE POSITIONS	(1,292.00)	

SECTION 83**R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	150,800	
	(1.00)	
CLASSIFIED POSITIONS	5,691,478	
	(159.85)	
UNCLASSIFIED POSITIONS	214,480	
	(1.00)	
TOTAL PERSONAL SERVICE	6,056,758	
	(161.85)	
OTHER OPER EXPENSES	8,280,977	
TOTAL ADMINISTRATION	14,337,735	
	(161.85)	
II. EMPLOYMENT SERVICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,939,912	
	(263.11)	
UNCLASSIFIED POSITIONS	31,928	
	(.33)	
OTHER PERSONAL SRVCS	1,937,188	
TOTAL PERSONAL SERVICE	11,909,028	
	(263.44)	
OTHER OPER EXPENSES	16,640,372	

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SPECIAL ITEMS		
DIST SUBDIV		
ALOC OTHER ST AGENCIES	50,000	
	<hr/>	
TOTAL DIST SUBDIV	50,000	
	<hr/> <hr/>	
TOT EMPLOYMENT SERVICE	28,599,400	
	(263.44)	
	<hr/> <hr/>	
III. UNEMPLOYMENT INSUR		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	17,299,422	
	(465.05)	
UNCLASSIFIED POSITIONS	492,972	
	(1.34)	
OTHER PERSONAL SRVCS	5,448,781	
	<hr/>	
TOTAL PERSONAL SERVICE	23,241,175	
	(466.39)	
OTHER OPER EXPENSES	27,743,769	
	<hr/> <hr/>	
TOT UNEMPLOYMENT INSUR	50,984,944	
	(466.39)	
	<hr/> <hr/>	
IV. SCOICC		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	250,946	250,946
	(4.00)	(4.00)
OTHER PERSONAL SRVCS	44,882	44,882
	<hr/>	
TOTAL PERSONAL SERVICE	295,828	295,828
	(4.00)	(4.00)
OTHER OPER EXPENSES	32,973	32,973
	<hr/> <hr/>	
TOTAL SCOICC	328,801	328,801
	(4.00)	(4.00)
	<hr/> <hr/>	
V. WORKFORCE INVEST ACT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,336,882	
	(22.76)	

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	76,097	
	(.33)	
OTHER PERSONAL SRVCS	261,372	
TOTAL PERSONAL SERVICE	1,674,351	
	(23.09)	
OTHER OPER EXPENSES	957,446	
DIST SUBDIV		
ALLOC CNTY-RESTRICTED	8,660,720	
ALLOC SCHOOL DIST	1,236,222	
ALLOC OTHER ENTITIES	1,517,051	
ALLOC PLANNING DIST	38,607,337	
TOTAL DIST SUBDIV	50,021,330	
TOT WORKFORCE INVEST ACT	52,653,127	
	(23.09)	
VI. TRADE ADJUST ASSIST		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,495,089	
	(77.00)	
UNCLASSIFIED POSITIONS	26,098	
OTHER PERSONAL SRVCS	59,941	
TOTAL PERSONAL SERVICE	1,581,128	
	(77.00)	
OTHER OPER EXPENSES	746,093	
DISTRIBUTION TO SUBDIV		
ALLOC-PRIVATE SECTOR	13,370,022	
TOTAL DIST SUBDIV	13,370,022	
TOT TRADE ADJUSTMENT		
ASSISTANCE	15,697,243	
	(77.00)	
VII. APPEALS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,262,271	
	(37.50)	
UNCLASSIFIED POSITIONS	373,065	
	(1.00)	

R60-DEPARTMENT OF EMPLOYMENT AND WORKFORCE

	TOTAL FUNDS	GENERAL FUNDS
OTHER PERSONAL SRVCS	372,584	
TOTAL PERSONAL SERVICE	2,007,920	
	(38.50)	
OTHER OPER EXPENSES	608,515	
TOTAL APPEALS	2,616,435	
	(38.50)	
VIII. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	16,404,173	45,237
TOTAL FRINGE BENEFITS	16,404,173	45,237
TOTAL EMPLOYEE BENEFITS	16,404,173	45,237
IX. NON-RECURRING APPRO		
UMEMPLOYMENT INSURANCE -		
SCUBI PROJECT		
	28,761,097	
TOTAL NON-RECURR APPRO	28,761,097	
TOTAL NON-RECURRING	28,761,097	
DEPT OF EMPLOYMENT		
AND WORKFORCE		
TOTAL RECURRING BASE	181,621,858	374,038
TOTAL FUNDS AVAILABLE	210,382,955	374,038
TOTAL AUTH FTE POSITIONS	(1,034.27)	(4.00)

SECTION 84

U12-DEPARTMENT OF TRANSPORTATION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
A. GENERAL		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	159,344	
	(1.00)	

U12-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	16,735,647	
	(314.00)	
UNCLASSIFIED POSITIONS	255,000	
	(2.00)	
OTHER PERSONAL SRVCS	255,000	
TOTAL PERSONAL SERVICE	17,404,991	
	(317.00)	
OTHER OPER EXPENSES	22,806,204	
DEBT SERVICE		
DEBT SERVICE CHARGES	47,909	
INTEREST - MST LEASE PROG	1,752	
DEBT SERVICE	1,405,002	
TOTAL DEBT SERVICE	1,454,663	
TOTAL GENERAL	41,665,858	
	(317.00)	
=====		
B. LAND & BUILDINGS		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	1,300,000	
TOT LAND AND BLDGS	1,300,000	
=====		
TOTAL ADMINISTRATION	42,965,858	
	(317.00)	
=====		
II. HIGHWAY ENGINEERING		
A. ENGR - ADMIN & PROJ MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	74,631,325	
	(1,511.00)	
UNCLASSIFIED POSITIONS	142,800	
	(1.00)	
OTHER PERSONAL SRVCS	3,060,000	
TOTAL PERSONAL SERVICE	77,834,125	
	(1,512.00)	
OTHER OPER EXPENSES	8,823,904	
TOT ENG - ADM & PROJ MGMT	86,658,029	
	(1,512.00)	
=====		

U12-DEPARTMENT OF TRANSPORTATION

	TOTAL FUNDS	GENERAL FUNDS
B. ENGINEER - CONSTRUCT		
SPECIAL ITEMS:		
SIB ONE CENT EQUIVALENT	26,796,000	
DEBT SVC SIB RAVENEL BRID		
PROJECT LOAN	8,000,000	
DEBT SVC SIB CONWAY BYP		
II PROJECT LOAN	7,600,000	
DEBT SVC SIB MULTIPROJECT		
LOAN	10,000,000	
OTHER OPER OTHER	25,000,000	
PERMANENT IMPROVE BRID	191,556,847	
PERM IMPR REHAB &		
RESURFACING	269,529,759	
PERM IMPR OPERATIONAL &		
SAFETY IMPROVEMENT	202,549,653	
PERM IMPR WIDENINGS &		
NEW LOCATIONS	141,668,022	
PERM IMPR ENHANCEMENTS	18,394,038	
PERM IMPR PORT ACCESS RD	25,000,000	
PERM IMPR GEN FUND SIB		
EQUIVALENT	50,000,000	50,000,000
TOTAL SPECIAL ITEMS	976,094,319	50,000,000
PERMANENT IMPROVE:		
DEBT SERVICE		
DEBT SERVICE	51,957,638	
PRINCIPAL - LOAN NOTE	1,917,028	
INTEREST - LOAN NOTE	3,062,723	
TOTAL DEBT SERVICE	56,937,389	
AID TO SUBDIV		
ALLOC MUN-RESTRICTED	1,000,000	
ALLOC CNTY-RESTRICTED	250,000	
ALLOC OTHER ENTITIES	100,000	
TOTAL DIST SUBDIV	1,350,000	
TOTAL ENGINEERING -		
CONSTRUCTION	1,034,381,708	50,000,000

U12-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. HIGHWAY MAINTEN		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	92,272,917	
	(3,324.96)	
OTHER PERSONAL SRVCS	3,060,000	
TOTAL PERSONAL SERVICE	95,332,917	
	(3,324.96)	
OTHER OPER EXPENSES	121,337,500	
PERMANENT IMPROVE:		
PERMANENT IMPROVE	150,000	
TOTAL PERM IMPROVE	150,000	
TOT HIGHWAY MAINTEN	216,820,417	
	(3,324.96)	
TOT HIGHWAY ENGINEERING	1,337,860,154	50,000,000
	(4,836.96)	
III. TOLL OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	98,787	
	(2.00)	
TOTAL PERSONAL SERVICE	98,787	
	(2.00)	
DEBT SERVICE	3,578,721	
TOTAL DEBT SERVICE	3,578,721	
OTHER OPER EXPENSES	3,825,082	
TOTAL TOLL OPERATIONS	7,502,590	
	(2.00)	
IV. NON FEDERAL AID		
OTHER OPER EXPENSES		
SPECIAL ITEMS:		
OTHER OPER BRIDGES		
MINOR REPAIR	5,000,000	
OTHER OPER		
REHAB & RESURFACI	121,000,000	
OTHER OPER OTHER	2,000,000	

U12-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SPECIAL ITEMS	128,000,000	
TOTAL NON-FEDERAL AID - HIGHWAY FUND	128,000,000	
V. MASS TRANSIT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,470,440	
	(34.00)	
UNCLASSIFIED POSITIONS	99,807	
	(1.00)	
TOTAL PERSONAL SERVICE	2,570,247	
	(35.00)	
OTHER OPER EXPENSES	1,080,533	
AID TO SUBDIV		
ALLOC MUN-RESTRICTED	100,000	
ALLOC OTHER ENTITIES	22,645,500	
AID TO OTHER ENTITIES	57,270	57,270
TOTAL DIST SUBDIV	22,802,770	57,270
TOTAL MASS TRANSIT	26,453,550	57,270
	(35.00)	
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIB		
EMPLOYER CONTRIBS	84,542,967	
TOTAL FRINGE BENEFITS	84,542,967	
TOTAL EMPLOYEE BENEFITS	84,542,967	
DEPT OF TRANSPORTATION		
TOTAL FUNDS AVAILABLE	1,627,325,119	50,057,270
TOTAL AUTH FTE POSITIONS	(5,190.96)	

SECTION 85
U15-INFRASTRUCTURE BANK BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	145,000	
	(2.00)	
OTHER PERSONAL SRVCS	25,000	
TOTAL PERSONAL SERVICE	170,000	
	(2.00)	
OTHER OPER EXPENSES	225,276	
TRANSPORTATION INFRA	255,000,000	
TOTAL SPECIAL ITEMS	255,000,000	
TOTAL ADMINISTRATION	255,395,276	
	(2.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBS	58,000	
TOTAL FRINGE BENEFITS	58,000	
TOTAL EMPLOYEE BENEFITS	58,000	
INFRASTRUCTURE BANK BOARD		
TOTAL FUNDS AVAILABLE	255,453,276	
TOTAL AUTH FTE POSITIONS	(2.00)	

SECTION 86
U20-COUNTY TRANSPORTATION FUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. COUNTY TRANSPORT FUNDS		
OTHER OPER EXPENSES		
OTHER OPER EXPENSES	3,500,000	
PERMANENT IMPROVEMENTS		
PERMANENT IMPROVEMENTS	22,500,000	
TOTAL PERM IMPROVEMENTS	22,500,000	

STATUTES AT LARGE
General and Permanent Laws--2015
U20-COUNTY TRANSPORTATION FUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DISTRIBUTION TO SUBDIV		
ALLOC MUNICIPAL	2,000,000	
ALLOC CNTY-RESTRICTED	78,000,000	
	<hr/>	
TOTAL DIST SUBDIV	80,000,000	
	<hr/> <hr/>	
TOT COUNTY TRANSPORT	106,000,000	
	<hr/> <hr/>	
COUNTY TRANSPORT FUNDS		
TOTAL FUNDS AVAILABLE	106,000,000	
	<hr/> <hr/>	

SECTION 87
U30-DIVISION OF AERONAUTICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	752,179	689,833
	(13.00)	(8.80)
UNCLASSIFIED POSITIONS	87,550	87,550
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	155,055	140,055
	<hr/>	
TOTAL PERSONAL SERVICE	994,784	917,438
	(14.00)	(9.80)
OTHER OPER EXPENSES	2,982,840	341,051
SPECIAL ITEMS		
AID TO SUBDIV		
ALLOC MUN-RESTRICTED	745,000	
ALLOC CNTY-RESTRICTED	4,034,000	500,000
ALLOC OTHER ENTITIES	10,000	
	<hr/>	
TOTAL DIST SUBDIV	4,789,000	500,000
	<hr/> <hr/>	
TOTAL ADMINISTRATION	8,766,624	1,758,489
	(14.00)	(9.80)
	<hr/> <hr/>	

OF SOUTH CAROLINA
General and Permanent Laws--2015
U30-DIVISION OF AERONAUTICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	290,911	267,707
TOTAL FRINGE BENEFITS	<u>290,911</u>	<u>267,707</u>
TOTAL EMPLOYEE BENEFITS	<u>290,911</u>	<u>267,707</u>
DIVISION OF AERONAUTICS		
TOTAL FUNDS AVAILABLE	9,057,535	2,026,196
TOTAL AUTH FTE POSITIONS	<u>(14.00)</u>	<u>(9.80)</u>

SECTION 91A
A01-LEG. DEPT-THE SENATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
SENATORS @ \$10,400	478,400	478,400
	(46.00)	(46.00)
PRESIDENT OF THE SENATE	1,575	1,575
PRESIDENT PRO TEMPORE	11,000	11,000
UNCLASSIFIED POSITIONS	7,320,220	7,320,220
	(142.00)	(142.00)
TOTAL PERSONAL SERVICE	7,811,195	7,811,195
	(188.00)	(188.00)
OTHER OPER EXPENSES	2,385,609	2,385,609
SPECIAL ITEMS		
JOINT CITIZENS & LEG		
COMM ON CHILDREN	300,000	
TOTAL SPECIAL ITEMS	<u>300,000</u>	
TOTAL ADMINISTRATION	10,496,804	10,196,804
	<u>(188.00)</u>	<u>(188.00)</u>

STATUTES AT LARGE
General and Permanent Laws--2015
A01-LEG. DEPT-THE SENATE

	TOTAL FUNDS	GENERAL FUNDS
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	3,650,541	3,650,541
TOTAL FRINGE BENEFITS	3,650,541	3,650,541
TOTAL EMPLOYEE BENEFITS	3,650,541	3,650,541
LEG. DEPT-THE SENATE		
TOTAL FUNDS AVAILABLE	14,147,345	13,847,345
TOTAL AUTH FTE POSITIONS	(188.00)	(188.00)

SECTION 91B
A05-LEG. DEPT-HOUSE OF REPRESENTATIVES

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
REPRESENTATIVES @ \$10,400	1,289,600	1,289,600
	(124.00)	(124.00)
THE SPEAKER	11,000	11,000
SPEAKER PRO TEMPORE	3,600	3,600
UNCLASSIFIED POSITIONS	5,136,697	5,136,697
	(127.00)	(127.00)
TOTAL PERSONAL SERVICE	6,440,897	6,440,897
	(251.00)	(251.00)
OTHER OPER EXPENSES	10,502,627	10,502,627
TOTAL ADMINISTRATION	16,943,524	16,943,524
	(251.00)	(251.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	4,937,209	4,937,209
TOTAL FRINGE BENEFITS	4,937,209	4,937,209
TOTAL EMPLOYEE BENEFITS	4,937,209	4,937,209

A05-LEG. DEPT-HOUSE OF REPRESENTATIVES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
LEG. DEPT-HOUSE OF REPRESENTATIVES		
TOTAL FUNDS AVAILABLE	21,880,733	21,880,733
TOTAL AUTH FTE POSITIONS	<u>(251.00)</u>	<u>(251.00)</u>

SECTION 91C

A15-LEG. DEPT-CODIFICATION OF LAWS & LEG COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
CODE COMMNSR & DIR (P)	152,659	152,659
	(1.00)	(1.00)
UNCLASS. LEG. MISC (P)	2,130,739	2,130,739
	<u>(36.00)</u>	<u>(36.00)</u>
TOTAL PERSONAL SERVICE	2,283,398	2,283,398
	(37.00)	(37.00)
OTHER OPER EXPENSES	500,000	500,000
SPECIAL ITEMS		
CODE SUPPLEMENTS	400,000	100,000
PHOTOCOPYING EQUIPMENT	1,000	1,000
APPROVED ACCOUNTS	45,121	45,121
COMM ON UNIFORM STATE	1,000	1,000
TOTAL SPECIAL ITEMS	<u>447,121</u>	<u>147,121</u>
TOTAL ADMINISTRATION	3,230,519	2,930,519
	<u>(37.00)</u>	<u>(37.00)</u>
II. DEV/PRINT ST REGISTER		
PERSONAL SERVICE		
UNCLASS. LEG. MISC (P)	138,158	138,158
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	138,158	138,158
	<u>(2.00)</u>	<u>(2.00)</u>

A15-LEG. DEPT-CODIFICATION OF LAWS & LEG COUNCIL

	TOTAL FUNDS	GENERAL FUNDS
TOTAL DEVELOP/PRINT STATE REGISTER	138,158 (2.00)	138,158 (2.00)
<hr/>		
III. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	733,290	733,290
<hr/>		
TOTAL FRINGE BENEFITS	733,290	733,290
<hr/>		
TOTAL EMPLOYEE BENEFITS	733,290	733,290
<hr/>		
LEG. DEPT-CODIFICATION OF LAWS & LEG COUNCIL		
TOTAL FUNDS AVAILABLE	4,101,967	3,801,967
TOTAL AUTH FTE POSITIONS	(39.00)	(39.00)
<hr/>		

SECTION 91D**A17-LEG. DEPT-LEGISLATIVE SERVICES AGENCY**

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION PERSONAL SERVICE DIRECTOR (P)	131,325 (1.00)	131,325 (1.00)
UNCLASS. LEG. MISC. - PRNT & ITR (P)	1,483,102 (32.00)	1,483,102 (32.00)
UNCLASS-TEMP-LEGIS PRNT	80,000	80,000
<hr/>		
TOTAL PERSONAL SERVICE	1,694,427 (33.00)	1,694,427 (33.00)
OTHER OPER EXPENSES	3,535,711	3,535,711
<hr/>		
TOTAL ADMINISTRATION	5,230,138 (33.00)	5,230,138 (33.00)
<hr/>		
II. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	534,361	534,361
<hr/>		

A17-LEG. DEPT-LEGISLATIVE SERVICES AGENCY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL FRINGE BENEFITS	534,361	534,361
TOTAL EMPLOYEE BENEFITS	534,361	534,361
LEG. DEPT-LEGISLATIVE SERVICES AGENCY		
TOTAL FUNDS AVAILABLE	5,764,499	5,764,499
TOTAL AUTH FTE POSITIONS	(33.00)	(33.00)

SECTION 91E
A20-LEG. DEPT-LEG AUDIT COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR (P)	101,361	101,361
	(1.00)	(1.00)
UNCLASS. LEG. MISC - LAC (P)	1,447,480	1,127,480
	(25.00)	(25.00)
OTHER PERSONAL SRVCS	1,225	1,225
TOTAL PERSONAL SERVICE	1,550,066	1,230,066
	(26.00)	(26.00)
OTHER OPER EXPENSES	97,000	97,000
TOTAL ADMINISTRATION	1,647,066	1,327,066
	(26.00)	(26.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	356,713	276,713
TOTAL FRINGE BENEFITS	356,713	276,713
TOTAL EMPLOYEE BENEFITS	356,713	276,713
LEG. DEPT-LEG AUDIT COUNCIL		
TOTAL FUNDS AVAILABLE	2,003,779	1,603,779
TOTAL AUTH FTE POSITIONS	(26.00)	(26.00)

STATUTES AT LARGE
General and Permanent Laws--2015
A20-LEG. DEPT-LEG AUDIT COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL LEGISLATIVE DEPT	47,898,323	46,898,323
TOTAL AUTH FTE POSITIONS	(537.00)	(537.00)
REPRESENTATIVES	(124.00)	(124.00)
SENATORS	(46.00)	(46.00)

SECTION 92A

D05-GOVERNOR'S OFF-EXECUTIVE CONTROL OF STATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE:		
GOVERNOR	106,078	106,078
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	1,259,179	1,259,179
	(23.00)	(23.00)
TOTAL PERSONAL SERVICE	1,365,257	1,365,257
	(24.00)	(24.00)
OTHER OPER EXPENSES	101,213	101,213
TOTAL ADMINISTRATION	1,466,470	1,466,470
	(24.00)	(24.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	502,241	502,241
TOTAL FRINGE BENEFITS	502,241	502,241
TOTAL EMPLOYEE BENEFITS	502,241	502,241
GOVERNOR'S OFF-EXECUTIVE CONTROL OF STATE		
TOTAL FUNDS AVAILABLE	1,968,711	1,968,711
TOTAL AUTH FTE POSITIONS	(24.00)	(24.00)

SECTION 92C
D20-GOVERNOR'S OFF-MANSION AND GROUNDS

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	70,696	60,696
	(2.00)	(1.00)
UNCLASSIFIED POSITIONS	150,456	100,456
	(7.00)	(3.50)
OTHER PERSONAL SRVCS	23,260	23,260
TOTAL PERSONAL SERVICE	244,412	184,412
	(9.00)	(4.50)
OTHER OPER EXPENSES	193,284	60,867
TOTAL ADMINISTRATION	437,696	245,279
	(9.00)	(4.50)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	73,837	66,254
TOTAL FRINGE BENEFITS	73,837	66,254
TOTAL EMPLOYEE BENEFITS	73,837	66,254
GOVERNOR'S OFF-MANSION AND GROUNDS		
TOTAL FUNDS AVAILABLE	511,533	311,533
TOTAL AUTH FTE POSITIONS	(9.00)	(4.50)

SECTION 93
D50-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR		
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,634,479	525,359
	(27.26)	(7.08)

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	1,009,415	332,859
	(6.00)	(1.10)
OTHER PERSONAL SRVCS	78,762	30,762
TOTAL PERSONAL SERVICE	2,722,656	888,980
	(34.26)	(9.18)
OTHER OPER EXPENSES	1,415,907	794,405
SPECIAL ITEMS		
ETV COVERAGE - LEGIS &		
PUBLIC AFFAIRS	838,269	838,269
TECH INVESTMENT COUNCIL	98,784	98,784
TOTAL SPECIAL ITEMS	937,053	937,053
TOTAL ADMINISTRATION	5,075,616	2,620,438
	(34.26)	(9.18)
II. STATEWIDE PROGRAMS AND SERVICES		
A. EXECUTIVE BUDGET OFFICE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	840,442	840,442
	(14.00)	(14.00)
UNCLASSIFIED POSITIONS	245,850	245,850
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	1,086,292	1,086,292
	(16.00)	(16.00)
OTHER OPER EXPENSES	154,081	154,081
EMPLOYER CONTRIB - FIRST YEAR IMPLEMENTATIO		
TOT EXEC BUDGET OFFICE	1,240,373	1,240,373
	(16.00)	(16.00)
B. HUMAN RESOURCES DIV		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,495,174	1,295,424
	(23.00)	(21.00)
UNCLASSIFIED POSITIONS	120,500	120,500
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	37,000	37,000

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	1,652,674	1,452,924
	(24.00)	(22.00)
OTHER OPER EXPENSES	1,021,553	631,553
TOT HUMAN RESOURCES DIV	2,674,227	2,084,477
	(24.00)	(22.00)
<hr/>		
C. GENERAL SRVCS DIVISION		
1. BUSINESS OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	349,155	
	(6.50)	
UNCLASSIFIED POSITIONS	315,242	
	(3.00)	
TOTAL PERSONAL SERVICE	664,397	
	(9.50)	
OTHER OPER EXPENSES	216,815	
TOT BUSINESS OPERATIONS	881,212	
	(9.50)	
<hr/>		
2. FACILITIES MANAGEMENT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,714,884	
	(128.50)	
OTHER PERSONAL SRVCS	96,070	
TOTAL PERSONAL SERVICE	4,810,954	
	(128.50)	
OTHER OPER EXPENSES	14,037,586	
SPECIAL ITEMS		
CAPITOL COMPLEX RENT	719,781	719,781
STATE HOUSE MAINTENANCE	658,000	658,000
MANSION & GROUNDS	126,000	126,000
TOTAL SPECIAL ITEMS	1,503,781	1,503,781
PERMANENT IMPROVE	3,000,000	
PERMANENT IMPROVE	3,000,000	
TOTAL PERM IMPROVE	3,000,000	

D50-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL FACILITIES MGMT	23,352,321 (128.50)	1,503,781
<hr style="border-top: 3px double #000;"/>		
3. SURPLUS PROPERTY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	778,835 (22.70)	
OTHER PERSONAL SRVCS	131,500	
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	910,335 (22.70)	
OTHER OPER EXPENSES	610,200	
<hr style="border-top: 1px solid black;"/>		
TOTAL SURPLUS PROPERTY	1,520,535 (22.70)	
<hr style="border-top: 3px double #000;"/>		
4. INTRA-STATE MAIL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	258,454 (7.30)	
OTHER PERSONAL SRVCS	297,111	
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	555,565 (7.30)	
OTHER OPER EXPENSES	428,352	
<hr style="border-top: 1px solid black;"/>		
TOTAL INTRA-STATE MAIL	983,917 (7.30)	
<hr style="border-top: 3px double #000;"/>		
5. PARKING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	100,644 (3.00)	
<hr style="border-top: 1px solid black;"/>		
TOTAL PERSONAL SERVICE	100,644 (3.00)	
OTHER OPER EXPENSES	160,538	
<hr style="border-top: 1px solid black;"/>		
TOTAL PARKING	261,182 (3.00)	
<hr style="border-top: 3px double #000;"/>		
6. STATE FLEET MGMT		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	835,000 (22.00)	

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	15,773	
TOTAL PERSONAL SERVICE	850,773	
	(22.00)	
OTHER OPER EXPENSES	22,485,016	
TOTAL STATE FLEET MGMT	23,335,789	
	(22.00)	
=====		
7. STATE BUILDING & PROPERTY SRVCS PERSONAL SERVICE CLASSIFIED POSITIONS	275,650	
	(4.50)	
TOTAL PERSONAL SERVICE	275,650	
	(4.50)	
OTHER OPER EXPENSES	322,360	
TOTAL STATE BUILDING & PROPERTY SRVCS	598,010	
	(4.50)	
=====		
TOTAL GENERAL SERVICES DIVISION	50,932,966	1,503,781
	(197.50)	
=====		
D. SC ENTERPRISE INFO SYS PERSONAL SERVICE CLASSIFIED POSITIONS	4,286,715	4,286,715
	(78.00)	(78.00)
UNCLASSIFIED POSITIONS	218,500	218,500
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	345,000	345,000
TOTAL PERSONAL SERVICE	4,850,215	4,850,215
	(81.00)	(81.00)
OTHER OPER EXPENSES	13,525,945	12,025,945
TOTAL SC ENTERPRISE INFO SYSTEM	18,376,160	16,876,160
	(81.00)	(81.00)
=====		

D50-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
E. DIVISION OF INFO SECURITY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,298,877	1,298,877
	(14.00)	(14.00)
UNCLASSIFIED POSITIONS	918,500	918,500
	(7.00)	(7.00)
TOTAL PERSONAL SERVICE	2,217,377	2,217,377
	(21.00)	(21.00)
OTHER OPER EXPENSES	207,250	207,250
SPECIAL ITEMS		
ENTERPRISE TECH & REMEDIATION		
	12,811,366	12,811,366
TOTAL SPECIAL ITEMS	12,811,366	12,811,366
TOTAL DIVISION OF INFO SECURITY	15,235,993	15,235,993
	(21.00)	(21.00)
F. ENTERPRISE PRIVACY OFF PERSONAL SERVICE		
CLASSIFIED POSITIONS	202,100	202,100
	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	120,000	120,000
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	322,100	322,100
	(3.00)	(3.00)
OTHER OPER EXPENSES	21,000	21,000
TOTAL ENTERPRISE PRIVACY OFFICE	343,100	343,100
	(3.00)	(3.00)
G. STATE TECH OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	9,944,616	294,189
	(183.23)	
UNCLASSIFIED POSITIONS	596,000	
	(5.00)	

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	401,200	
TOTAL PERSONAL SERVICE	10,941,816 (188.23)	294,189
OTHER OPER EXPENSES	25,231,012	123,011
SPECIAL ITEMS		
SRVC CONTRACT 800 MHZ	1,238,247	1,238,247
K-12 SCHOOL TECH	24,450,000	
EMERGENCY COMMUNIC BACKBONE	434,244	434,244
TOTAL SPECIAL ITEMS	26,122,491	1,672,491
TOTAL STATE TECH OPERATIONS	62,295,319 (188.23)	2,089,691
TOTAL STATEWIDE PROG AND SERVICES	151,098,138 (530.73)	39,373,575 (143.00)
III. EXECUTIVE POLICY AND PROGRAMS		
A. DIVISION DIRECTOR		
1. SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	366,774 (19.50)	366,774 (19.50)
UNCLASSIFIED POSITIONS	89,316 (2.00)	89,316 (2.00)
TOTAL PERSONAL SERVICE	456,090 (21.50)	456,090 (21.50)
OTHER OPER EXPENSES	159,635	159,635
TOTAL SUPPORT SRVCS	615,725 (21.50)	615,725 (21.50)
TOTAL DIVISION DIRECTOR	615,725 (21.50)	615,725 (21.50)

D50-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
B. CHILDREN'S SRVCS		
1. GUARDIAN AD LITEM		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,165,094	861,070
	(23.00)	(11.50)
NEW POSITIONS		
<i>HUMAN SRVCS COORD I</i>	<i>340,000</i>	<i>340,000</i>
	(11.00)	(11.00)
UNCLASSIFIED POSITIONS	23,883	23,883
	(1.00)	(.50)
OTHER PERSONAL SRVCS	1,574,137	204,340
TOTAL PERSONAL SERVICE	3,103,114	1,429,293
	(35.00)	(23.00)
OTHER OPER EXPENSES	1,320,170	805,170
TOT GUARDIAN AD LITEM	4,423,284	2,234,463
	(35.00)	(23.00)
2. CHILDREN'S AFFAIRS		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	37,619	37,619
	(1.00)	(1.00)
TOT PERSONAL SERVICE	37,619	37,619
	(1.00)	(1.00)
OTHER OPER EXPENSES	90	90
SPECIAL ITEMS		
CHILDREN'S CASE RESO	4,054	4,054
CHILDREN'S TRUST FUND	100,000	100,000
TOTAL SPECIAL ITEMS	104,054	104,054
TOT CHILDREN'S AFFAIRS	141,763	141,763
	(1.00)	(1.00)
3. FOSTER CARE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	784,533	221,095
	(14.00)	(6.15)
UNCLASSIFIED POSITIONS	70,818	34,488
	(1.00)	(.50)

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	70,876	8,911
TOTAL PERSONAL SERVICE	926,227	264,494
	(15.00)	(6.65)
OTHER OPER EXPENSES	317,766	49,924
TOTAL FOSTER CARE	1,243,993	314,418
	(15.00)	(6.65)
4. CONTINUUM OF CARE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,365,841	975,841
	(53.56)	(24.31)
NEW POSITIONS		
<i>HUMAN SRVCS COORD I</i>	912,036	
	(16.00)	
UNCLASSIFIED POSITIONS	73,952	73,952
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	580,000	
TOTAL PERSONAL SERVICE	3,931,829	1,049,793
	(70.56)	(25.31)
OTHER OPER EXPENSES	1,549,786	144,890
CASE SRVCS		
CASE SRVCS	615,666	142,885
TOT CASE SRVC/PUB ASST	615,666	142,885
TOT CONTINUUM OF CARE	6,097,281	1,337,568
	(70.56)	(25.31)
TOTAL CHILDREN'S SRVCS	11,906,321	4,028,212
	(121.56)	(55.96)
C. CONSTITUENT SRVCS		
1. VICTIM'S ASSISTANCE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,342,130	
	(27.68)	
UNCLASSIFIED POSITIONS	76,042	
	(1.00)	
OTHER PERSONAL SRVCS	563,674	

D50-DEPARTMENT OF ADMINISTRATION

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	1,981,846	
	(28.68)	
OTHER OPER EXPENSES	13,133,376	
SPECIAL ITEMS		
VICTIM'S RIGHTS	120,000	120,000
TOTAL SPECIAL ITEMS	120,000	120,000
DISTRIBUTION TO SUBDIV		
ALLOC CNTY-RESTRICTED	650,000	
ALLOC OTHER ST AGENCIES	367,479	
ALLOC OTHER ENTITIES	158,000	
TOTAL DIST SUBDIV	1,175,479	
TOTAL VICTIM'S ASSIST	16,410,701	120,000
	(28.68)	
2. VETERANS' AFFAIRS		
A. VETERANS' AFFAIRS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	387,844	387,844
	(12.95)	(12.95)
NEW POSITIONS		
<i>ADMINISTRATIVE SPEC I</i>	70,050	70,050
	(3.00)	(3.00)
<i>PROGRAM COORD I</i>	40,000	40,000
	(1.00)	(1.00)
<i>FIELD SPECIALIST</i>	46,169	46,169
	(1.00)	(1.00)
<i>PROGRAM DIRECTOR</i>	50,000	50,000
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	52,736	52,736
TOT PERSONAL SERVICE	646,799	646,799
	(18.95)	(18.95)
OTHER OPER EXPENSES	15,090	15,090
SPECIAL ITEMS		
POW COMMISSION	2,080	2,080
VETERANS COUNSELING	65,279	65,279
TOTAL SPECIAL ITEMS	67,359	67,359

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SRVCS		
CASE SRVCS	550,000	
TOT CASE SRVC/PUB ASST	550,000	
TOT VETERANS' AFFAIRS	1,279,248	729,248
	(18.95)	(18.95)
B. VETERANS' CEMETERY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	251,742	251,742
	(8.13)	(8.13)
TOT PERSONAL SERVICE	251,742	251,742
	(8.13)	(8.13)
OTHER OPER EXPENSES	365,500	120,500
TOT VETERANS' CEMETARY	617,242	372,242
	(8.13)	(8.13)
TOT VETERANS' AFFAIRS	1,896,490	1,101,490
	(27.08)	(27.08)
3. OMBUDSMAN		
PERSONAL SRVCS		
CLASSIFIED POSITIONS	272,723	133,100
	(6.26)	(2.76)
UNCLASSIFIED POSITIONS	123,694	56,100
	(2.50)	(1.50)
OTHER PERSONAL SRVCS	18,720	
TOTAL PERSONAL SERVICE	415,137	189,200
	(8.76)	(4.26)
OTHER OPER EXPENSES	106,560	19,629
TOTAL OMBUDSMAN	521,697	208,829
	(8.76)	(4.26)
4. DEVELOPMENTAL DISABIL		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	224,505	36,556
	(5.75)	(1.26)
UNCLASSIFIED POSITIONS	67,053	
	(1.00)	

STATUTES AT LARGE
General and Permanent Laws--2015
D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	4,500	
TOTAL PERSONAL SERVICE	296,058	36,556
	(6.75)	(1.26)
OTHER OPER EXPENSES	92,342	15,342
DISTRIBUTION TO SUBDIV		
ALLOC MUN-RESTRICTED	60,000	
ALLOC SCHOOL DIST	300,000	
ALLOC OTHER ST AGENCIES	400,000	
ALLOC OTHER ENTITIES	890,000	
TOTAL DIST SUBDIV	1,650,000	
TOTAL DEVELOPMENTAL DISABILITIES	2,038,400	51,898
	(6.75)	(1.26)
<hr/>		
5. SMALL & MINORITY BUSI PERSONAL SERVICE		
CLASSIFIED POSITIONS	73,702	73,702
	(1.50)	(1.50)
UNCLASSIFIED POSITIONS	42,611	42,611
	(.50)	(.50)
TOTAL PERSONAL SERVICE	116,313	116,313
	(2.00)	(2.00)
OTHER OPER EXPENSES	20,061	20,061
TOT SMALL & MINORITY BUSINESS	136,374	136,374
	(2.00)	(2.00)
<hr/>		
6. ECONOMIC OPPORTUNITY PERSONAL SERVICE		
CLASSIFIED POSITIONS	674,718	
	(15.30)	
UNCLASSIFIED POSITIONS	44,423	
	(2.00)	
OTHER PERSONAL SRVCS	476,088	
TOTAL PERSONAL SERVICE	1,195,229	
	(17.30)	
OTHER OPER EXPENSES	3,459,528	

D50-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
DISTRIBUTION TO SUBDIV ALLOC OTHER ENTITIES	64,777,661	
TOTAL DIST SUBDIV	64,777,661	
TOT ECONOMIC OPPORTUN	69,432,418 (17.30)	
TOTAL CONSTITUENT SRVCS	90,436,080 (90.57)	1,618,591 (34.60)
TOTAL EXECUTIVE POLICY AND PROGRAMS	102,958,126 (233.63)	6,262,528 (112.06)
IV. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	16,423,819	5,436,324
TOTAL FRINGE BENEFITS	16,423,819	5,436,324
TOTAL EMPLOYEE BENEFITS	16,423,819	5,436,324
DEPT OF ADMINISTRATION		
TOTAL FUNDS AVAILABLE	275,555,699	53,692,865
TOTAL AUTH FTE POSITIONS	(798.62)	(264.24)

SECTION 94
D25-OFFICE OF INSPECTOR GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. OFF OF INSPECTOR GENERAL PERSONAL SERVICE:		
INSPECTOR GENERAL	115,519 (1.00)	115,519 (1.00)
CLASSIFIED POSITIONS	318,412 (6.00)	318,412 (6.00)
TOTAL PERSONAL SERVICE	433,931 (7.00)	433,931 (7.00)

STATUTES AT LARGE (No. 91)
General and Permanent Laws--2015
D25-OFFICE OF INSPECTOR GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	62,012	62,012
SPECIAL ITEMS:		
FRAUD HOTLINE	321	321
TOTAL SPECIAL ITEMS	<u>321</u>	<u>321</u>
TOTAL OFFICE OF INSPECTOR GENERAL	<u>496,264</u> (7.00)	<u>496,264</u> (7.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	135,857	135,857
TOTAL FRINGE BENEFITS	<u>135,857</u>	<u>135,857</u>
TOTAL EMPLOYEE BENEFITS	<u>135,857</u>	<u>135,857</u>
OFF OF INSPECTOR GENERAL		
TOTAL FUNDS AVAILABLE	632,121	632,121
TOTAL AUTH FTE POSITIONS	<u>(7.00)</u>	<u>(7.00)</u>
TOTAL GOVERNOR'S OFFICE	<u>278,668,064</u>	<u>56,605,230</u>
TOTAL AUTH FTE POSITIONS	<u>(838.62)</u>	<u>(299.74)</u>

SECTION 95
E04-LIEUTENANT GOVERNOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE:		
LIEUTENANT GOVERNOR	46,545	46,545
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	297,734	297,734
	(5.00)	(5.00)
OTHER PERSONAL SRVCS	15,749	15,749
TOTAL PERSONAL SERVICE	<u>360,028</u> (6.00)	<u>360,028</u> (6.00)

E04-LIEUTENANT GOVERNOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	68,125	68,125
TOTAL ADMINISTRATION	428,153 (6.00)	428,153 (6.00)
II. OFFICE ON AGING		
A. SENIOR SRVCS ADMINISTRATION		
PERSONAL SERVICE:		
CLASSIFIED POSITIONS	1,903,413 (40.00)	814,528 (21.40)
NEW POSITIONS		
<i>PROGRAM COORD I</i>	<i>125,000</i> (3.00)	
<i>PROGRAM COORD I</i>	<i>(1.00)</i>	
<i>PROGRAM COORD II</i>	<i>215,000</i> (5.00)	<i>215,000</i> (5.00)
<i>PROGRAM MANAGER I</i>	<i>60,000</i> (1.00)	<i>60,000</i> (1.00)
UNCLASSIFIED POSITIONS	127,686 (1.00)	31,250 (.25)
OTHER PERSONAL SRVCS	62,090	35,840
TOTAL PERSONAL SERVICE	2,493,189 (51.00)	1,156,618 (27.65)
OTHER OPER EXPENSES	1,284,341	294,304
SPECIAL ITEMS:		
SILVER HAired LEGISLATURE HOME AND COMMUNITY BASED SERVICES	15,000 9,472,000	15,000 9,472,000
TOTAL SPECIAL ITEMS	9,487,000	9,487,000
TOTAL SENIOR SRVCS ADMINISTRATION	13,264,530 (51.00)	10,937,922 (27.65)
B. OFFICE ON AGING ASSIST PERSONAL SERVICE		
CLASSIFIED POSITIONS	66,000 (1.50)	

E04-LIEUTENANT GOVERNOR'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
TOTAL PERSONAL SERVICE	66,000	
	(1.50)	
OTHER OPER EXPENSES	20,000	
SPECIAL ITEMS:		
ALZHEIMERS	150,000	150,000
GERIATRIC PHYS LOAN		
PROGRAM	35,000	35,000
FAMILY CAREGIVERS	1,000,000	1,000,000
TOTAL SPECIAL ITEMS	1,185,000	1,185,000
CASE SRVCS:		
CASE SRVCS	2,725,000	
TOTAL CASE SRVC/PUB ASST	2,725,000	
DISTRIBUTION TO SUBDIV:		
ALLOC OTHER ST AGENCIES	100,000	
ALLOC OTHER ENTITIES	27,225,963	
AID TO OTHER ENTITIES	1,625,445	1,135,245
TOTAL DIST SUBDIV	28,951,408	1,135,245
TOTAL OFFICE ON AGING		
ASSISTANCE	32,947,408	2,320,245
	(1.50)	
TOTAL OFFICE ON AGING	46,211,938	13,258,167
	(52.50)	(27.65)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,007,809	574,283
TOTAL FRINGE BENEFITS	1,007,809	574,283
TOTAL EMPLOYEE BENEFITS	1,007,809	574,283
LIEUTENANT GOVERNOR'S OFF		
TOTAL FUNDS AVAILABLE	47,647,900	14,260,603
TOTAL AUTH FTE POSITIONS	(58.50)	(33.65)

SECTION 96
E08-SECRETARY OF STATE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
SECRETARY OF STATE	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,284,795	638,598
	(30.00)	(18.00)
OTHER PERSONAL SRVCS	65,000	
TOTAL PERSONAL SERVICE	1,441,802	730,605
	(31.00)	(19.00)
OTHER OPER EXPENSES	636,711	
TOTAL ADMINISTRATION	2,078,513	730,605
	(31.00)	(19.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	467,681	328,289
TOTAL FRINGE BENEFITS	467,681	328,289
TOTAL EMPLOYEE BENEFITS	467,681	328,289
SECRETARY OF STATE		
TOTAL FUNDS AVAILABLE	2,546,194	1,058,894
TOTAL AUTH FTE POSITIONS	(31.00)	(19.00)

SECTION 97
E12-COMPTROLLER GENERAL'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATIVE SRVCS		
PERSONAL SERVICE		
COMPTROLLER GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	139,160	139,160
	(2.00)	(2.00)

STATUTES AT LARGE (No. 91)
General and Permanent Laws--2015
E12-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	152,450	152,450
	(3.00)	(3.00)
OTHER PERSONAL SRVCS	17,000	2,000
TOTAL PERSONAL SERVICE	400,617	385,617
	(6.00)	(6.00)
OTHER OPER EXPENSES	59,301	1,500
TOT ADMIN SRVCS	459,918	387,117
	(6.00)	(6.00)
II. STATEWIDE PAYROLL/ACCTS PAYABLE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	747,887	637,406
	(19.00)	(13.50)
UNCLASSIFIED POSITIONS	35,500	35,500
TOTAL PERSONAL SERVICE	783,387	672,906
	(19.00)	(13.50)
OTHER OPER EXPENSES	75,779	2,000
TOTAL STATEWIDE PAYROLL/ACCTS PAYABLE	859,166	674,906
	(19.00)	(13.50)
III. STATEWIDE FINANCIAL REPORTING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	251,650	251,650
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	35,556	35,556
OTHER PERSONAL SRVCS	40,773	5,773
TOTAL PERSONAL SERVICE	327,979	292,979
	(6.00)	(6.00)
OTHER OPER EXPENSES	139,390	1,748
TOTAL STATEWIDE FINANCIAL REPORTING	467,369	294,727
	(6.00)	(6.00)

E12-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. INFO TECHNOLOGY		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	138,672	30,180
	(2.00)	(1.00)
OTHER PERSONAL SRVCS	15,070	70
TOTAL PERSONAL SERVICE	153,742	30,250
	(2.00)	(1.00)
OTHER OPER EXPENSES	119,811	1,065
TOTAL INFO TECHNOLOGY	273,553	31,315
	(2.00)	(1.00)
V. STATEWIDE ACCOUNTING SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	322,880	322,880
	(6.00)	(4.00)
UNCLASSIFIED POSITIONS	35,556	35,556
OTHER PERSONAL SRVCS	3,000	3,000
TOTAL PERSONAL SERVICE	361,436	361,436
	(6.00)	(4.00)
OTHER OPER EXPENSES	32,023	1,351
TOTAL STATEWIDE ACCOUNTING SERVICES	393,459	362,787
	(6.00)	(4.00)
VI. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	570,397	493,010
TOTAL FRINGE BENEFITS	570,397	493,010
TOTAL EMPLOYEE BENEFITS	570,397	493,010
COMPTROLLER GENERAL'S OFFICE		
TOTAL FUNDS AVAILABLE	3,023,862	2,243,862
TOTAL AUTH FTE POSITIONS	(39.00)	(30.50)

SECTION 98
E16-STATE TREASURER'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
STATE TREASURER	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	66,122	66,122
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	158,129	158,129
	(3.00)	(3.00)
OTHER OPER EXPENSES	14,115	14,115
TOTAL ADMINISTRATION	172,244	172,244
	(3.00)	(3.00)
II. PROGRAMS AND SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,392,796	997,613
	(64.00)	(34.00)
UNCLASSIFIED POSITIONS	221,340	
	(3.00)	
OTHER PERSONAL SRVCS	75,000	
TOTAL PERSONAL SERVICE	3,689,136	997,613
	(67.00)	(34.00)
OTHER OPER EXPENSES	2,717,680	52,641
TOTAL PROGRAMS AND SRVCS	6,406,816	1,050,254
	(67.00)	(34.00)
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,305,789	433,344
TOTAL FRINGE BENEFITS	1,305,789	433,344
TOTAL EMPLOYEE BENEFITS	1,305,789	433,344
STATE TREASURER'S OFFICE		
TOTAL FUNDS AVAILABLE	7,884,849	1,655,842
TOTAL AUTH FTE POSITIONS	(70.00)	(37.00)

SECTION 99

E19-RETIREMENT SYSTEM INVESTMENT COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
UNCLASSIFIED POSITIONS	5,874,739	
	(42.00)	
NEW POSITIONS		
<i>INVESTMENT OFFICER</i>	80,000	
	(1.00)	
<i>REPORTING OFFICER</i>	60,000	
	(1.00)	
<i>ADMINISTRATIVE COORD II</i>	60,000	
	(1.00)	
<i>SENIOR CONSULTANT</i>	85,000	
	(1.00)	
<i>SENIOR APPLICAT ANALYST</i>	100,000	
	(1.00)	
<i>HUMAN SRVCS SPECIALIST</i>	50,000	
	(1.00)	
<i>SR INVESTMENT OFFICER</i>	360,000	
	(3.00)	
OTHER PERSONAL SRVCS	2,461,255	
TOTAL PERSONAL SERVICE	9,130,994	
	(51.00)	
OTHER OPER EXPENSES	6,803,053	
TOTAL ADMINISTRATION	15,934,047	
	(51.00)	
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,875,085	
TOTAL FRINGE BENEFITS	1,875,085	
TOTAL EMPLOYEE BENEFITS	1,875,085	

E19-RETIREMENT SYSTEM INVESTMENT COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
RETIREMENT SYSTEM INVESTMENT COMMISSION		
TOTAL FUNDS AVAILABLE	17,809,132	
TOTAL AUTH FTE POSITIONS	(51.00)	

SECTION 100
E24-ADJUTANT GENERAL'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
ADJUTANT GENERAL	92,007	92,007
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,196,033	837,033
	(20.20)	(13.87)
OTHER PERSONAL SRVCS	129,911	114,911
TOTAL PERSONAL SERVICE	1,417,951	1,043,951
	(21.20)	(14.87)
OTHER OPER EXPENSES	239,389	238,389
SPECIAL ITEMS		
BURIAL FLAGS	11,871	11,871
FUNERAL CAISSON	100,205	100,205
CIVIL AIR PATROL	55,000	55,000
TOTAL SPECIAL ITEMS	167,076	167,076
TOTAL ADMINISTRATION	1,824,416	1,449,416
	(21.20)	(14.87)
II. ARMORY OPERATIONS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	21,424	
	(.55)	
OTHER PERSONAL SRVCS	74,000	
TOTAL PERSONAL SERVICE	95,424	
	(.55)	

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E24-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	4,504,580	2,000,004
TOTAL ARMORY OPERATIONS	4,600,004 (.55)	2,000,004
V. BUILDINGS & GROUNDS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	256,583 (13.75)	115,088 (8.25)
OTHER PERSONAL SRVCS	7,244	3,344
TOTAL PERSONAL SERVICE	263,827 (13.75)	118,432 (8.25)
OTHER OPER EXPENSES	102,034	59,896
TOT BUILDINGS & GROUNDS	365,861 (13.75)	178,328 (8.25)
VII. ARMY CONTRACT SUPP		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	1,088,975 (8.75)	12,226 (.25)
OTHER PERSONAL SRVCS	3,925,954	
TOTAL PERSONAL SERVICE	5,014,929 (8.75)	12,226 (.25)
OTHER OPER EXPENSES	11,516,685	125,000
TOT ARMY CONTRACT SUPP	16,531,614 (8.75)	137,226 (.25)
VIII. ENTERPRISE OPERS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	98,857 (2.00)	
OTHER PERSONAL SRVCS	839,436	
TOTAL PERSONAL SERVICE	938,293 (2.00)	
OTHER OPER EXPENSES	3,500,000	

STATUTES AT LARGE
General and Permanent Laws--2015
E24-ADJUTANT GENERAL'S OFFICE

	TOTAL FUNDS	GENERAL FUNDS
TOT ENTERPRISE OPERS	4,438,293	
	(2.00)	
<hr style="border-top: 3px double #000;"/>		
IX. MCENTIRE ANG BASE		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	937,407	57,740
	(20.75)	(2.81)
OTHER PERSONAL SRVCS	1,245,685	58,668
TOTAL PERSONAL SERVICE	2,183,092	116,408
	(20.75)	(2.81)
OTHER OPER EXPENSES	3,006,805	322,951
TOTAL MCENTIRE ANG BASE	5,189,897	439,359
	(20.75)	(2.81)
<hr style="border-top: 3px double #000;"/>		
X. EMERG PREPAREDNESS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,496,975	868,111
	(58.00)	(21.25)
OTHER PERSONAL SRVCS	330,448	10,326
TOTAL PERSONAL SERVICE	2,827,423	878,437
	(58.00)	(21.25)
OTHER OPER EXPENSES	3,922,452	490,999
AID TO SUBDIV		
ALLOC-MUNICIPALITIES	4,500,000	
ALLOC CNTY-RESTRICTED	7,990,342	36,410
ALLOC OTHER ST AGENCIES	693,766	
ALLOC OTHER ENTITIES	60,000	
TOTAL DIST SUBDIV	13,244,108	36,410
TOT EMERG PREPAREDNESS	19,993,983	1,405,846
	(58.00)	(21.25)
<hr style="border-top: 3px double #000;"/>		
XI. STATE GUARD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	72,034	72,034
	(2.50)	(2.50)
OTHER PERSONAL SRVCS	11,935	11,935

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E24-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	83,969	83,969
	(2.50)	(2.50)
OTHER OPER EXPENSES	43,064	43,064
	=====	=====
TOTAL STATE GUARD	127,033	127,033
	(2.50)	(2.50)
	=====	=====
XIV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	5,386,372	879,388
	=====	=====
TOTAL FRINGE BENEFITS	5,386,372	879,388
	=====	=====
TOTAL EMPLOYEE BENEFITS	5,386,372	879,388
	=====	=====
ADJUTANT GENERAL'S OFFICE		
TOTAL FUNDS AVAILABLE	58,457,473	6,616,600
TOTAL AUTH FTE POSITIONS	(127.50)	(49.93)
	=====	=====

SECTION 101
E28-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION:		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	90,281	90,281
	(1.00)	(1.00)
CLASSIFIED POSITIONS	116,379	52,582
	(6.50)	(4.00)
NEW POSITIONS		
<i>ATTORNEY III</i>	(1.00)	(1.00)
	=====	=====
TOTAL PERSONAL SERVICE	206,660	142,863
	(8.50)	(6.00)
OTHER OPER EXPENSES	689,101	473,198
	=====	=====
TOTAL ADMINISTRATION	895,761	616,061
	(8.50)	(6.00)
	=====	=====

STATUTES AT LARGE
General and Permanent Laws--2015
E28-ELECTION COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
II. VOTER SERVICES		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	292,555	292,555
	(10.00)	(10.00)
NEW POSITIONS		
<i>PROGRAM COORD II</i>		
	(1.00)	(1.00)
<i>PROGRAM MANAGER I</i>		
	(1.00)	(1.00)
TOTAL PERSONAL SERVICE	292,555	292,555
	(12.00)	(12.00)
OTHER OPER EXPENSES	668,845	668,845
TOTAL VOTER SRVCS	961,400	961,400
	(12.00)	(12.00)
III. PUBLIC INFO/TRAINING		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	19,246	19,246
	(3.00)	(3.00)
TOTAL PERSONAL SERVICE	19,246	19,246
	(3.00)	(3.00)
OTHER OPER EXPENSES	135,000	100,000
TOTAL PUBLIC INFO/TRAINING	154,246	119,246
	(3.00)	(3.00)
IV. DISTRIBUTION TO SUBDIV		
AID CNTY-LOCAL REGIS EXP	533,000	533,000
TOTAL DIST SUBDIV	533,000	533,000
TOTAL DISTRIBUTION TO SUBDIV	533,000	533,000
V. STWIDE/SPEC PRIMARIES		
SPECIAL ITEMS:		
STWIDE PRIMARIES/GEN ELECTION	4,200,000	3,000,000

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E28-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SPECIAL PRIMARIES	100,000	
TOTAL SPECIAL ITEMS	<u>4,300,000</u>	<u>3,000,000</u>
TOT STATEWIDE/SPECIAL PRIMARIES	<u>4,300,000</u>	<u>3,000,000</u>
VII.EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	279,894	253,894
TOTAL FRINGE BENEFITS	<u>279,894</u>	<u>253,894</u>
TOTAL EMPLOYEE BENEFITS	<u>279,894</u>	<u>253,894</u>
ELECTION COMMISSION		
TOTAL FUNDS AVAILABLE	7,124,301	5,483,601
TOTAL AUTH FTE POSITIONS	<u>(23.50)</u>	<u>(21.00)</u>

SECTION 102
E50-REVENUE AND FISCAL AFFAIRS OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION PERSONAL SERVICE EXECUTIVE DIRECTOR	149,000 (1.00)	149,000 (1.00)
TOTAL PERSONAL SERVICE	<u>149,000</u> (1.00)	<u>149,000</u> (1.00)
BEA CHAIRMAN'S ALLOW BEA APPOINTEE ALLOW	10,000 16,000	10,000 16,000
TOTAL SPECIAL ITEMS	<u>26,000</u>	<u>26,000</u>
TOTAL ADMINISTRATION	<u>175,000</u> (1.00)	<u>175,000</u> (1.00)
II. PROGRAM SRVCS PERSONAL SERVICE CLASSIFIED POSITIONS	4,058,153 (69.75)	2,447,874 (43.25)

E50-REVENUE AND FISCAL AFFAIRS OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	259,367	220,507
	(2.00)	(1.70)
OTHER PERSONAL SRVCS	921,809	47,500
TOTAL PERSONAL SERVICE	5,239,329	2,715,881
	(71.75)	(44.95)
OTHER OPER EXPENSES	3,326,255	829,966
TOTAL PROGRAM SRVCS	8,565,584	3,545,847
	(71.75)	(44.95)
 III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	1,907,908	1,013,371
TOTAL FRINGE BENEFITS	1,907,908	1,013,371
TOTAL EMPLOYEE BENEFITS	1,907,908	1,013,371
 REVENUE AND FISCAL AFFAIRS OFFICE		
TOTAL FUNDS AVAILABLE	10,648,492	4,734,218
TOTAL AUTH FTE POSITIONS	(72.75)	(45.95)

SECTION 104

E55-STATE FISCAL ACCOUNTABILITY AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR		
	(1.00)	
CLASSIFIED POSITIONS	1,260,000	
	(21.00)	
UNCLASSIFIED POSITIONS	801,000	
	(5.00)	
TOTAL PERSONAL SERVICE	2,061,000	
	(27.00)	

E55-STATE FISCAL ACCOUNTABILITY AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	272,000	
TOTAL ADMINISTRATION	2,333,000 (27.00)	
II. PROCUREMENT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	3,290,000 (57.50)	975,000 (17.50)
UNCLASSIFIED POSITIONS	177,000 (2.00)	120,000 (1.00)
OTHER PERSONAL SRVCS	52,000	
TOTAL PERSONAL SERVICE	3,519,000 (59.50)	1,095,000 (18.50)
OTHER OPER EXPENSES	2,536,534	124,100
TOT PROCUREMENT SRVCS	6,055,534 (59.50)	1,219,100 (18.50)
III. INSURANCE SRVCS		
A. INSURANCE RESERVE FD		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,620,000 (49.00)	
UNCLASSIFIED POSITIONS	245,000 (2.50)	
TOTAL PERSONAL SERVICE	2,865,000 (51.50)	
OTHER OPER EXPENSES	3,681,000	
TOT INSURANCE RESERVE FD	6,546,000 (51.50)	
B. SECOND INJ FUND SUNSET		
PERSONAL SERVICE		
OTHER PERSONAL SRVCS	155,000	
TOTAL PERSONAL SERVICE	155,000	
OTHER OPER EXPENSES	175,000	
TOT SECOND INJ FD SUNSET	330,000	

E55-STATE FISCAL ACCOUNTABILITY AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL INSURANCE SRVCS	6,876,000 (51.50)	
<hr/>		
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	2,713,640	330,895
<hr/>		
TOTAL FRINGE BENEFITS	2,713,640	330,895
<hr/>		
TOTAL EMPLOYEE BENEFITS	2,713,640	330,895
<hr/>		
STATE FISCAL ACCOUNTABILITY AUTHORITY		
TOTAL FUNDS AVAILABLE	17,978,174	1,549,995
TOTAL AUTH FTE POSITIONS	(138.00)	(18.50)
<hr/>		

SECTION 105
F27-SFAA-AUDITOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PERSONAL SERVICE		
STATE AUDITOR	141,891 (1.00)	141,891 (1.00)
CLASSIFIED POSITIONS	156,467 (3.00)	156,467 (3.00)
<hr/>		
TOTAL PERSONAL SERVICE	298,358 (4.00)	298,358 (4.00)
OTHER OPER EXPENSES	261	261
<hr/>		
TOTAL ADMINISTRATION	298,619 (4.00)	298,619 (4.00)
<hr/>		
II. AUDITS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	2,233,749 (46.00)	1,590,720 (29.00)
UNCLASSIFIED POSITIONS	111,512 (2.00)	111,512 (2.00)
<hr/>		

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL PERSONAL SERVICE	2,345,261	1,702,232
	(48.00)	(31.00)
OTHER OPER EXPENSES	<u>1,958,229</u>	<u>443,229</u>
TOTAL AUDITS	<u>4,303,490</u>	<u>2,145,461</u>
	(48.00)	(31.00)
III. EMPLOYEE BENEFITS		
C. STATE EMPLOYER		
CONTRIBS		
EMPLOYER CONTRIBS	<u>933,002</u>	<u>711,392</u>
TOTAL FRINGE BENEFITS	<u>933,002</u>	<u>711,392</u>
TOTAL EMPLOYEE BENEFITS	<u>933,002</u>	<u>711,392</u>
SFAA-AUDITOR'S OFFICE		
TOTAL FUNDS AVAILABLE	5,535,111	3,155,472
TOTAL AUTH FTE POSITIONS	<u>(52.00)</u>	<u>(35.00)</u>

SECTION 106

F30-STATEWIDE EMPLOYEE BENEFITS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. RATE INCREASES		
HEALTH INSURANCE -		
EMPLOYER CONTRIBS	<u>35,700,000</u>	<u>35,700,000</u>
TOTAL FRINGE BENEFITS	<u>35,700,000</u>	<u>35,700,000</u>
TOTAL RATE INCREASE	<u>35,700,000</u>	<u>35,700,000</u>
TOT STATE EMP BENEFITS	<u>35,700,000</u>	<u>35,700,000</u>
STATEWIDE EMP BENEFITS		
TOTAL FUNDS AVAILABLE	<u>35,700,000</u>	<u>35,700,000</u>

SECTION 107
F31-CAPITAL RESERVE FUND

	TOTAL FUNDS	GENERAL FUNDS
I. RESERVE FUND		
SPECIAL ITEM		
CAPITAL RESERVE FUND	131,047,797	131,047,797
	131,047,797	131,047,797
TOTAL SPECIAL ITEMS	131,047,797	131,047,797
	131,047,797	131,047,797
TOTAL RESERVE FUNDS	131,047,797	131,047,797
	131,047,797	131,047,797
CAPITAL RESERVE FUND		
TOTAL FUNDS AVAILABLE	131,047,797	131,047,797
	131,047,797	131,047,797

SECTION 108
F50-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
DIRECTOR	149,800	
	(1.00)	
CLASSIFIED POSITIONS	757,397	
	(11.00)	
PUBLIC EMPLOYEE		
BENEFIT AUTHORITY	132,000	
UNCLASSIFIED POSITIONS	241,440	
OTHER PERSONAL SRVCS	101,600	
	1,382,237	
TOTAL PERSONAL SERVICE	1,382,237	
	(12.00)	
OTHER OPER EXPENSES	3,089,262	
	4,471,499	
TOTAL ADMINISTRATION	4,471,499	
	(12.00)	
	4,471,499	
II. PROGRAMS & SRVCS		
A. EMPLOYEE INSUR PROG		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	4,279,806	
	(79.93)	

F50-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
<i>BENEFITS COUNSELOR I</i>		
	(1.00)	
<i>BENEFITS COUNSELOR II</i>		
	(1.00)	
<i>PUBLIC INFO COORD I</i>		
	(.50)	
UNCLASSIFIED POSITIONS	304,726	
	(2.00)	
OTHER PERSONAL SRVCS	362,000	
TOTAL PERSONAL SERVICE	4,946,532	
	(84.43)	
OTHER OPER EXPENSES	4,686,663	
SPECIAL ITEM		
ADOPTION ASSISTANCE	300,000	
TOTAL SPECIAL ITEMS	300,000	
TOTAL EMPLOYEE INSURANCE PROGRAM	9,933,195	
	(84.43)	
=====		
B. RETIREMENT SYSTEMS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,407,599	
	(160.50)	
<i>FISCAL TECHNICIAN II</i>		
	(1.00)	
<i>ACCOUNTANT/FISCAL ANA I</i>		
	(1.00)	
<i>BENEFITS COUNSELOR II</i>		
	(4.00)	
<i>COMPUTER OPERATOR I</i>		
	(1.00)	
<i>PUBLIC INFO COORD I</i>		
	(.50)	
UNCLASSIFIED POSITIONS	650,692	
	(6.00)	
OTHER PERSONAL SRVCS	206,829	
TOTAL PERSONAL SERVICE	8,265,120	
	(174.00)	

F50-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPER EXPENSES	4,887,809	
TOT RETIREMENT SYSTEMS	13,152,929 (174.00)	
TOT PROGRAMS AND SRVCS	23,086,124 (258.43)	
III. STATEWIDE EMPLOYER CONTRIBUTIONS		
UNEMPLOYMENT COMP INS	1,895	1,895
ST RETIREMENT-MILITARY & NON-MEMBER SRV	77,014	77,014
RETIREMENT SPPL-STATE EMP	623,357	623,357
RETIREMENT SUPPLEMENT- PUBLIC SCHOOL EMP	538,927	538,927
RETIREMENT-POLICE INSUR AND ANNUITY FUND	11,041	11,041
RETIREMENT SPPL-POL OFF	53,178	53,178
PENSIONS-RET NATL GUARD	4,590,798	4,590,798
OPEB TRUST FUND PYMT	2,375,300	2,375,300
TOTAL FRINGE BENEFITS	8,271,510	8,271,510
TOTAL STATEWIDE EMPLOYER CONTRIBUTIONS	8,271,510	8,271,510
IV. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBUTIONS		
EMPLOYER CONTRIBUTIONS	4,472,468	
TOTAL FRINGE BENEFITS	4,472,468	
TOTAL EMPLOYEE BENEFITS	4,472,468	
PUBLIC EMPLOYEE BENEFIT AUTHORITY		
TOTAL FUNDS AVAILABLE	40,301,601	8,271,510
TOTAL AUTH FTE POSITIONS	(270.43)	

F50-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT BUDGET & CONTROL BD	212,584,509	178,174,779
TOTAL AUTH FTE POSITIONS	(322.43)	(35.00)

SECTION 109
R44-DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE & PROGRAM SUPPORT		
PERSONAL SERVICE		
DIRECTOR	153,000	153,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	247,308	247,308
	(10.00)	(10.00)
UNCLASSIFIED POSITIONS	123,375	123,375
	(2.00)	(2.00)
TOTAL PERSONAL SERVICE	523,683	523,683
	(13.00)	(13.00)
OTHER OPER EXPENSES	35,000	35,000
TOTAL ADMINISTRATIVE & PROGRAM SUPPORT	558,683	558,683
	(13.00)	(13.00)
II. PROGRAMS AND SRVCS		
A. SUPPORT SRVCS		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	7,528,362	5,954,161
	(153.50)	(117.75)
UNCLASSIFIED POSITIONS	(1.00)	(1.00)
OTHER PERSONAL SRVCS	150,000	100,000
TOTAL PERSONAL SERVICE	7,678,362	6,054,161
	(154.50)	(118.75)
OTHER OPER EXPENSES	36,872,089	6,996,060

STATUTES AT LARGE
General and Permanent Laws--2015
R44-DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL SUPPORT SRVCS	44,550,451 (154.50)	13,050,221 (118.75)
<hr/>		
B. REVENUE & REGULATORY PERSONAL SERVICE CLASSIFIED POSITIONS	18,134,545 (605.50)	17,765,191 (593.50)
OTHER PERSONAL SRVCS	350,000	
<hr/>		
TOTAL PERSONAL SERVICE	18,484,545 (605.50)	17,765,191 (593.50)
OTHER OPER EXPENSES	6,471,052	5,376,963
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TOT REVENUE & REGULA	24,955,597 (605.50)	23,142,154 (593.50)
<hr/>		
C. LEGAL, POLICY & LEGIS PERSONAL SERVICE CLASSIFIED POSITIONS	505,992 (12.00)	505,992 (12.00)
<hr/>		
TOTAL PERSONAL SERVICE	505,992 (12.00)	505,992 (12.00)
OTHER OPER EXPENSES	80,000	80,000
<hr/>		
TOTAL LEGAL, POLICY & LEGISLATIVE	585,992 (12.00)	585,992 (12.00)
<hr/>		
TOT PROG AND SRVCS	70,092,040 (772.00)	36,778,367 (724.25)
<hr/>		
III. EMPLOYEE BENEFITS C. STATE EMPLOYER CONTRIBS EMPLOYER CONTRIBS	11,753,257	10,849,837
<hr/>		
TOTAL FRINGE BENEFITS	11,753,257	10,849,837
<hr/>		
TOTAL EMPLOYEE BENEFITS	11,753,257	10,849,837
<hr/>		
DEPARTMENT OF REVENUE		
TOTAL FUNDS AVAILABLE	82,403,980	48,186,887
TOTAL AUTH FTE POSITIONS	(785.00)	(737.25)
<hr/>		

SECTION 110
R52-STATE ETHICS COMMISSION

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
EXECUTIVE DIRECTOR	72,736	72,736
	(1.00)	(1.00)
CLASSIFIED POSITIONS	681,263	453,215
	(9.00)	(6.00)
NEW POSITIONS		
<i>INVESTIGATOR III</i>	45,000	45,000
	(1.00)	(1.00)
OTHER PERSONAL SRVCS	18,187	3,187
TOTAL PERSONAL SERVICE	817,186	574,138
	(11.00)	(8.00)
OTHER OPER EXPENSES	269,300	39,300
TOTAL ADMINISTRATION	1,086,486	613,438
	(11.00)	(8.00)
II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	183,130	138,670
TOTAL FRINGE BENEFITS	183,130	138,670
TOTAL EMPLOYEE BENEFITS	183,130	138,670
STATE ETHICS COMMISSION		
TOTAL FUNDS AVAILABLE	1,269,616	752,108
TOTAL AUTH FTE POSITIONS	(11.00)	(8.00)

SECTION 111
S60-PROCUREMENT REVIEW PANEL

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION		
PERSONAL SERVICE		
CLASSIFIED POSITIONS	82,562	82,562
	(2.00)	(2.00)

STATUTES AT LARGE
General and Permanent Laws--2015
S60-PROCUREMENT REVIEW PANEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SRVCS	3,771	3,771
TOTAL PERSONAL SERVICE	86,333	86,333
	(2.00)	(2.00)
OTHER OPER EXPENSES	44,910	42,376
TOTAL ADMINISTRATION	131,243	128,709
	(2.00)	(2.00)
 II. EMPLOYEE BENEFITS		
C. STATE EMPLOYER CONTRIBS		
EMPLOYER CONTRIBS	29,475	29,475
TOTAL FRINGE BENEFITS	29,475	29,475
TOTAL EMPLOYEE BENEFITS	29,475	29,475
 PROCUREMENT REVIEW PANEL		
TOTAL FUNDS AVAILABLE	160,718	158,184
TOTAL AUTH FTE POSITIONS	(2.00)	(2.00)

SECTION 112
V04-DEBT SERVICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. GENERAL OBLIGATION BONDS		
(G.O.) BONDS		
SUBJECT TO DEBT SERVICE		
LIMITATION:		
CAPITAL IMPROVE BONDS	49,343,728	49,343,728
AIR CARRIER HUB BONDS	4,308,400	4,308,400
STATE SCHOOL		
FACILITIES BONDS	57,992,525	57,992,525
ECONOMIC DEV BONDS	38,775,280	38,775,280
RESEARCH UNIV BONDS	24,220,344	24,220,344
TOTAL DEBT SERVICE	174,640,277	174,640,277
TOT GEN OBLIG BONDS	174,640,277	174,640,277

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. SPEC BONDS/ STOCKS/OTH LONG TERM OBLIGATIONS		
INT PAYMT-CLEMSON STOCK	3,513	3,513
RICHARD B RUSSELL	550,000	550,000
INT PAYMT-AGRI COLL STK	11,508	11,508
TOTAL DEBT SERVICE	<u>565,021</u>	<u>565,021</u>
TOT SPEC BONDS & STOCKS	<u>565,021</u>	<u>565,021</u>
DEBT SERVICE		
TOTAL FUNDS AVAILABLE	<u>175,205,298</u>	<u>175,205,298</u>

SECTION 113
X22-AID TO SUBDIV - STATE TREASURER

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. AID TO SUBDIV		
AID TO FIRE DISTRICTS	13,496,453	13,496,453
AID - LOCAL GOV'T FUND	200,119,411	200,119,411
AID PLANNING DISTRICTS	556,253	556,253
AID TO CNTY VETS' OFFICES	260,031	260,031
TOTAL DIST SUBDIV	<u>214,432,148</u>	<u>214,432,148</u>
TOTAL AID TO SUBDIV- FORMULA FUNDED	<u>214,432,148</u>	<u>214,432,148</u>
II. AID TO SUBDIV CATEGOR CATEGORICAL GRANTS CNTYS DISTRIBUTION TO SUBDIV		
AID CNTY-CLERKS OF COURT	72,450	72,450
AID CNTY-PROBATE JUDGES	72,450	72,450
AID CNTY-SHERIFFS	72,450	72,450
AID CNTY-CORONERS	72,450	72,450
AID CNTY-REGIST OF DEEDS	33,075	33,075
AID CNTY-AUDITORS	1,338,326	1,338,326
AID CNTY-TREASURERS	<u>1,338,325</u>	<u>1,338,325</u>

X22-AID TO SUBDIV - STATE TREASURER

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL DIST SUBDIV	2,999,526	2,999,526
TOTAL AID TO SUBDIV - CATEGORICAL GRANT	2,999,526	2,999,526
AID TO SUBDIV - STATE TREASURER		
TOTAL FUNDS AVAILABLE	217,431,674	217,431,674

SECTION 114

X44-AID TO SUBDIV - DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. AID TO SUBDIV-DEPT. OF REVENUE DISTRIBUTION TO SUBDIV: AID TO COUNTIES - HMSTEAD EXEMPTION FUND	107,021,511	107,021,511
AID TO SUBDIV - DEPARTMENT OF REVENUE		
TOTAL FUNDS AVAILABLE	107,021,511	107,021,511

SECTION 115

RECAPITULATION

<u>AGENCY</u>	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
H63 DEPARTMENT OF EDUCATION	4,196,076,102	2,599,448,057
H66 LOTTERY EXPENDITURE ACCOUNT	315,925,000	
A85 EDUCATION OVERSIGHT COMMITTEE	1,793,242	
H71 WIL LOU GRAY OPPORTUNITY SCH	7,107,904	5,917,583
H75 SCHOOL FOR THE DEAF AND THE BL	24,124,705	14,665,250
L12 JOHN DE LA HOWE SCHOOL	5,718,893	4,581,619
H67 EDUCATIONAL TELEVISION COMMISS	18,927,289	277,289
H03 COMMISSION ON HIGHER EDUCATION	77,495,982	68,346,962
H06 HIGHER EDUCATION TUITION GRANT	28,428,947	23,775,651
H09 THE CITADEL	144,880,644	9,470,339
H12 CLEMSON UNIVERSITY (EDUC)	875,248,611	71,805,155

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General and Permanent Laws--2015
RECAPITULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
H15 UNIVERSITY OF CHARLESTON	256,500,423	21,937,647
H17 COASTAL CAROLINA UNIVERSITY	200,399,441	10,522,398
H18 FRANCIS MARION UNIVERSITY	61,298,800	13,488,037
H21 LANDER UNIVERSITY	71,627,850	6,837,767
H24 SOUTH CAROLINA STATE UNIV	146,731,316	12,974,014
H27 UNIV OF SOUTH CAROLINA	1,081,578,942	115,445,968
H29 U S C - AIKEN CAMPUS	56,929,909	7,275,940
H34 U S C - UPSTATE	93,247,970	10,120,990
H36 U S C - BEAUFORT CAMPUS	27,242,701	3,017,775
H37 U S C - LANCASTER CAMPUS	19,628,870	1,754,369
H38 U S C - SALKEHATCHIE CAMPUS	13,646,256	1,392,257
H39 U S C - SUMTER CAMPUS	15,334,787	2,708,684
H40 U S C - UNION CAMPUS	6,747,499	658,186
H47 WINTHROP UNIVERSITY	151,915,671	14,424,851
H51 MEDICAL UNIVERSITY OF SC	631,920,098	61,672,126
H53 AREA HEALTH EDUC CONSORT	13,406,269	9,752,642
H59 TECHNICAL & COMPREHENSIVE EDUC	695,915,140	132,616,954
H79 DEPARTMENT OF ARCHIVES AND HIST	4,733,746	2,542,005
H87 STATE LIBRARY	13,846,922	10,878,776
H91 ARTS COMMISSION	4,491,496	2,982,148
H95 STATE MUSEUM COMMISSION	6,427,503	3,427,503
H96 CONFEDERATE RELIC ROOM & MILIT	1,243,427	824,175
H73 VOCATIONAL REHABILITATION	158,391,216	14,685,477
J02 DEPT OF HEALTH AND HUMAN SERV	7,021,815,752	1,136,447,854
J04 DEPT OF HEALTH AND ENVIRONMENT	593,900,859	106,860,927
J12 DEPT OF MENTAL HEALTH	435,803,832	203,582,260
J16 DEPT OF DISABILITIES AND SPECIAL	670,887,551	218,636,869
J20 DEPT OF ALCOHOL & OTHER DRUG A	43,274,207	6,643,669
L04 DEPARTMENT OF SOCIAL SRVCS	692,184,042	132,926,141
L24 COMMISSION FOR THE BLIND	11,951,218	3,114,963
L32 HOUSING FINANCE AND DEVELOP	182,071,667	
P12 FORESTRY COMMISSION	29,399,252	15,256,979
P16 DEPARTMENT OF AGRICULTURE	15,904,433	7,091,603
P20 CLEMSON UNIV (PUBLIC SERVICE AU)	73,856,312	34,371,650
P21 SC STATE UNIV (PUBLIC SERVICE AU)	7,578,941	3,405,200
P24 DEPT OF NATURAL RESOURCES	98,216,134	23,400,322
P26 SEA GRANT CONSORTIUM	5,441,288	609,288
P28 DEPT OF PARKS, RECREATION & TOUR	93,843,747	42,731,774
P32 DEPARTMENT OF COMMERCE	90,541,825	26,985,310
P34 JOBS-ECONOMIC DEVELOPMENT AUT	423,150	
P36 PATRIOTS POINT DEVELOPMENT AUT	13,836,012	
P40 S. C. CONSERVATION BANK	15,000,000	
P45 RURAL INFRASTRUCTURE AUTHORITY	31,665,879	9,696,879
B04 JUDICIAL DEPARTMENT	70,357,426	47,024,033
C05 ADMINISTRATIVE LAW COURT	3,862,423	2,392,183
E20 ATTORNEY GENERAL'S OFFICE	23,272,821	5,892,527
E21 PROSECUTION COORDINATION COMM	24,366,494	15,860,911
E23 COMMISSION ON INDIGENT DEFENSE	35,269,401	21,347,529

STATUTES AT LARGE
General and Permanent Laws--2015
RECAPITULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
D10 GOVERNOR'S OFF-STATE LAW ENFOR	96,789,476	43,241,431
K05 DEPARTMENT OF PUBLIC SAFETY	161,431,719	81,105,129
N20 LAW ENFORCEMENT TRAINING COUNC	13,318,792	768,792
N04 DEPARTMENT OF CORRECTIONS	450,019,148	384,727,112
N08 DEPT OF PROBATION, PAROLE & PARD	57,564,812	25,166,981
N12 DEPARTMENT OF JUVENILE JUSTICE	123,343,016	104,186,425
L36 HUMAN AFFAIRS COMMISSION	2,692,277	1,914,274
L46 STATE COMMISSION FOR MINORITY	1,001,833	740,019
R04 PUBLIC SERVICE COMMISSION	4,483,308	
R06 OFFICE OF REGULATORY STAFF	13,464,112	
R08 WORKERS' COMPENSATION COMMISS	5,556,327	1,984,261
R12 STATE ACCIDENT FUND	9,974,138	
R14 PATIENTS' COMPENSATION FUND	996,001	
R20 DEPARTMENT OF INSURANCE	18,679,783	3,799,029
R23 BOARD OF FINANCIAL INSTITUTION	4,283,980	
R28 DEPARTMENT OF CONSUMER AFFAIRS	3,368,472	1,308,806
R36 DEPT OF LABOR, LICENSING AND REG	41,047,872	1,346,000
R40 DEPARTMENT OF MOTOR VEHICLES	87,967,596	
R60 DEPARTMENT OF EMPLOY AND WORK	210,382,955	374,038
U12 DEPARTMENT OF TRANSPORTATION	1,627,325,119	50,057,270
U15 INFRASTRUCTURE BANK BOARD	255,453,276	
U20 COUNTY TRANSPORTATION FUNDS	106,000,000	
U30 DIVISION OF AERONAUTICS	9,057,535	2,026,196
A01 LEG. DEPT-THE SENATE	14,147,345	13,847,345
A05 LEG. DEPT-HOUSE OF REPRESENTAT	21,880,733	21,880,733
A15 LEG. DEPT-CODIFICATION OF LAWS	4,101,967	3,801,967
A17 LEG. DEPT-LEGISLATIVE SRVCS	5,764,499	5,764,499
A20 LEG. DEPT-LEG AUDIT COUNCIL	2,003,779	1,603,779
D05 GOVERNOR'S OFF-EXECUTIVE CONTR	1,968,711	1,968,711
D20 GOVERNOR'S OFF-MANSION AND GRO	511,533	311,533
D50 DEPARTMENT OF ADMINISTRATION	275,555,699	53,692,865
D25 OFFICE OF INSPECTOR GENERAL	632,121	632,121
E04 LIEUTENANT GOVERNOR'S OFFICE	47,647,900	14,260,603
E08 SECRETARY OF STATE	2,546,194	1,058,894
E12 COMPTROLLER GENERAL'S OFFICE	3,023,862	2,243,862
E16 STATE TREASURER'S OFFICE	7,884,849	1,655,842
E19 RETIREMENT SYSTEM INVESTMENT	17,809,132	
E24 ADJUTANT GENERAL'S OFFICE	58,457,473	6,616,600
E28 ELECTION COMMISSION	7,124,301	5,483,601
E50 REVENUE AND FISCAL AFFAIRS OFF	10,648,492	4,734,218
E55 STATE FISCAL ACCOUNTABILITY AU	17,978,174	1,549,995
F27 SFAA-AUDITOR'S OFFICE	5,535,111	3,155,472
F30 STATEWIDE EMPLOYEE BENEFITS	35,700,000	35,700,000
F31 CAPITAL RESERVE FUND	131,047,797	131,047,797
F50 PUBLIC EMPLOYEE BENEFIT AUTHOR	40,301,601	8,271,510
R44 DEPARTMENT OF REVENUE	82,403,980	48,186,887
R52 STATE ETHICS COMMISSION	1,269,616	752,108
S60 PROCUREMENT REVIEW PANEL	160,718	158,184

OF SOUTH CAROLINA
General and Permanent Laws--2015
RECAPITULATION

	TOTAL FUNDS	GENERAL FUNDS
V04 DEBT SERVICE	175,205,298	175,205,298
X22 AID TO SUBDIV - STATE TREAS	217,431,674	217,431,674
X44 AID TO SUBDIV - DEPT OF REV	107,021,511	107,021,511
GRAND TOTAL	24,313,623,854	6,895,290,837
SOURCE OF FUNDS		
GENERAL FUNDS	6,895,290,837	
FEDERAL FUNDS	8,079,143,889	
EARMARKED FUNDS	5,483,258,298	
RESTRICTED FUNDS	3,855,930,830	
TOTAL FUNDS	24,313,623,854	

SECTION 116
REVENUE

ESTIMATE OF GENERAL, SCHOOL, TRANSPORTATION,
EDUCATION IMPROVEMENT ACT AND
EDUCATION LOTTERY REVENUES
FISCAL YEAR 2015-16

REGULAR SOURCES:

Sales Tax	2,714,293,000
Income Tax (Total)	3,559,104,837
Individual	3,251,314,112
Corporation	<u>307,790,725</u>
 Total Income and Sales Tax	 <u>6,273,397,837</u>

All Other Revenue

Admissions Tax	31,771,000
Aircraft Tax	4,536,000
Alcoholic Liquor Tax	72,334,000
Bank Tax	28,170,000
Beer and Wine Tax	106,691,000
Business License Tax	24,869,000
Coin-Operated Device Tax	1,069,000
Corporation License Tax	104,916,000
Departmental Revenue	44,386,000
Documentary Tax	42,638,000
Earned on Investments	19,000,000

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REVENUE

Insurance Tax	205,353,000
Motor Vehicle Licenses	10,711,000
Private Car Lines Tax	3,672,000
Public Service Authority	22,130,000
Retailers' License Tax	755,000
Savings & Loan Association Tax	2,240,000
Workers' Compensation Insurance Tax	<u>8,354,000</u>
Total All Other Revenue	<u>733,595,000</u>
Total Regular Sources	<u>7,006,992,837</u>
MISCELLANEOUS SOURCES:	
Circuit & Family Court Fines	8,779,000
Debt Service Reimbursement	65,200
Indirect Cost Recoveries	11,061,000
Parole & Probation Supervision Fees	3,392,800
Unclaimed Property Fund Transfer	<u>15,000,000</u>
Total Miscellaneous Sources	<u>38,298,000</u>
Total General Fund Revenue	7,045,290,837
Department of Transportation Revenue	1,577,267,849
Education Improvement Act Revenue	704,198,250
Education Lottery Revenue:	
Lottery Income	321,925,000
Prior Year's Projected Surplus	<u>30,000,000</u>
Total Education Lottery Revenues	351,925,000
Revenue Earmarked for Tax Relief Trust Funds	<u>571,182,163</u>
Total All Sources of Revenues	<u>10,249,864,099</u>

END OF PART IA

PART IB**OPERATION OF STATE GOVERNMENT****SECTION 1 - H63-DEPARTMENT OF EDUCATION**

1.1. (SDE: Appropriation Transfer Prohibition) The amounts appropriated herein for aid to subdivisions, allocations to school districts, or special line items shall not be transferred and must be expended in accordance with the intent of the appropriation, except that the department may transfer funds that are deducted and retained from a school district's transportation allocation to reimburse the department for the cost of unauthorized mileage. This transfer must be agreed upon by both the school district and the department. Those funds may be transferred into the department's school bus transportation operating account.

1.2. (SDE: DHEC - Comprehensive Health Assessment) All school districts shall participate, to the fullest extent possible, in the Medicaid program by seeking appropriate reimbursement for services and administration of health and social services. Reimbursements to the school districts shall not be used to supplant funds currently being spent on health and social services.

1.3. (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the Revenue and Fiscal Affairs Office to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be \$2,220. For the current fiscal year, the total pupil count is projected to be 714,394. The average per pupil funding is projected to be \$5,536 state, \$1,185 federal, and \$5,371 local. This is an average total funding level of \$12,092 excluding revenues of local bond issues. For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond

SECTION 1 - H63-DEPARTMENT OF EDUCATION

issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

For the current fiscal year, the pupil classification weightings are as follows:

- | | |
|--|------|
| (1) K-12 pupils or base students including homebound students | 1.00 |
| Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10. | |
| (2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs | |
| (3) Precareer and Career Technology | 1.29 |
| (4) Additional weights for personalized instruction: | |
| (A) Gifted and Talented | 0.15 |
| (B) Academic Assistance | 0.15 |
| (C) Limited English Proficiency | 0.20 |
| (D) Pupils in Poverty | 0.20 |

No local match is required for the additional weightings for personalized instruction in school year 2015-16. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state

SECTION 1 - H63-DEPARTMENT OF EDUCATION

approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

For the 2015-16 school year, students in poverty will continue to be defined as students eligible for free/reduced lunch and/or Medicaid. The Department of Education will continue to use counts from the 2013-14 school year to determine poverty funding for the add-on weighting. The department shall report on the effects USDA community certification have had on the ability for individual districts to report their poverty rate no later than October 1, 2015, and shall provide recommendations on using poverty data from the United States Census Bureau to calculate a district's poverty allocation in lieu of direct certification to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five day student average daily membership for all classifications. During the current fiscal year the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30, 2016. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

1.4. (SDE: EFA - Formula) The amount appropriated in Part IA, Section 1 for "Education Finance Act" shall be the maximum paid under the provisions of Act 163 of 1977 (the South Carolina Education Finance Act of 1977) to the aggregate of all recipients. The South Carolina Education Department shall develop formulas to determine the state and required local funding as stipulated in the South Carolina Education Finance Act of 1977. Such formulas shall require the approval of the State Board of Education and the State Fiscal Accountability Authority.

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After computing the EFA allocations for all districts, the department shall determine whether any districts' minimum required local revenue exceeds the districts' total EFA Foundation Program. When such instance is found, the department shall adjust the index of taxpaying ability to reflect a local effort equal to the cost of the districts' EFA Foundation Program. The districts' weighted pupil units are to be included in determination of the funds needed for implementation of the Education Finance Act statewide.

In the event that the formulas as devised by the Department of Education and approved by the State Board of Education and the State Fiscal Accountability Authority should provide for distribution to the various school districts totaling more than the amount appropriated for such purposes, subject to the provisions of this proviso, the Department of Education shall reduce each school district entitlement by an equal amount per weighted pupil so as to bring the total disbursements into conformity with the total funds appropriated for this purpose. If a reduction is required in the state's contribution, the required local funding shall be reduced by the proportionate share of local funds per weighted pupil unit. The Department of Education shall continually monitor the distribution of funds under the provisions of the Education Finance Act and shall make periodic adjustments to disbursements to ensure the aggregate of such disbursements do not exceed the appropriated funds.

Local districts shall not be mandated or required to inflate the base number in their respective salary schedules by any percentage greater than the percentage by which the appropriated base student cost exceeds the appropriated base student cost of the prior fiscal year.

1.5. (SDE: Employer Contributions/Allocations) It is the intent of the General Assembly that the appropriation contained herein for "Public School Employee Benefits" shall not be utilized to provide employer contributions for any portion of a school district employee's salary that is federally funded.

State funds allocated for school district employer contributions must be allocated by the formula and must be used first by each district to cover the cost of fringe benefits for personnel required by the Defined Program, food service personnel and other personnel required by law. Once a district has expended all state allocated funds for fringe benefits, the district may utilize food service revenues to fund a proportionate share of fringe benefits costs for food service personnel.

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The Department of Juvenile Justice and the Department of Corrections' school districts must be allocated funds under the fringe benefits program in accordance with criteria established for all school districts.

1.6. (SDE: Employer Contributions/Obligations) In order to finalize each school district's allocations of Employer Contributions funds for retiree insurance from the prior fiscal year, the Department of Education is authorized to adjust a school district's allocation in the current fiscal year accordingly to reflect actual payroll and payments to the Retirement System from the prior fiscal year. In the event the Department of Education is notified that an educational subdivision has failed to remit proper payments to cover Employee Fringe Benefit obligations, the Department of Education is directed to withhold the educational subdivision's state funds until such obligations are met.

1.7. (SDE: Governor's School for Science & Math) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor's School for Science and Mathematics may be carried forward and expended in the current fiscal year pursuant to the direction of the board of trustees of the school.

1.8. (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education program for all children including disabled students is vested in the public school district wherein a child of lawful school age resides in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities or persons with related conditions located within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for profit entity the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. This also applies to John de la Howe School who also has the

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authority to seek reimbursement in any situation that the school district has participation in the placement of the student. John de la Howe School shall be reimbursed the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. Participation will be evidenced by a written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the student's name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between institutions of the state, including independent school districts under the authority of the Department of Disabilities and Special Needs, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which children residing in the institution might be eligible to receive appropriate educational services in a public school setting. Once these children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public school setting, then the school district in which the institution is located must provide the educational services. However, that school district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child last resided before being placed in an institution shall pay to the school district providing the educational services an amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special education and

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related services to be provided to students. Should the school district wherein the institution is located determine that the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to the procedures provided for in the Individuals with Disabilities Education Act.

The agreed upon acceptable local cost reimbursement or the additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students, shall be paid within sixty days of billing, provided the billing district has provided a copy of the invoice to both the Superintendent and the finance office of the district being invoiced. Should the district not pay within sixty days, the billing district can seek relief from the Department of Education. The department shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the billing school district.

The agency placing a child in any situation that requires changing school districts, must work with the schools to assure that all required school records, including confidential records, are transferred from the sending to the receiving school within three working days. School records to be transferred should include grade transcripts, state birth certificate, certificate of immunization, social security card, attendance records, discipline records, IEP's, psychological reports (or notation in the school records that a psychological report on the child is available at the school district office) and any other records necessary for the appropriate placement of the child in the new school. School districts must release all records upon presentation of a court order or appropriate permission for confidential release. If evaluation or placement is pending, the receiving school district is responsible to secure information and to complete the placement. The receiving school will maintain appropriate confidentiality of all records received on a child.

1.9. (SDE: Instruction in Juvenile Detention Centers) It shall be the responsibility of the school district where a local juvenile detention center is located to provide adequate teaching staff and to ensure compliance with the educational requirements of this State. Students housed in local juvenile detention centers are to be included in the average daily membership count of students for that district and reimbursement by the Department of Education made accordingly.

1.10. (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward

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revenues in the following areas to offset the cost of providing such services: the sale of publications, manuals and forms, the sale of Apple Tags, royalties, contributions, donations, foundation funds, special grants and contracts, brochures, photo copies, listings and labels, Directory of South Carolina Schools, student health record cards, items to be recycled, and high school diplomas and certificates; the collection of out-of-state and in-state investigation fees, registration fees for non-SDE employees, recurring facility inspection fees, teacher certification fees; the handling of audio-visual film; the provision of contract computer services to school districts and other state agencies, joint broadcast service to school districts, and education-related statistics through agreement with the National Center for Education Statistics; the lease or sale of programs of television, audio or microcomputer software; the lease or sale of virtual courses to other states; the collection of damage fees for instructional materials and the sale of unusable instructional materials; sale of fuel; use and repair of transportation equipment; fees for Medicaid reimbursable transportation; the receipt of insurance and warranty payments on Department of Education equipment and the sale of used school buses and support equipment. The Department of Education is authorized to collect revenue for deposit into the State General Fund for testing material purchases and test rescoring fees. The Department of Education is authorized to expend revenue collected for lost and damaged instructional materials and the sale of unusable instructional materials for the purpose of contracting for the purchase and maintenance of a statewide textbook inventory management system, provided that schools' newly-adopted instructional materials needs are met first.

1.11. (SDE: School District Bank Accounts) Each school district in this State, upon the approval of the district's governing body, may maintain its own bank account for the purpose of making disbursement of school district funds as necessary to conduct school district business and each county treasurer is hereby authorized to transfer such amount as needed, upon receipt of a written order certified by the district governing body or their designee. Such order shall contain a statement that such amount is for immediate disbursement for the payment of correct and legal obligation of the school district.

1.12. (SDE: School Lunch Program Aid) The amount appropriated herein for School Lunch Program Aid shall be divided among the District and/or County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in

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each district during the prior school year. The travel expenses of the District and/or County School Lunch Supervisor shall be paid from this appropriation at the prevailing rate of mileage allowed by the State. These funds may be used as an aid in improving the School Lunch Program. These funds may not be used to supplement the salaries of school lunch supervisors. In the absence of a County Board of Education in multi-district counties, the funds will be divided among the school districts of the county on the basis of the number of schools participating in the School Lunch Program in each district during the prior school year.

1.13. (SDE: Travel/Outside of Continental U.S.) School District allocations from General Funds, lottery, and EIA funds shall not be used for travel outside of the continental United States. The International Baccalaureate Program shall be exempt from this restriction.

1.14. (SDE: Year End Closeout) The State Department of Education is authorized to expend federal and earmarked funds (not including state or EIA funds) in the current fiscal year for expenditures incurred in the prior year; however, state funds appropriated in Part IA, Section 1, XIV, Aid to School Districts, for the Children's Case Resolution System or private placements for services provided to children with disabilities may be used for those expenditures in prior fiscal years. The department is also authorized to use appropriated funds to pay for textbooks shipped in the fourth quarter of the prior fiscal year.

1.15. (SDE: Transportation Collaboration) The Department of Education School Bus Maintenance Shops shall be permitted, on a cost reimbursable-plus basis, to deliver transportation maintenance and services to vehicles owned or operated by public agencies in South Carolina.

School buses operated by school districts, other governmental agencies or head start agencies for the purpose of transporting students for school or school related activities shall not be subject to state motor fuel taxes. Further, that school districts, other governmental agencies or head start agencies may purchase this fuel, on a cost reimbursable-plus basis, from the Department of Education School Bus Maintenance Shops.

1.16. (SDE: School Bus Insurance) The Department of Education shall maintain comprehensive and collision insurance or self-insure state-owned buses. In no event shall the department charge local school districts for damages to the buses which are commonly covered by insurance.

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1.17. (SDE: Teacher Data Collection) Of the non-program funds appropriated to the Department of Education, it and the Commission on Higher Education shall share data about the teaching profession in South Carolina. The data sharing should ensure (1) a systematic report on teacher supply and demand information and (2) data to determine classes being taught by public school teachers out of field of their preparation. The data collection should include but not be limited to: classes/subjects taught, number of students taught, percentage of teacher education graduates from South Carolina colleges/universities who go into teaching, percentage of teacher education graduates who teach in public schools in South Carolina, percentage of new teachers who leave the South Carolina teaching profession in the first three years of public school teaching due to unsuccessful evaluations, percentage of new teachers who leave the profession in the first three years of public school teaching in South Carolina who have successful evaluations, turnover rate of teachers and certification areas with highest vacancies. All database items should be set up so that it can be disaggregated by ethnicity, gender, geographic location, etc.

1.18. (SDE: School Building Aid) Of the funds appropriated in Part IA for School Building Aid, \$500,000 shall be allocated on a K-12 per pupil basis to Multi-District Area Vocational Schools.

1.19. (SDE: School Bus Driver CDL) From funds provided in Part IA, Section 1, X.B., local school districts shall request a criminal record history from the South Carolina Law Enforcement Division for past conviction of any crime before the initial employment of a school bus driver or school bus aide. The Department of Education and the school districts shall be treated as a charitable organization for purposes of the fee charged for the criminal records search.

1.20. (SDE: School Bus Purchase) Any procurement of school buses with funds appropriated in this act or any other appropriation bill must meet specifications developed by the School Bus Specification Committee as established by the State Superintendent of Education. The School Bus Specifications Committee shall allow for input from all school bus chassis and body manufacturers. However, if it is safe, more economical, and in the public interest, the department may use the school bus specifications of another state in the procurement of school buses. If the department uses the specifications of another state, the department must submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing the methodology by which the alternative specifications were

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determined to be safe, more economical, and in the public interest, when compared to the specifications set forth by the School Bus Specifications Committee.

1.21. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program X.B. - Bus Shops and funds appropriated in X.C. - Buses may be used to purchase buses, fuel, parts, or other school bus related items. All funds appropriated for bus fuel, parts/supplies, maintenance, and bus purchases may be carried forward from the prior fiscal year and expended in the current fiscal year to support bus transportation services.

1.22. (SDE: Mitford Transportation Costs) Transportation costs for the transporting of students from the Mitford area of Fairfield County to schools in the Great Falls area of Chester County is not the responsibility of and shall not be borne by the Chester County School District. These transportation costs shall continue to be the responsibility of the State Department of Education.

1.23. (SDE: Status Offenders/John de la Howe) The funds appropriated for the Status Offender Program shall be distributed to John de la Howe School to expand residential programs to include court ordered status offenders. Components of such a program shall include collaboration between the home school district and the residential school and treatment or related services to the families of students in placement.

1.24. (SDE: Governor's School Leave Policy) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their respective board of directors. This policy shall address their respective school calendars in order to comply with the instructional needs of students attending both special schools.

1.25. (SDE: School Facilities Management System) School Districts may use capital improvement bond funds, lapsed funds or any other unexpended appropriated funds or revenues to access the Department of Education's School Facilities Management System database.

1.26. (SDE: School Board Meetings) Of the funds appropriated through the Department of Education for technology related expenses, school districts that have a website shall place a notice of a regularly scheduled school board meeting twenty-four hours in advance of such meeting. The notice shall include the date, time, and agenda for the

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board meeting. The school district shall place the minutes of the board meeting on their website within ten days of the next regularly scheduled board meeting.

1.27. (SDE: Proviso Allocations) In the event an official General Fund revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section 1 specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Executive Budget Office, except the additional EFA allocation to the South Carolina Public Charter School District. The reduction may not be greater than the total percentage of reduction of the Section 1 appropriation. Should the department hold back funds in excess of the total percentage reduction those funds must be allocated per the proviso. No allocation for teacher salaries shall be reduced as a result of this proviso.

1.28. (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and non-instruction pupil services. No portion of the seventy-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom

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instruction, instructional support, and non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. Formative assessments for grades one, two, and nine, the foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

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School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

1.29. (SDE: Medical Examination and Security Reimbursement/Expenditures) From funds authorized in Part IA, Section 1, X.B. Other Operating Expenses, the Department of Education may directly pay, or reimburse employees, for the cost of a medical

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examination as required in Part 391, Subpart E of the Federal Motor Carrier Safety Regulations, for employees that are required to operate a state vehicle transporting hazardous materials and that are required to undergo a national security background check because of the required Hazmat endorsement to their CDL.

1.30. (SDE: Budget Reduction) In compensating for any reduction in funding, local districts must give priority to preserving classroom teachers and operations. Funding reductions should first be applied to administrative and non-classroom expenses before classroom expenses are affected.

1.31. (SDE: Governor's School for the Arts and Humanities Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated to or generated by the Governor's School for the Arts and Humanities may be carried forward and expended in the current fiscal year pursuant to the discretion of the Board of Trustees of the School.

1.32. (SDE: Governor's Schools' Fees) The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to charge, collect, expend, and carry forward student fees as approved by their respective Board of Directors. The purpose and amount of any such fees will be to maintain program quality in both academics and residential support. No student will be denied admittance or participation due to financial inability to pay. The respective Board of Directors shall promulgate administrative policy governing the collection of all student fees. Both schools shall conspicuously publish a fee schedule on their respective websites.

1.33. (SDE: School District Furlough) Should there be a midyear reduction in state funding to the districts, school districts may institute employee furlough programs for district-level and school-level professional staff. Before any of these employees may be furloughed, the chairman of the governing body of the school district must certify that all fund flexibility provided by the General Assembly has been utilized by the district and that the furlough is necessary to avoid a year-end deficit and a reduction in force. The certification must include a detailed report by the superintendent of the specific action taken by the district to avoid a year-end deficit. The certification and report must be in writing and delivered to the State Superintendent of Education and a copy must be forwarded to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

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The local school district board of trustees may implement a furlough of personnel once certification to the State Superintendent documents all funding flexibility has been exhausted and continued year-end deficits exist. Local school boards of trustees shall have the authority to authorize furloughs of these employees in the manner in which it sees fit. However, instructional personnel may be furloughed for up to five non-instructional days if not prohibited by an applicable employment contract with the district and provided district administrators are furloughed for twice the number of days. District administrators may only be furloughed on non-instructional days and may not be furloughed for a period exceeding ten days. District administrators shall be defined by the Department of Education using the Professional Certified Staff (PCS) System. For individuals not coded in PCS, the determination shall be made based upon whether the individual performs the functions outlined in position codes identified by the department as administration. Educators who would have received a year's experience credit had a furlough not been implemented, shall not have their experience credit negatively impacted because of a furlough implementation.

During any furlough, affected employees shall be entitled to participate in the same benefits as otherwise available to them except for receiving their salaries. As to those benefits that require employer and employee contributions, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the district will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under any employee grievance procedure. The district may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs.

Each local school district must prominently post on the district's internet website and make available for public viewing and downloading the most recent version of the school district's policy manual and administrative rule manual.

This proviso shall not abrogate the terms of any contract between any school district and its employees.

1.34. (SDE: School Lunch/Attendance Supervisors) For those counties in which an entity other than the school district administers the

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school lunch supervisor and/or attendance supervisor programs, the school districts in that county shall transfer to the entity the amount available in the previous fiscal year for administration of the school lunch supervisor and/or attendance supervisor programs. Each district shall transfer a pro rata share of the total cost based upon the percentage of state EFA funds distributed to the districts within the county.

***1.35. (SDE: Replacement Facilities)** *The Department of Education is directed to proceed with the development of a joint-use school transportation maintenance and operations facility in Greenville County. Prior to the availability of this new facility the department shall continue to operate state school bus maintenance services from the existing Greenville School Bus Maintenance Facility located on Halton Road. All proceeds from the sale of the Halton Road Facility and Property shall become pupil transportation operating revenue of the department. The cost of the State share of the new joint-use facility, the cost of preparing the old Halton Road Facility and Property for disposal, interim relocation/construction financing, all associated relocation expenses, and all other related costs shall be funded from the proceeds received from the sale of the existing Halton Road Facility and Property. The State Treasurer shall make available all necessary interim financing to accomplish the proviso directives.*

1.36. (SDE: SCGSAH Certified Teacher Designation) Because of the unique nature of the South Carolina Governor's School for the Arts and Humanities, the Charleston School of the Arts, and the Greenville County Fine Arts Center, the schools are authorized to employ at its discretion noncertified classroom teachers teaching in the literary, visual and performing arts subject areas who are otherwise considered to be appropriately qualified in a ratio of up to one hundred percent of the entire teacher staff.

1.37. (SDE: No Discrimination Requirement) State funds must not be appropriated to a school that discriminates against or participates with or is a member of an association with policies that discriminate or afford different treatment of students based on race or national origin.

1.38. (SDE: Medicaid Cash Match Accounting) The department is granted authority to transfer funds between budget lines and object codes to identify, reconcile, reimburse, and remit funds required for Medicaid cash match to the Department of Health and Human Services.

1.39. (SDE: Student Report Card-GPA) For each high school student, school districts shall be required to print the student's individual

* See note at end of Act.

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cumulative grade point average for grades nine through twelve on the student's report card.

1.40. (SDE: Lost & Damaged Textbook Fees) Fees for lost and damaged textbooks for the prior school year are due no later than December first of the current school year when invoiced by the Department of Education. The department may withhold textbook funding from schools that have not paid their fees by the payment deadline.

1.41. (SDE: Education Finance Act Reserve Fund) There is created in the State Treasury a fund separate and distinct from the General Fund of the State and all other funds entitled the Education Finance Act Reserve Fund. All unexpended general funds appropriated to the Department of Education for the Education Finance Act in the current fiscal year shall be transferred to the Education Finance Act Reserve Fund. In the event that the amount appropriated for the Education Finance Act is insufficient to fully fund the base student cost as established by this act, revenues from the Education Finance Act Reserve Fund may be used to supplement the funds appropriated. The General Assembly may make direct appropriations to this fund. All unexpended funds in the Education Finance Act Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

1.42. (SDE: Prohibit Advertising on School Buses) The Department of Education and local school districts are prohibited from selling space for or the placement of advertisements on the outside or inside of state-owned school buses.

1.43. (SDE: Residential Treatment Facilities Student Enrollment and Funding) Each South Carolina resident of lawful school age residing in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code, ("students") shall be entitled to receive educational services from the school district in which the RTF is located ("facility school district"). The responsibility for providing appropriate educational programs and services for these students, both with and without disabilities, who are referred, authorized, or placed by the State is vested in the facility school districts. For purposes of this proviso, an authorization must be pursuant to a physician's determination of medical necessity. If clinically appropriate, the facility school district, the RTF, and the parent or guardian of a student referred or placed in a RTF may consider the appropriateness of providing the student's education program virtually

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through enrollment in either the facility district's virtual program, the South Carolina virtual school program provided through the Department of Education (Virtual SC), or a virtual charter school authorized by the South Carolina Public Charter School District, or a virtual charter school authorized by an approved institute of higher education. This decision should be made jointly with the best interest of the student and what is clinically indicated being considered.

A facility school district must provide the necessary educational programs and services directly to the student at the RTF's facility, provided that the RTF facility provides and maintains comparable adequate space for the educational programs and services consistent with all federal and state least restrictive environment requirements. Adequate space shall include appropriate electrical support and Internet accessibility. Unless the parent or legal guardian of the student seeks to continue the student's enrollment in the resident school district under a medical homebound instruction program and the district approves, if appropriate, then, under these circumstances, the facility school district shall enroll the student and assume full legal and financial responsibility for the educational services including enrolling the student, approving the student's entry into a medical homebound instructional program, if appropriate, and receiving and expending funds, unless the resident school district undertakes to carry out its educational responsibilities for the student directly. Alternatively, a facility school district may choose to provide the necessary educational programs and services by contracting with the RTF provided that the RTF agrees to provide educational services to the student at the RTF's facility. Under these circumstances, the facility school district must enroll the student and pay the RTF for the educational services provided. If the facility school district determines the educational program being offered by the RTF does not meet the educational standards outlines in the contract, the facility district shall be justified in terminating the contract.

The facility school districts are entitled to receive the base student cost multiplied by the Education Finance Act pupil weighting for Homebound pupils of 2.10, as set forth in Section 59-20-40 of the 1976 Code and any eligible categorical and federal funds. These funds may be retained by the facility school districts for the purpose of providing the educational programs and services directly to students referred or placed by the State or the facility school districts may use these funds to reimburse RTFs for the educational programs and services provided directly by the RTFs. A facility school district is entitled to

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reimbursement from a resident school district for the difference between (1) the reasonable costs expended for the educational services provided directly by the facility school district or the amount paid to the RTF and (2) the aggregate amount of federal and state funding received by the facility school district for that student. However, the reimbursement rate may not exceed \$45 per student per day. Facility school districts providing the educational services shall notify the resident district in writing within forty-five calendar days that a student from the resident district is receiving educational services pursuant to the provisions of the proviso. Reimbursements shall be paid within sixty days of billing, provided the facility district has provided a copy of the invoice to both the District Superintendent and the finance office of the resident district being invoiced. Should the facility school district be unable to reach agreement with the resident school district regarding reasonable costs differences, the facility school district shall notify the Department of Education's Office of General Counsel. The Department of Education shall facilitate a resolution of the dispute between the facility school district and the resident school district within forty-five days of the notice of dispute. If the issue of reasonable cost differences should remain unresolved, a facility school district shall have the right to file a complaint in a Circuit Court. Should a resident school district fail to distribute the entitled funding to the facility school district by the one hundred thirty-five day count, the Department of Education is authorized to withhold the equivalent amount of EFA funds and transfer those funds to the facility school district.

If a child from out of state is placed in a RTF by an out-of-state school district or agency, the child's home state remains responsible for the educational services. The facility school district may choose to provide the educational program to the child and, upon choosing to do so, shall contract with the appropriate entity for payment of educational services provided to the child. Out-of-state students provided educational services by a facility school district shall not be eligible for funding through the Education Finance Act.

If a child is placed in a RTF by the child's parent or guardian and is not referred, authorized, or placed by the State, the facility school district may choose to provide the educational program to the child, and upon doing so, must negotiate with the resident school district for services through medical homebound procedures. A facility school district is responsible for compliance with all child find requirements under

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Section 504 of the Rehabilitation Act of 1973 and Individuals with Disabilities Act of 2004 (IDEA).

All students enrolled in the facility school districts shall have access to the facility school districts' general education curriculum, which will be tied to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and related services under the Individuals with IDEA, as amended, and the State Board of Education (SBE) regulations, as amended, shall receive special education and related services in the least restrictive environment by appropriately certified personnel. Students in an RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts.

With respect to students enrolled in the facility school districts, for accountability purposes, the assessment and accountability measures for students residing in RTFs shall be attributed to a specific school only if the child physically attends the school. The performance of students residing in a RTF who receive their educational program on site at the RTF must be reflected on a separate line on the facility school district's report card and must not be included in the overall performance ratings of the facility school district. The Department of Education shall examine the feasibility of issuing report cards for RTFs. For the current fiscal year, a facility school district shall not have the district's state accreditation rating negatively impacted by deficiencies related to the delivery of an educational program at a RTF.

RTFs shall notify the facility school district as soon as practical, and before admission to the RTF if practical, of a student's admission to the RTF. RTFs, the facility school districts and the Department of Education shall use their best efforts to secure and/or exchange information, including documents and records necessary to provide appropriate educational services and/or related services as necessary to assist the facility school district in determining the resident school district. The Department of Education, in collaboration with state placing agencies, RTFs, facility school districts, and resident school districts, shall implement a system to follow the release of students from a RTF and re-enrollment in public, private, or special schools to ensure these students, when appropriate, are not recorded as dropouts.

1.44. (SDE: Special Schools Flexibility) For the current fiscal year, the special schools are authorized to transfer funds among funding categories, including capital funds.

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1.45. (SDE: High School Driver Education) For the current fiscal year, the requirement for high schools to provide a course in driver education is suspended however, high schools may continue to offer driver education courses if they choose to do so.

1.46. (SDE: Carry Forward Authorization) For the current fiscal year, the Department of Education is authorized to carry forward and expend any General Fund balances for school bus transportation.

1.47. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs, as defined by InSight in the prior fiscal year and post the report on the districts website. School districts shall provide an electronic copy of this report to the Department of Education in conjunction with the financial audit report required by Section 59-17-100, of the 1976 Code. If a district fails to meet these requirements they must be notified in writing by the department that the district has sixty days to comply with the reporting requirement. If the district does not report within sixty days, the department is authorized to reduce the district's base student cost by one percent until such time as the requirement is met. Once in compliance, any funds withheld will be returned to the district.

1.48. DELETED

1.49. (SDE: Governor's Schools Residency Requirement) Of the funds appropriated, the Governor's School for the Arts and the Humanities and the Governor's School for Science and Mathematics are to ensure that a parent(s) or guardian(s) of a student attending either the Governor's School for the Arts and the Humanities or the Governor's School for Science and Mathematics must prove that they are a legal resident of the state of South Carolina at the time of application and must remain so throughout time of attendance. The Governor's School for the Arts and the Humanities and Governor's School for Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

1.50. (SDE: Holocaust Funds) Funds appropriated to the Department of Education for the SC Council on Holocaust shall not be used for any other purpose nor transferred to any other program. In addition, in the event the department is required to implement a budget reduction, SC Council on Holocaust funds may not be reduced.

1.51. (SDE: Governor's Schools Capacity) For the current fiscal year, funds appropriated to the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics must be used to bring the schools up to full capacity, to the extent

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possible. Each school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first how the funds have been utilized and how many additional students have been served.

1.52. (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education teachers to the extent possible and to provide licensed nurses for elementary public schools. Twenty-seven percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. The remaining funds will be made available through a grant program for school nurses and shall be distributed to the school districts on a per school basis. Schools that provide instruction in grades K-5 are eligible to apply for the school nurse grant program.

1.53. (SDE: Impute Index Value) For the current fiscal year and for the purposes of calculating the index of taxpaying ability the Department of Revenue shall impute an index value for owner-occupied residential property qualifying for the special four percent assessment ratio by adding the second preceding taxable year total school district reimbursements for Tier 1, 2, and Tier 3(A) and not to include the supplement distribution. The Department of Revenue shall not include sales ratio data in its calculation of the index of taxpaying ability. The methodology for the calculations for the remaining classes of property shall remain as required pursuant to the EFA and other applicable provisions of law.

1.54. (SDE: EFA State Share) A school district that does not recognize a State share of the EFA financial requirement shall be supplemented with an amount equal to seventy percent of the school district with the least State financial requirement.

1.55. (SDE: Health Education) Each school district is required to ensure that all comprehensive health education, reproductive health education, and family life education conducted within the district, whether by school district employees or a private entity, must utilize curriculum that complies with the provisions contained in Chapter 32, Title 59. Any person may complain in a signed, notarized writing to the chairman of the governing board of a school district that matter not in compliance with the requirements of Chapter 32, Title 59 is being taught in the district. Upon receiving a notarized complaint, the chairman of the governing board must ensure that the complaint is immediately

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investigated and, if the complaint is determined to be founded, that immediate action is taken to correct the violation. If corrective action is not taken, then the district must have its base student cost reduced by one percent.

1.56. (SDE: Bus Lease/Purchase) The Department of Education is permitted to purchase or lease school buses in order to continue replacement of the state's school bus fleet.

1.57. (SDE: Felton Lab Allocation) Of the funds distributed pursuant to the Education Finance Act, the Felton-Laboratory School at South Carolina State University shall receive each year, seventy percent of the funds it would have received for that year under the Education Finance Act and under aid to school districts-fringe benefits, as if it were a special school district. The calculation of the amount of funds which the Felton-Laboratory School is entitled to receive each year shall be made by the Department of Education.

****1.58. (SDE: Lee County Bus Shop) *From the funds appropriated in program XB, Bus Shops, in the current fiscal year, the department must fund the Lee County School District Bus Shop and the Kershaw County School District Bus Shop at the same level as they were funded in the previous fiscal year.***

1.59. (SDE: School Enrollment Policy) For the current fiscal year, any school district with an open enrollment policy for all schools or certain schools which had previously accepted certain students residing outside of the district to an academic magnet school in the district must continue to accept these students and their siblings for enrollment at the academic magnet school under the same terms and conditions these students were previously permitted to attend the school.

1.60. (SDE: District Funding Flexibility) For the current fiscal year, districts must utilize funding flexibility provided herein to ensure that district approved safety precautions are in place at every school.

1.61. (SDE: Transportation Maintenance Facilities) For the current fiscal year, a school district wishing to include school bus maintenance in a contract with a private vendor may enter into an agreement with the Department of Education whereby the department releases the school district to include school bus maintenance in the private vendor contract.

1.62. DELETED

1.63. (SDE: School District Activity Bus Advertisements) School Districts may sell commercial advertising space on the outside or inside of district owned activity buses. However, as defined and determined

** See note at end of Act.

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by the local school board, a school district may not sell such commercial advertising if the advertisement promotes a political candidate, ideology, or cause, a product that could be harmful to children, or a product that appeals to the prurient interest. Revenue generated from the sale of commercial advertising space shall be retained by the school district.

1.64. (SDE: School District Property) The requirements of Section 59-19-250 of the 1976 Code, as amended, which requires the consent of a governing board of a county in order for school trustees to sell or lease school property whenever they deem it expedient to do so are suspended for the current fiscal year.

1.65. DELETED

1.66. (SDE: Full-Day 4K) For the current school year, eligible students residing in a school district with a poverty index of seventy percent or greater may participate in the South Carolina Early Reading Development and Education Program. Public and private providers will be reimbursed for instructional costs at a rate of \$4,218 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of \$550 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are

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required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

1.67. (SDE: Summer Reading Camps) For the current fiscal year, funds appropriated for summer reading camps must be allocated as follows: (1) up to twenty percent to the Department of Education to provide bus transportation for students attending the camps; (2) \$700,000 allocated to the department to provide grants to support community partnerships whereby community organizations would collaborate with local school districts to provide after school programs or summer reading camps that utilize volunteers, mentors or tutors to provide instructional support to struggling readers in elementary schools that have a poverty index of fifty percent or greater. The Education Oversight Committee will document and evaluate the partnerships and the impact of the partnerships on student academic success and make recommendations on the characteristics of effective partnerships and on methods of duplicating effective partnerships throughout the state; and (3) the remainder on a per pupil allocation to each school district based on the number of students who substantially failed to demonstrate third-grade reading proficiency as indicated on the prior year's state assessment as defined by Section 59-155-120 (10) of the 1976 Code. Summer reading camps must be at least six weeks in duration with a minimum of four days of instruction per week and four hours of instruction per day, or the equivalent minimum hours of instruction in the summer. School transportation shall be provided. The camps must be taught by compensated teachers who have at least an add-on literacy endorsement or who have documented and demonstrated substantial success in helping students comprehend grade-level texts. The Department of Education shall assist districts that cannot find qualified

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teachers to work in the summer camps. Districts may also choose to contract for the services of qualified instructors or collaborate with one or more districts to provide a summer reading camp. Schools and school districts are encouraged to partner with county or school libraries, institutions of higher learning, community organizations, faith-based institutions, businesses, pediatric and family practice medical personnel, and other groups to provide volunteers, mentors, tutors, space, or other support to assist with the provision of the summer reading camps. In the current school year, any student in third grade who substantially fails to demonstrate third-grade reading proficiency by the end of the school year must be offered the opportunity to attend a summer reading camp at no cost to the parent or guardian. The purpose of the reading camp is to provide students who are significantly below third-grade reading proficiency with the opportunity to receive quality, intensive instructional services and support. A district may also include in the summer reading camps students who are not exhibiting reading proficiency at any grade and may charge fees for these students to attend the summer reading camps based on a sliding scale pursuant to Section 59-19-90, except where a child is found to be reading below grade level in the first, second or third grade. A parent or guardian of a student who does not substantially demonstrate proficiency in comprehending texts appropriate for his grade level must make the final decision regarding the student's participation in the summer reading camp.

1.68. DELETED

1.69. (SDE: Interscholastic Athletic Association Dues) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2) (a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in

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interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3) (a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(5) provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

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1.70. DELETED

1.71. DELETED

1.72. (SDE: Governor's Schools Informational Access to Students) For the current fiscal year, school districts must permit both the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the respective Governor's Schools, through avenues including school visits, informational presentations, and posters. By June 30, 2015, the Governor's School for the Arts and Humanities and the Governor's School for Science and Mathematics must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee the results of these Informational Access efforts. Further, the two Governor's Schools will work with districts, the Department of Education and School Report Card administrators, to ensure that SAT scores of current Governor's Schools' students are included in the School Report Card of those students' resident schools and districts.

**1.73. (SDE: Alternative Fuel Transportation) For the current fiscal year, of the funds appropriated for School Bus Lease/Purchase, the Department of Education is directed to use at least ten percent to lease or purchase school buses that are designed to use alternative fuel or dual fuel as long as at least one school district desires to participate in this pilot project. The department shall select up to three school districts wishing to participate in a pilot project to use alternative fuel or dual fuel buses. Districts selected and agreeing to participate in the pilot project are required to submit quarterly reports to the department as directed by the agency. The department shall be responsible for the alternative fuel or dual fuel buses it purchases and shall pay for their maintenance costs and fuel. By June 1, 2016, the department must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee how many alternative fuel or dual fuel buses were purchased, the cost of each bus, the type of alternative fuel used and the cost of the alternative fuel.*

1.74. (SDE: Reading Coaches) (A) Funds appropriated for Reading Coaches must be allocated to school districts by the Department of Education as follows:

(1) for each elementary school in which twenty percent or more of the students scored Not Met on the reading and research test in the

* See note at end of Act.

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most recent year for which such data are available, the school district shall be eligible to receive the lesser of either up to \$62,730 or the actual cost of salary and benefits for a full-time reading coach; and

(2) for each elementary school in which fewer than twenty percent of the students scored Not Met on the reading and research test during the same period, the school district shall be eligible to receive the lesser of either up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full-time reading coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading coaches with local funds. A district may, however, assign a reading coach to a primary school rather than to the elementary school to improve the early literacy skills of young children.

(C) Funds appropriated for Reading Coaches are intended to be used to provide elementary schools with reading coaches, who shall serve as job-embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:

- (1) model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;
- (2) facilitate study groups;
- (3) train teachers in data analysis and using data to differentiated instruction;
- (4) coaching and mentoring colleagues;
- (5) work with teachers to ensure that research-based reading programs are implemented with fidelity;
- (6) work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms;
- (7) help lead and support reading leadership teams; and

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(8) The reading coach must not be assigned a regular classroom teaching assignment, must not serve as an administrator, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments.

(D) No later than February 1, 2016, the Department of Education must publish guidelines that define the minimum qualifications for a reading coach for Fiscal Year 2015-16. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist,

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must also establish a process for Fiscal Year 2015-16 through which an elementary school may be permitted to use some or all of the allocation granted under subsection (A) in order to obtain in-school reading coaching services from a department-approved consultant or vendor, in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(E) The Department of Education must develop procedures for monitoring the use of funds appropriated for Reading Coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for Reading Coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(F) Prior to the close of the current fiscal year, any remaining funds for Reading Coaches, but no more than \$5,000,000, shall be distributed by the Department of Education among the school districts containing elementary or primary schools that were eligible for and which elected to receive funding under subsection (A)(1) of this proviso; these funds shall be distributed in proportion to these districts' relative shares of students who scored Not Met on the research and reading test in the most recent year for which such data are available. Funds distributed under

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this subsection must be used exclusively to support reading-related professional development opportunities for teachers that lead to the literacy add-on endorsement.

(G) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading coach; as well as the school in which the coach is assigned along with the rationale for how the school selection was made; and

(2) any school district receiving funding under subsection (F) to account for the specific amounts and uses of such funds.

(H) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading coaches by school and on the expenditure of professional development funds for opportunities for teachers to earn the literacy endorsement. The department shall also report the amount of funds that will be carried forward.

(I) Funds appropriated for Reading Coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

(J) For Fiscal Year 2015-16, if increased funding for reading coaches is not sufficient to provide additional reading coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment.

1.75. (SDE: Charter School Transition Funds) For Fiscal Year 2015-16, charter schools sponsored by a local school district must receive transition funds from the local district or statewide transition funds available in an amount equal to any reduction in funds received by the school due to the changes in the Education Finance Act formula. In order to receive funds from the statewide transition funds, the charter school must report the amount of funds required to the department through the authorizing district. The department shall allocate the transition funds to the district which then shall allocate the funds to the school. If the amount of transition funds for the charter schools exceeds transition funds available, then funds will be reduced pro rata for all parties.

1.76. (SDE: Sports Participation) Any school receiving state funds shall be required to allow a military dependent student who has transferred from their resident school district to another school district to participate in a sport that was not offered in the resident school district.

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Should a school fail to comply with this provision, the Department of Education shall withhold one percent of their total state allocation.

1.77. (SDE: Graduation Rates) For the current fiscal year, if a high school has a graduation rate below sixty percent, using appropriated funds a local school district board of trustees must provide a report detailing a plan to increase the graduation rate in accordance with the provisions of the Education Accountability Act to the State Board of Education.

1.78. (SDE: South Carolina Community Block Grants for Education Pilot Program) There is created the South Carolina Community Block Grants for Education Pilot Program. The purpose of this matching grants program is to encourage and sustain partnerships between a community and its local public school district or school for the implementation of innovative, state-of-the-art education initiatives and models to improve student learning. The initiatives and models funded by the grant must be well designed, based on strong evidence of effectiveness, and have a history of improved student performance.

The General Assembly finds that the success offered by these initiatives and programs is assured best when vigorous community support is integral to their development and implementation. It is the intent of this proviso to encourage public school and district communities and their entrepreneurial public educators to undertake state-of-the-art initiatives to improve student learning and to share the results of these efforts with the state's public education community.

As used in this proviso:

(1) "Community" is defined as a group of parents, educators, and individuals from business, faith groups, elected officials, nonprofit organizations and others who support the public school district or school in its efforts to provide an outstanding education for each child. As applied to the schools impacted within a district or an individual school, "community" includes the school faculty and the School Improvement Council as established in Section 59-20-60 of the 1976 Code;

(2) "Poverty" is defined as the percent of students eligible in the prior year for the free and reduced price lunch program and or Medicaid; and

(3) "Achievement" is as established by the Education Oversight Committee for the report card ratings developed pursuant to Section 59-18-900 of the 1976 Code.

The Executive Director of the Education Oversight Committee is directed to appoint an independent grants committee to develop the

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process for awarding the grants including the application procedure, selection process, and matching grant formula. The grants committee will be comprised of seven members, three members selected from the education community and four members from the business community. The chairman of the committee will be selected by the committee members at the first meeting of the grants committee. The grants committee will review and select the recipients of the Community Block Grants for Education.

The criteria for awarding the grants must include, but are not limited to:

- (1) the establishment and continuation of a robust community advisory committee to leverage funding, expertise, and other resources to assist the district or school throughout the implementation of the initiatives funded through the Block Grant Program;
- (2) a demonstrated ability to meet the match throughout the granting period;
- (3) a demonstrated ability to implement the initiative or model as set forth in the application; and
- (4) an explanation of the manner in which the initiative supports the district's or school's strategic plan required by Section 59-18-1310 of the 1976 Code.

In addition, the district or school, with input from the community advisory committee, must include:

- (1) a comprehensive plan to examine delivery implementation and measure impact of the model;
- (2) a report on implementation problems and successes and impact of the innovation or model; and
- (3) evidence of support for the project from the school district administration when an individual school applies for a grant.

The match required from a grant recipient is based on the poverty of the district or school. No matching amount will exceed more than seventy percent of the grant request or be less than ten percent of the request. The required match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program.

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However, no grant may exceed \$250,000 annually unless the grants committee finds that exceptional circumstances warrant exceeding this amount.

The Education Oversight Committee will review the grantee reports and examine the implementation of the initiatives and models to understand the delivery of services and any contextual factors. The Oversight Committee will then highlight the accomplishments and common challenges of the initiatives and models funded by the Community Block Grant for Education Pilot Program to share the lessons learned with the state's public education community.

For the current fiscal year, funds allocated to the Community Block Grant for Education Pilot Program must be used to provide or expand high-quality early childhood programs for a targeted population of at-risk four-year-olds. High-quality is defined as meeting the minimum program requirements of the Child Early Reading Development and Education Program and providing measurable high-quality child-teacher interactions, curricula and instruction. Priority will be given to applications that involve public-private partnerships between school districts, schools, Head Start, and private child care providers who collaborate to: (1) provide high-quality programs to four-year-olds to maximize the return on investment; (2) assist in making the transition to kindergarten; (3) improve the early literacy and numeracy readiness of children; and (4) engage families in improving their children's readiness.

1.79. DELETED

1.80. (SDE: Board of Education Funds) For the current fiscal year, the Department of Education is authorized to carry forward funds appropriated in Part IA, Section 1, II. Board of Education. The State Board of Education is permitted to utilize these funds for innovative educational opportunities and projects. The Board of Education shall develop guidelines and publish them on the board's website.

1.81. (SDE: Proceeds from Sale of Bus Shop & Boat) For the current fiscal year the Department of Education is authorized to retain any funds received from the sale of any bus shop and the sale of the state-owned boat and expend those funds for transportation purposes.

1.82. (SDE: Transition Funds to Districts) Funds appropriated in Part IA, Section 1, XIV. Aid to School Districts, A. Aid to School Districts, EFA Transition Payments, are to be distributed to school districts eligible to receive transition funds. The funds will be disbursed in an amount equal to the net aggregate decrease in funding realized by a district as a result of changes to the EFA funding formula.

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(A) Districts eligible for transition payments in the prior fiscal year are eligible to receive one-half of the transition payment received in Fiscal Year 2014-15, subject to the limitations of item (B) of this section.

(B) School districts are not eligible to receive transition funds for the portion of a net funding decrease resulting from a decrease in district ADM from the prior to the current fiscal year.

(C) If the amount of transition payments for all school districts exceeds the availability of funds appropriated for this purpose, each entity receiving funds shall have their allocation reduced pro rata.

1.83. DELETED

1.84. (SDE: First Steps 4K Technology) During the current fiscal year, South Carolina Office of First Steps to School Readiness is authorized to expend up to \$75,000 from the four-year-old kindergarten carry forward funds to purchase electronic devices for the administration of early literacy and language development assessments to children enrolled in the full-day 4K program in private centers in the current fiscal year. The State Office of First Steps may purchase one device, which would be the property of the Office of First Steps, for every ten centers serving children in the program. The regional coordinators who provide support to the centers shall coordinate the usage of the devices among the centers. First Steps shall provide a report documenting its technology and materials expenditures to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 15, 2016.

1.85. (SDE: Teacher Salary Schedule Structure) The Department of Education shall convene stakeholders to include: Palmetto State Teachers Association, South Carolina School Business Officials, South Carolina Association of School Administrators, South Carolina School Boards Association, South Carolina Education Association, and the Education Oversight Committee to examine and make recommendations regarding changes to the statewide minimum state teacher salary schedule to include extending the steps on the state teacher salary schedule; an examination of the beginning teacher salary; and an examination of each district's salary schedule structure. Recommendations shall be provided to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by November 15, 2015.

1.86. DELETED**1.87. DELETED**

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1.88. (SDE: Teacher Certification Exemption) For the current fiscal year, a teacher certified at the secondary level may teach such courses in grades seven through twelve without having the add on certification for middle-level education. Districts must report to the Department of Education and the Center for Educator Recruitment Retention and Advancement on the teachers and courses that utilize this exemption.

1.89. (SDE: Digital Instructional Materials) The Department of Education shall create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts who wish to receive both the digital version and class sets of textbooks may be awarded that option. Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook inventory, purchasing new kits from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. Digital Instructional Materials shall include the digital equivalent of materials and devices.

1.90. DELETED

1.91. (SDE: Transition Funds to Districts) For the current fiscal year, the department must transfer any unexpended funds appropriated for EFA Transition to the EFA for disbursement to districts per the formula.

1.92. (SDE: CDEPP Unexpended Funds) For Fiscal Year 2015-16, the Office of First Steps to School Readiness is directed to retain the first \$2,000,000 of any unexpended CDEPP funds from the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities. No later than April 1, 2016, the Office of First Steps must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure

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of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants.

By August 1, the Office of First Steps is directed to allocate any unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the purposes:

1. Department of Education - \$4,250,000 for full-day 4K; and
2. Education Oversight Committee - \$2,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If any funds are remaining, they shall be transferred to the Department of Education to be expended only on full day 4K.

1.93. (SDE: Literacy Initiatives) In the current fiscal year, the Department of Education shall evaluate the several state literacy initiatives to ensure that each are working together to ensure that students are best served. The evaluation shall include initiatives in early childhood through high school as well as professional development.

1.94. (SDE: Technology Technical Assistance) Of the funds appropriated for the K-12 Technology Initiative, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school districts.

***1.95.** (SDE: *First Steps Study Committee*) *The Office of First Steps Study Committee created to review the structure, responsibilities, governance, and administration of the Office of First Steps shall complete its review and present its recommendation to the General Assembly by January 1, 2016.*

1.96. (SDE: First Steps Accountability) Based on the need for stated intervention by the US Department of Education Office of Special Education and Rehabilitative Services (OSEP) in implementing Part C of the Individuals with Disabilities Education Act (IDEA), the Office of First Steps to School Readiness must meet federal compliance for the Part C program. Additionally, the Office of First Steps to School Readiness shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor the specific steps, timeline and progress made in improving

* See note at end of Act.

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meeting compliance standards its performance for those indicators with which the office was scored as being low performing. The report must include a statement regarding whether the additional employees authorized by this act are sufficient for compliance. The report shall also include any correspondence from the US Department of Education concerning the progress made on federal compliance with OSEP state standards. The report must be submitted no later than December 31, 2015. From the funds appropriated for BabyNet, the Office of First Steps to School Readiness may expend the funds necessary to meet the requirements of this proviso.

1.97. (SDE: Health Education Materials) From the funds allocated to each school district, each district shall publish on its website the title and publisher of all health education materials it has approved, adopted, and used in the classroom. If the Department of Education determines that a school district is noncompliant with mandated health education, the department shall withhold one percent of the district's funds allocated in Part 1A, Section 1, XIV - Student Health and Fitness Act until the department determines the district is in compliance.

1.98. (SDE: Data Maintenance and Collection) For the current fiscal year and from the funds appropriated to the department for the collection and maintenance of data, personally identifiable information of teacher candidates and teachers collected and maintained by the Department of Education shall be treated as personnel records and shall not be subject to public disclosure.

1.99. (SDE: Teacher Employment) Of the funds appropriated in the current fiscal year, a local school district superintendent or his designee shall provide a teacher with notice of dismissal and an opportunity for a hearing before the local board or its designee. Further, a local board may authorize a South Carolina licensed, practicing attorney to serve as hearing officer to conduct a hearing on the matter and make a report of its recommendations to the board within forty-five days after receipt of notice of appeal. A hearing officer may not be a member of the board or an employee of the district. If the board designates a hearing officer, the report and recommendations of the hearing officer must be presented to the board in the form of a written order. In considering the report and recommendations, the board must have available to it the exhibits presented at the hearing and shall permit limited oral argument on behalf of the district and the teacher, allowing each party thirty minutes to present its respective argument. The board shall uphold the decision of the hearing officer if the evidence shows good and just cause for

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dismissal. The board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. The decision of the board may be appealed to the circuit court.

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1A.1. (SDE-EIA: XII-Prohibition on Appropriation Transfers) The amounts appropriated herein for aid to subdivisions or allocations to school districts shall not be transferred or reduced and must be expended in accordance with the intent of the appropriation. However, transfers are authorized from allocations to school districts or special line items with projected year-end excess appropriations above requirements, to allocations to school districts or special line items with projected deficits in appropriations.

1A.2. DELETED

1A.3. (SDE-EIA: XII.A.3. African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year. For Fiscal Year 2014-15 not less than seventy percent of the funds carried forwarded must be expended for the development of additional instructional materials by nonprofit organizations selected through a competitive bids process by the Department of Education. Priority must be given to organizations that have already produced materials that are currently being used by schools and outreach programs that reflect African-American culture and history and that support literacy efforts.

1A.4. (SDE-EIA: XII.C.2-Teacher Evaluations, XII.F.2- Implementation/Education Oversight) The Department of Education is directed to oversee the evaluation of teachers at the School for the Deaf and the Blind, the John de la Howe School and the Department of Juvenile Justice under the ADEPT model.

1A.5. (SDE-EIA: XII.F.2-Teacher Salaries/State Agencies) Each state agency which does not contain a school district but has instructional personnel shall receive an allocation from the line item "Alloc. EIA - Teacher/Other Pay" in Part IA, Section 1, XII.F.2. for teachers salaries based on the following formula: Each state agency shall receive such funds as are necessary to adjust the pay of all instructional personnel to the appropriate salary provided by the salary schedules of the school district in which the agency is located. Instructional personnel may include all positions which would be eligible for EIA supplements in a public school district, and may at the discretion of the state agency, be

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defined to cover curriculum development specialists, educational testing psychologists, psychological and guidance counselors, and principals. The twelve-month agricultural teachers located at Clemson University are to be included in this allocation of funds for base salary increases. The South Carolina Governor's School for the Arts and Humanities and the South Carolina Governor's School for Science and Mathematics are authorized to increase the salaries of instructional personnel by an amount equal to the percentage increase given by the School District in which they are both located.

The funds appropriated herein in the line item "Alloc. EIA-Teacher/Other Pay" must be distributed to the agencies by the Executive Budget Office.

1A.6. (SDE-EIA: XII.A.1-Work-Based Learning) Of the funds appropriated in Part IA, Section 1, XII.A.1. for the Work-Based Learning Program, \$75,000 shall be used by the State Department of Education to provide for regional professional development in contextual methodology techniques and integration of curriculum, and professional development in career guidance for teachers and guidance counselors and training mentors. Pilot-site delivery of contextual methodology training in mathematics will be supported by technology and hands-on lab activities. In addition, \$500,000 shall be allocated for Regional Career Specialists. Each Regional Career Specialist shall (1) be housed within the regional centers/WIA geographic areas, (2) provide career development activities throughout all schools within the region, (3) be under the program supervision of the Office of Career and Technology Education, State Department of Education, and (4) adhere to an accountability and evaluation plan created by the Office of Career and Technology Education, State Department of Education. The Office of Career and Technology Education, State Department of Education, shall provide a report, in February of the current fiscal year to the Senate Finance Committee and the House Ways and Means Committee on accomplishments of the Career Counseling Specialists. Of the funds appropriated in the prior fiscal year, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

1A.7. (SDE-EIA: XII.F.2-CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, XII.F.2. for the Teacher Recruitment Program, the South Carolina Commission on Higher Education shall distribute a total of ninety-two percent to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) for a state teacher recruitment program, of which at least seventy-eight

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percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which twenty-two percent must be used for other aspects of the state teacher recruitment program, including the Teacher Cadet Program and \$166,302 which must be used for specific programs to recruit minority teachers: and shall distribute eight percent to South Carolina State University to be used only for the operation of a minority teacher recruitment program and therefore shall not be used for the operation of their established general education programs. Working with districts with an absolute rating of At-Risk or Below Average, CERRA will provide shared initiatives to recruit and retain teachers to schools in these districts. CERRA will report annually by October first to the Education Oversight Committee and the Department of Education on the success of the recruitment and retention efforts in these schools. The South Carolina Commission on Higher Education shall ensure that all funds are used to promote teacher recruitment on a statewide basis, shall ensure the continued coordination of efforts among the three teacher recruitment projects, shall review the use of funds and shall have prior program and budget approval. The South Carolina State University program, in consultation with the Commission on Higher Education, shall extend beyond the geographic area it currently serves. Annually, the Commission on Higher Education shall evaluate the effectiveness of each of the teacher recruitment projects and shall report its findings and its program and budget recommendations to the House and Senate Education Committees, the State Board of Education and the Education Oversight Committee by October first annually, in a format agreed upon by the Education Oversight Committee and the Department of Education.

With the funds appropriated CERRA shall also appoint and maintain the South Carolina Teacher Loan Advisory Committee. The Committee shall be composed of one member representing each of the following: (1) Commission on Higher Education; (2) State Board of Education; (3) Education Oversight Committee; (4) Center for Educator Recruitment, Retention, and Advancement; (5) South Carolina Student Loan Corporation; (6) South Carolina Association of Student Financial Aid Administrators; (7) a local school district human resources officer; (8) a public higher education institution with an approved teacher education program; and (9) a private higher education institution with an approved teacher education program. The members of the committee representing the public and private higher education institutions shall rotate among those institutions and shall serve a two-year term on the committee. The

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committee must be staffed by CERRA, and shall meet at least twice annually. The committee's responsibilities are limited to: (1) establishing goals for the Teacher Loan Program; (2) facilitating communication among the cooperating agencies; (3) advocating for program participants; and (4) recommending policies and procedures necessary to promote and maintain the program.

1A.8. (SDE-EIA: XII.F.2-Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, South Carolina Code of Laws, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, XII.F.2. Other State Agencies and Entities shall be disbursed on a quarterly basis by the Department of Revenue directly to the state agencies and entities referenced except for the Teacher Loan Program, Centers of Excellence, the Education Oversight Committee and School Technology, which shall receive their full appropriation at the start of the fiscal year from available revenue. The Comptroller General's Office is authorized to make necessary appropriation reductions in Part IA, Section 1, XII.F.2. to prevent duplicate appropriations. If the Education Improvement Act appropriations in the agency and entity respective sections of the General Appropriations Act at the start of the fiscal year do not agree with the appropriations in Part IA, Section 1, XII.F.2. Other State Agencies and Entities, the "other funds" appropriations in the respective agency and entity sections of the General Appropriations Act will be adjusted by the Comptroller General's Office to conform to the appropriations in Part IA, Section 1, XII.F.2. Other State Agencies and Entities. Further, the Department of Revenue is directed to provide the full appropriation of the funding appropriated in Part IA, Section 1, XII.C.2 Teacher Supplies to the Department of Education at the start of the fiscal year from available revenue. The Department of Revenue is also directed to provide the first quarter appropriation of the funding appropriated in Part IA, Section 1, XII.H. Charter School District to the Department of Education at the start of the fiscal year from available revenue.

1A.9. (SDE-EIA: XII.A.1-Arts in Education) Funds appropriated in Part IA, Section 1, XII.A.1. Arts Curricula shall be used to support innovative practices in arts education curriculum, instruction, and assessment in the visual and performing arts including dance, music, theatre, and visual arts which incorporates strengths from the Arts in Education sites. They shall also be used to support the advancement of the implementation of the visual and performing arts academic standards. These funds shall be distributed to schools and school

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districts under a competitive grants program; however, up to thirty-three percent of the total amount of the grant fund shall be made available as "Aid to Other Agencies" to facilitate the funding of professional development arts institutes that have been approved by the State Department of Education for South Carolina arts teachers, appropriate classroom teachers, and administrators. Arts Curricular Grants funds may be retained and carried forward into the current fiscal year to be expended in accordance with the proposed award.

1A.10. (SDE-EIA: XII.C.2-Teacher Supplies) All certified public school teachers, certified special school classroom teachers, certified media specialists, and certified guidance counselors who are employed by a school district or a charter school as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of up to two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district these funds shall be disbursed in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year. This reimbursement shall not be considered by the state as taxable income. Special schools include the Governor's School for Science and Math, the Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from

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whom receipts have not been submitted between November twenty-fifth and December sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's 2015 tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to two hundred seventy-five dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended 2015 return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision.

1A.11. (SDE-EIA: XI.C.2-Teacher of the Year Awards) Of the funds provided herein for Teacher of the Year Awards, each district Teacher of the Year shall receive an award of \$1,000. In addition, the State Teacher of the Year shall receive an award of \$25,000, and each of the four Honor Roll Teachers of the Year will receive an award of \$10,000. To be eligible, districts must participate in the State Teacher of the Year Program sponsored by the State Department of Education. These awards shall not be subject to South Carolina income taxes.

1A.12. (SDE-EIA: EOC) The Education Oversight Committee may collect, retain and expend revenue from conference registration and fees; charges for materials supplied to local school districts or other entities not otherwise mandated to be provided by state law; and from other activities or functions sponsored by the committee including public awareness campaign activities. Any unexpended revenue from these sources may be carried forward into the current fiscal year and expended for the same purposes.

1A.13. (SDE-EIA: Technical Assistance) In order to best meet the needs of underperforming schools, funds appropriated for technical assistance to schools with an absolute rating of below average or at-risk on the most recent annual school report card must be allocated according to the severity of not meeting report card criteria.

Schools receiving an absolute rating of below average or at-risk must develop and submit to the Department of Education a school renewal

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plan outlining goals for improvements. Of the technical assistance funds allocated to below average or at-risk schools each allocation must address specific strategies designed to increase student achievement and must include measures to evaluate success. The school renewal plan may include expenditures for recruitment incentives for faculty and staff, performance incentives for faculty and staff, assistance with curriculum and test score analysis, professional development activities based on curriculum and test score analysis that may include daily stipends if delivered on days outside of required contract days. School expenditures of technical assistance shall be monitored by the Department of Education.

With the funds appropriated to the Department of Education for technical assistance services, the department will assist schools with an absolute rating of below average or at-risk in designing and implementing technical assistance school renewal plans and in brokering for technical assistance personnel as needed and as stipulated in the plan. In addition, the department must monitor student academic achievement and the expenditure of technical assistance funds in schools receiving these funds and report their findings to the General Assembly and the Education Oversight Committee by January first of each fiscal year as the General Assembly may direct. If the Education Oversight Committee or the department requests information from schools or school districts regarding the expenditure of technical assistance funds pursuant to evaluations, the school or school district must provide the evaluation information necessary to determine effective use. If the school or school district does not provide the evaluation information necessary to determine effective use, the principal of the school or the district superintendent may be subject to receiving a public reprimand by the State Board of Education if it is determined that those individuals are responsible for the failure to provide the required information.

No more than five percent of the total amount appropriated for technical assistance services to schools with an absolute rating of below average or at-risk may be retained and expended by the department for implementation and delivery of technical assistance services. Using previous report card data, the department shall identify priority schools. Up to \$6,000,000 of the total funds appropriated for technical assistance shall be used by the department to work with those schools identified as priority schools. These funds shall not be transferred to any other funding category by the school district without prior approval of the State Superintendent of Education.

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The department will create a system of levels of technical assistance for schools that will receive technical assistance funds. The levels will be determined by the severity of not meeting report card criteria. The levels of technical assistance may include a per student allocation, placement of a principal mentor, replacement of the principal, and/or reconstitution of a school.

Reconstitution means the redesign or reorganization of the school, which includes the declaration that all positions in the school are considered vacant. Certified staff currently employed in priority schools must undergo a formal evaluation in the spring following the school's identification as a priority school and must meet determined goals to be rehired and continue their employment at that school. Student achievement will be considered as a significant factor when determining whether to rehire existing staff. Educators who were employed at a school that is being reconstituted prior to the effective date of this proviso and to whom the employment and dismissal laws apply will not lose their rights in the reconstitution. If they are not rehired or are not assigned to another school in the school district they have the opportunity for a hearing. However, employment and dismissal laws shall not apply to educators who are employed in the district and assigned to the priority schools after the effective date of this proviso, in the event of a reconstitution of the school in which the educator is employed. Those rights are only suspended in the event of a reconstitution of the entire school staff. Additionally, the rights and requirements of the employment and dismissal laws do not apply to educators who are currently on an induction or annual contract, that subsequently are offered continuing contract status after the effective date of this proviso, and are employed at a school that is subject to reconstitution under this proviso.

The reconstitution of a school could take place if the school has been identified as a priority school that has failed to improve satisfactorily. The decision to reconstitute a school shall be made by the State Superintendent of Education in consultation with the principal and/or principal mentor, the school board of trustees, and the district superintendent. The decision to reconstitute a school shall be made by April first, at which time notice shall be given to all employees of the school. The department, in consultation with the principal and district superintendent, shall develop a staffing plan, recruitment and performance bonuses, and a budget for each reconstituted school.

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Upon approval of the school renewal plans by the department and the State Board of Education, a newly identified school or a currently identified school with an absolute rating of below average or at-risk on the report card will receive a base amount and a per pupil allocation based on the previous year's average daily membership as determined by the annual budget appropriation. No more than fifteen percent of funds not expended in the prior fiscal year may be carried forward and expended in the current fiscal year for strategies outlined in the school's renewal plan. Schools must use technical assistance funds to augment or increase, not to replace or supplant local or state revenues that would have been used if the technical assistance funds had not been available. Schools must use technical assistance funds only to supplement, and to the extent practical, increase the level of funds available from other revenue sources.

1A.14. (SDE-EIA: Proviso Allocations) In the event an official EIA revenue shortfall is declared by the Board of Economic Advisors, the Department of Education may reduce any allocation in Section 1A specifically designated by proviso in accordance with the lower Board of Economic Advisors revenue estimate as directed by the Executive Budget Office. No allocation for teacher salaries shall be reduced as a result of this proviso.

1A.15. (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil

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expenditures must be utilized within the In\$ite categories of instruction, instructional support, and noninstruction pupil services. No portion of the seventy-five percent may be used for business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and noninstruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where noninstructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. Formative assessments for grades one, two, and nine, the foreign language program assessment, and the physical education assessment

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must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act. Nothing in this proviso

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shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

1A.16. (SDE-EIA: Teacher Salary Supplement) The department is directed to carry forward prior year unobligated teacher salary supplement and related employer contribution funds into the current fiscal year to be used for the same purpose. Any unexpended funds in teacher salary supplement may be used to fund shortfalls in the associated employer contribution funding in the current fiscal year.

1A.17. (SDE-EIA: Dropout Prevention and High Schools That Work Programs) The Department of Education must report annually by December first, to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee on the effectiveness of dropout prevention programs funded by the Education and Economic Development Act and on the High Schools that Work Programs' progress and effectiveness in providing a better prepared workforce and student success in post-secondary education. The department, school districts, and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal that were allocated for High Schools That Work.

1A.18. (SDE-EIA: Assessment) The department is authorized to carry forward into the current fiscal year, prior year state assessment funds for the same purpose. Reimbursements shall resume in the current fiscal year for PSAT.

1A.19. (SDE-EIA: Report Card Information) The percentage each school district expended on classroom instruction as defined by the Department of Education's InSite classification for "Instruction" must be printed on the Annual School and District Report Card.

1A.20. (SDE-EIA: Core Curriculum Materials) The funds appropriated in Part IA, Section 1, XII.A.3 for instructional materials for core curriculum shall be expended consistent with the requirements of Section 59-31-600 of the 1976 Code requiring the development of higher order thinking skills and critical thinking which should be integrated throughout the core curriculum instructional materials. Furthermore, the evaluation criteria used to select instructional materials with funds appropriated in Part IA, Section 1, XII.A.3 shall include a weight of up to ten percent of the overall criteria to the development of higher order thinking skills and critical thinking.

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1A.21. (SDE-EIA: XII-E.2.- Certified Staff Technology Proficiency) To ensure the effective and efficient use of the funding provided by the General Assembly in Part IA, Section 1 XII.E.2 for school technology in the classroom and internet access, the State Department of Education shall approve district technology plans that specifically address and incorporate certified staff technology competency standards and local school districts must require certified staff to demonstrate proficiency in these standards as part of each certified staff's Professional Development plan. The Department of Education's professional development tracking, prescriptive and electronic portfolio system for certified staff is the preferred method for demonstrating technology proficiency as this system is aligned to the International Society for Technology in Education (ISTE) teacher standards. Evidence that districts are meeting the requirement is a prerequisite to expenditure of a district's technology funds.

1A.22. (SDE-EIA: Accountability Program Implementation) To support implementation of the accountability program, the Education Oversight Committee may carry forward unexpended Education Accountability Act funds authorized specifically for the administration of the Education Oversight Committee.

1A.23. (SDE-EIA: 4K Targeting) EIA funds allocated for the provision of four-year-old kindergarten shall be utilized for the provision of services to age-eligible children qualifying for free or reduced-price lunch or Medicaid. Children with developmental delays documented through state approved screening assessments or children with medically documented disabilities who do not already qualify for special need services should also be considered for enrollment. In the event that more students seek to enroll than available space permits, districts shall prioritize students (at the time of acceptance) on the basis of family income expressed as a percentage of the federal poverty guidelines, with the lowest family incomes given the highest enrollment priority.

1A.24. (SDE-EIA: Reading) Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy skills by the end of grade three, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall

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be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades four through eight. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.

Fifty percent of the funds shall be allocated to school districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. Fifty percent of the funds shall be allocated to the Department of Education to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation of research-based strategies. When providing professional development the department and school districts must use the most cost effective method and when able utilize ETV to provide such services throughout the state. The department shall provide for an evaluation to review first year implementation activities and to establish measurements for monitoring impact on student achievement.

1A.25. (SDE-EIA: Students at Risk of School Failure) For the current fiscal year, EIA funds appropriated for students at academic risk of school failure, which include funds for Act 135 Academic Assistance, summer school, reduce class size, alternative schools, parent support and family literacy, must be allocated to school districts based two factors: (1) the poverty index of the district as documented on the most recent district report card, which measures student eligibility for the free or reduced price lunch program and Medicaid; and (2) the number of students not in poverty or eligible for Medicaid but who fail to meet state standards on state standards-based assessments in either reading or mathematics. At least eighty-five percent of the funds allocated for students classified as at academic risk must be spent on instruction and instructional support for these students who generated the funds. Instructional support may include family literacy and parenting programs to students at-risk for school failure and their families. Students at academic risk are defined as students who are at risk of not graduating from high school because they failed either the English language arts or mathematics portion of the High School Assessment Program on first attempt and who score not met on grades three through eight in reading and mathematics state assessments. Public charter schools, the Palmetto Unified School District, and the Department of Juvenile Justice must also receive a proportionate per pupil allocation

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based on the number of students at academic risk of school failure served.

1A.26. (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to \$500,000 may be expended for gifted and talented teacher endorsement and certification activities. The balance of EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty-five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts. No more than twenty-five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of other professional development services. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards.

1A.27. (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Of the funds appropriated and/or authorized for assessment, up to \$4,600,000 shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement and International Baccalaureate exams.

1A.28. (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate (WorkKeys). The remaining funds will be allocated to districts based on a formula which includes factors such as target populations without a high school credential, program enrollment the previous school year, number of students making an educational gain the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous

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school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort. Each school district must collect information from both the student and the school including why the student has enrolled in Adult Education and whether or not the student is pursuing a GED or Diploma. The school district must then provide a quarterly report to the Department of Education and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the information.

1A.29. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section XII.F.2 for Clemson Agriculture Education Teachers must be transferred to Clemson University PSA to fund summer employment of agriculture teachers and to cover state-mandated salary increases on that portion of the agriculture teachers' salaries attributable to summer employment.

1A.30. (SDE-EIA: Incentive for National Board Certification After June 30, 2010) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010 shall be paid a \$5,000 salary supplement in the year of achieving certification. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed ten years of the national certificate. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer whereby teachers who are United States citizens or permanent resident aliens apply to the National Board for Professional Teaching Standards for certification on or after July 1, 2010. Should the program not be suspended, up to nine hundred applications shall be processed annually. Of the funds appropriated in Part IA, Section 1, XII.C.2. for National Board Certification, the Department of Education shall transfer to the

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Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of teachers applying to the National Board for Professional Teaching Standards for certification.

1A.31. (SDE-EIA: Full-Day 4K) For the current school year, eligible students residing in a school district with a poverty index of seventy percent or greater may participate in the South Carolina Early Reading Development and Education Program. Public and private providers will be reimbursed for instructional costs at a rate of \$4,218 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of \$550 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day

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four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

1A.32. (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, XII.A.1 Aid to Districts shall be dispersed to school districts based on the number of weighted pupil units.

1A.33. (SDE-EIA: Centers of Excellence) Of the funds appropriated for Centers of Excellence, \$350,000 must be allocated to the Francis Marion University Center of Excellence to Prepare Teachers of Children of Poverty to expand statewide training for individuals who teach children of poverty through weekend college, nontraditional or alternative learning opportunities.

1A.34. (SDE-EIA: IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XII.A.1 Aid to Districts according to Proviso 1A.32 for the current fiscal year, the department shall direct funds appropriated in Section XII.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty-five day Average Daily Membership. For continued compliance with the federal maintenance of efforts requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. In the event cuts to funds that are needed to maintain fiscal effort are necessary, when administering such cuts, the department must not reduce funding to support children with disabilities who qualify for services under the IDEA in a manner that is disproportionate to the level of overall reduction to state programs in general. By December 1, 2015, the department must submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor.

1A.35. (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000 must be

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provided as direct grants to the private sector statewide trade association or educational foundation providing nationally certified programs in career and technology education representing the automotive, construction, engineering, healthcare, mechanical contracting/construction, and hospitality tourism career clusters. Organizations applying for a grant must do so by July first and the Department of Education must award a minimum of one grant of at least \$150,000 in at least four of these specified career clusters to be used exclusively for career and technology education. The recipient industry organization must conduct end-of-course exams graded by a national industry organization and must include in their grant request how the money will be spent to further industry-specific career technology education; a description and history of their program nationally and within South Carolina; estimates of future employment growth in their industry; and the national scope of their program. By August first of the following year, the organization must submit to the department a report detailing how the grant increased industry/employer awareness; the number of increased schools using the industry-based curriculum and partnered with the industry organization; the increased number of students in the program; and an overview and analysis of the organization's statewide student competition. The grant must be used for career awareness programs for that industry cluster; statewide student competitions leading to national competitions; teacher development and training; post-secondary scholarships in industry-specific degree programs; student recruitment into that career cluster programs; programs to educate middle and high school Career or Guidance Counselors about the industry; service to disadvantaged youth; and administering business/employer awareness and partnerships which help lead to experience-based, career-oriented experiences including internships, apprenticeships, mentoring, co-op education and service learning. The Office of Career and Technology Education of the department will develop goals with each career cluster on the number of new schools using the industry-based curriculum and partnered with that career cluster organization. These funds may not be used to supplant or replace, in whole or in part, other existing resources/assets sourced outside the present grant being used to provide the same services or programs. Organizations may carry-over grants for up to three years when a large project is identified in the grant application to be used at a future date; otherwise excess funds must be returned to the state. Organizations awarded must submit a semi-annual programmatic and

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financial report on the last day of December in addition to the final report due August first that has been audited by a third party accounting firm.

1A.36. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, XII.F.2. will continue to report annually to the Education Oversight Committee (EOC). Any entity receiving funds that must flow through a state agency will receive those funds through the EOC. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

1A.37. (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, XII.F.2. South Carolina Educational Television must provide training and technical support on the educational resources available to teachers and school districts.

1A.38. (SDE-EIA: Career and Technology Education Consumables) A maximum of twenty-five percent of the funds appropriated for Modernize Vocational Equipment, Career and Technology Education may be utilized to purchase textbooks, instructional materials and other consumables used in classroom instruction. The department may carry forward unexpended Modernize Vocational Equipment and Tech Prep funds to be used for the same purpose.

1A.39. (SDE-EIA: XII.C.2. Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be \$49,796. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

The statewide minimum teacher salary schedule used in Fiscal Year 2012-13 will continue to be used in Fiscal Year 2015-16.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers.

Funds appropriated in Part IA, Section 1, XII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(b), to include classroom teachers, librarians, guidance

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counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

For purposes of this provision teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1A.40. (SDE-EIA: PowerSchool Dropout Recovery Data) With the funds appropriated to the Department of Education for PowerSchool and data collection, the department will begin in the current fiscal year to collect data from schools and school districts on the number of students who had previously dropped out of school and who reenrolled in a public school or adult education to pursue a high school diploma. The Education Oversight Committee working with the Department of Education will determine how to calculate a dropout recovery rate that will be reflected on the annual school and district report cards.

1A.41. (SDE-EIA: Assisting, Developing and Evaluating Professional Teaching -ADEPT) With funds appropriated in the current fiscal year, the Department of Education, school districts, the Department of Juvenile Justice and special schools of the state may continue implementation of the ADEPT program. Governing boards of public institutions of higher education may provide by policy or regulation for a tuition waiver for the tuition for one three-hour course at that institution for those public school teachers who serve as supervisors for full-time students completing education degree requirements. Unexpended funds appropriated for this purpose may be carried forward from the prior fiscal year into the current fiscal year and expended for the same purposes.

1A.42. DELETED

1A.43. DELETED

1A.44. (SDE-EIA: Assessment Preparation) From the funds appropriated in Part IA for Assessment Preparation, the Department of Education shall institute a plan reviewing the strengths and weaknesses of students on national assessments such as, but not limited to, the SAT, ACT, WorkKeys, GED, Advanced Placement exams, and International Baccalaureate exams. The department shall use reports that analyze student strengths and weaknesses to provide guidance to local school districts.

1A.45. (SDE-EIA: XII.C.2-National Board Certification Incentive) Public school classroom teachers to include teachers employed at the special schools or classroom teachers who work with classroom teachers

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to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010, may receive a loan equal to the amount of the application fee. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 shall have one-half of the loan principal amount and interest forgiven when the required portfolio is submitted to the national board. Teachers who applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010 who attain certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds collected from educators who are in default of the National Board loan shall be retained and carried forward by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XII.C.2 for National Board Certification, the Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program for teachers who

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applied to the National Board for Professional Teaching Standards for certification prior to July 1, 2010. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

1A.46. (SDE-EIA: XII.F.2. Educational Partnerships) The funds provided to the Center for Educational Partnerships at the College of Education at the University of South Carolina will be used to create a consortium of educational initiatives and services to schools and communities. These initiatives will include, but are not limited to, professional development in writing, geography and other content areas; training; research; advocacy; and practical consultancy. The Center will establish collaborative educational enterprises with schools, school districts, parents, communities, and businesses while fulfilling the responsibilities of the School Improvement Council Assistance. The Center will focus on connecting the educational needs and goals of communities to improve efficiency and effectiveness.

1A.47. (SDE-EIA: XII.F.2. STEM Centers SC) All EIA-funded entities that provide professional development and science programming to teachers and students should be included in the state's science, technology, engineering and mathematics education strategic plan.

1A.48. DELETED

1A.49. (SDE-EIA: EOC Partnerships for Innovation) Of the funds appropriated or carried forward from the prior fiscal year, the Education Oversight Committee is directed to participate in public-private partnerships to promote innovative ways to transform the assessment of

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public education in South Carolina that support increased student achievement in reading and college and career readiness. The Education Oversight Committee may provide financial support to districts and to public-private partnerships for planning and support to implement, sustain and evaluate the innovation and to develop a matrix and measurements of student academic success based on evidence-based models. These funds may also focus on creating public-private literacy partnerships utilizing a 2:1 matching funds provision when the initiative employs research-based methods, has demonstrated success in increasing reading proficiency of struggling readers, and works directly with high poverty schools and districts. The committee will work to expand the engagement of stakeholders including state agencies and boards like the Educational Television Commission, businesses, and higher education institutions. The committee shall annually report to the General Assembly on the measurement results.

1A.50. (SDE-EIA: XII.A.1 - Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, XII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies, and when necessary, state law enforcement agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September first, of the current fiscal year. The department must report to the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September thirtieth, of the current fiscal year, on any districts that failed to submit an updated plan.

1A.51. DELETED

1A.52. DELETED

1A.53. (SDE-EIA: Education and Economic Development Act Carry Forward) Funds provided for the Education and Economic Development Act may be carried forward into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools.

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1A.54. (SDE-EIA: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.

1A.55. (SDE-EIA: Teach for America SC) Because Teach For America SC receives EIA funds in the current fiscal year, school districts that partner with Teach For America SC are required to provide to Teach For America SC by September first annually, information on the prior year's academic achievement of students who were directly taught by Teach For America corps members. The information must be in a format that protects the identity of individual students and must include state assessment data as appropriate.

1A.56. (SDE-EIA: EOC-South Carolina Autism Society) Of the funds appropriated in Section 1A, XII.F, Partnerships, Education Oversight Committee (A85), \$500,000 must be transferred in quarterly installments from the Education Oversight Committee to the South Carolina Autism Society for the Autism Parent-School Partnership Program. Beginning October 10, 2015, the South Carolina Autism Society shall provide a quarterly accounting report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Education Oversight Committee.

1A.57. DELETED

1A.58. (SDE-EIA: XII.F.2 - CHE/CERRA) The Center for Educator Recruitment, Retention and Advancement (CERRA) must complete periodic evaluations of the institutions currently hosting a Teaching Fellows (TF) program and ensure that the TF programs at the current host institutions continue to meet the requirements for a TF program as set forth by the CERRA Board of Directors. Further, CERRA will continue implementing a long-range plan for approving additional TF programs at other public, four-year institutions who wish to be considered to host a TF program, provided the proposed programs meet the requirements set forth by the CERRA Board of Directors. CERRA will publish TF program criteria and requirements prominently on its website. Any institution who applies but is not selected to host a TF program will be informed in writing of the basis for the selection decision and be offered technical support if the institution elects to reapply. Any institution that applies but is not selected to host a TF program may appeal to the Commission on Higher Education.

1A.59. (SDE-EIA: Surplus) For Fiscal Year 2015-16, EIA surplus funds from the prior fiscal year and not otherwise appropriated or

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authorized must be carried forward and expended on the following items:

1. EOC - Partnerships for Innovation - \$900,000;
2. Allendale County School District - \$150,000;
3. Modernize Vocational Equipment - \$1,501,307;
4. Assessment/Testing - \$7,300,000; and
5. Digital Music Materials as provided in FY 2014-15 - up to \$625,000.

Any additional funds carried forward and not otherwise appropriated or authorized may be used for Instructional Materials.

If excess EIA revenues are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

1A.60. (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to the South Carolina Public Charter School District, the district must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit the information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee.

The South Carolina Public Charter School District must also require each virtual charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school district from both the parent(s) and the referring school district; and (2) the reason or reasons why a student withdrew from the virtual charter school district. This data must be provided to the Department of Education quarterly and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and withdrawal information.

1A.61. (SDE-EIA: South Carolina Public Charter School District Funding) The funds appropriated in Part IA, Section XI - South Carolina Public Charter School District must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District shall receive \$1,900

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per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District shall receive \$3,600 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175.

1A.62. (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$500,000 must be allocated to support up to three low-achieving schools in designing and planning for implementation innovative, research-based strategies focused on recruiting and retaining highly effective teachers and on increasing time-on-task through the amount of time, the quality of instruction and the engagement of students. The committee will assist the schools in determining the evidence that will be collected to measure the effectiveness of the initiative and in identifying resources to support the initiative and in collaborating with TransformSC.

1A.63. (SDE-EIA: Public Charter School District Hold Harmless) For Fiscal Year 2015-16, the South Carolina Public Charter School District must use up to \$3,000,000 in prior year carry forward funds to hold its schools harmless from any reduction in funds as a result of changes to the EFA weightings in the current fiscal year.

1A.64. (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least \$400,000 shall be allocated to the TransformSC public-private project.

1A.65. (SDE-EIA: Palmetto Priority School) Of the funds appropriated for EAA-Technical Assistance, up to \$2,200,000 must be expended to provide \$200,000 to each school that was designated by the department as a Palmetto Priority School in the prior year, but did not receive an allocation of EIA technical assistance funds in the prior fiscal year to improve teacher recruitment and retention, to reduce the district's dropout rate, to improve student achievement in reading/literacy, or to train teachers in how to teach children of poverty as stipulated in the school's renewal plan. If funds are not sufficient to provide \$200,000 to each qualifying school, the \$200,000 shall be reduced on a pro-rata basis.

1A.66. (SDE-EIA: CDEPP Student Information and Reporting) For the current fiscal year, the Department of Education and the Office of First Steps to School Readiness must acquire unique student identifiers

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or SUNS numbers for each student enrolled in the CDEPP program no later than the 45th day and must provide a report of such to the House Ways and Means Committee, the House Education Committee, the Senate Finance Committee, the Senate Education Committee and the Education Oversight Committee by November first. The Department of Education and the Office of First Steps to School Readiness must provide any information required by the Education Oversight Committee for the annual CDEPP report no later than November thirtieth.

1A.67. DELETED

1A.68. (SDE-EIA: BabyNet Early Intervention Autism Therapy) The \$814,348 in funds appropriated in this act to the Office of First Steps to School Readiness for BabyNet Autism Therapy must be used only to increase the BabyNet autism therapy provider hourly rate and the individual hourly pay of line therapists during the current fiscal year. The Office of First Steps must consult with the Department of Disabilities and Special Needs regarding the implementation of these increases. The Office of First Steps must ensure that, prior to payment, these line therapists meet all current state requirements. It is the intent of the General Assembly that these monies be used solely for the purpose of increasing the BabyNet autism therapy provider rate to \$13.58 per hour and the hourly pay to individual line therapists being increased to a minimum of \$10.00 per hour. Quarterly, the Office of First Steps must send a letter to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee reporting on their compliance with the requirements of this proviso. The report must include information regarding the expenditure of state funds as well as the receipt and expenditure of Federal Medicaid funds associated with the program.

1A.69. (SDE-EIA: Charter School Funding-Chartered by Institution of Higher Education) Pupils enrolled in a brick and mortar charter school authorized by an approved institution of higher education located in this state shall receive \$3,600 per weighted pupil and pupils enrolled in a virtual charter school authorized by an approved institution of higher education located in this state shall receive \$1,900 per weighted pupil from the funds appropriated in Part IA, Section XI - South Carolina Public Charter School - Institution of Higher Education. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter

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School Facility Revolving Loan Program established in Section 59-40-175, of the 1976 Code.

1A.70. DELETED

1A.71. (SDE-EIA: Technology Professional Development) Of the funds appropriated in Section XII.C.3 for Professional Development, \$4,000,000 shall be designated for use as professional development for the use of classroom technology. Funds designated for technology-related professional development shall be distributed to each school district or special school in proportion to the previous year's one hundred thirty-five day average daily membership. Districts must report by June fifteenth of the current fiscal year on the amount of funds expended, the types of activities funded by the district, and the number of teachers participating in the activity on a form prescribed by the department.

1A.72. (SDE-EIA: Technology/Device Pilot Project) For the current fiscal year, the Department of Education is authorized to utilize up to \$4,500,000 of available carry forward funds, not including CDEPP or 4K funds, for the purchase of electronic devices and digital content. The Department of Education may select up to six school districts to participate in this pilot project. For purposes of this pilot, digital content is not defined as the digital equivalent of printed instructional material. Districts receiving approval from the State Board of Education may purchase devices and digital content directly from a state approved vendor.

In order to best serve schools and students within the school district, the school district must develop an implementation plan listing the devices and digital content by grade level and subject and the implementation plan must be presented to the local school board in a public meeting for approval and be made available to the public on the school district website prior to the public school board meeting.

The department must provide a certification form for a local school board on behalf of the school district to approve in a public meeting, have signed by the board chairman and district superintendent requesting approval for funding based on the number of students in the schools participating in the pilot. The department must develop the certification form with the intent of assisting school districts with meeting State Board of Education approval.

Upon school board approval, and no later than July twenty-fifth, the certification form and the detailed plan must be submitted to the department for State Board of Education approval. The State Board of Education must notify the school district of their decision to approve or

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disapprove no later than August fifteenth. If a school district does not receive State Board of Education approval the valid cause along with measurements necessary for the school district to meet approval must be provided to the local school board. The school district may make the required adjustments to their implementation plan and resubmit their certification form and plan to the State Board of Education for subsequent approval no later than ten days from the date of resubmission.

The school district may utilize no more than ten percent of the funds for professional development on the use of the acquisitions and must utilize no less than ninety percent of the funding received for the acquisition of devices and digital content. If approved the school district is required to ensure that all participating students in the pilot have access to the curriculum needed without regard to the student's home internet access capabilities.

The school district shall establish rules and policies that provide for the reasonable care and safety of the materials to include reasonable penalties for abuse, destruction, and loss and excluding ordinary wear and tear, provide for reimbursement by the pupils, their parents or legal guardians.

No later than December 15, 2015, the department shall provide a report outlining the implementation and use in the selected districts to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee and the Chairman of the House Education and Public Works Committee.

1A.73. (SDE-EIA: Rural Teacher Recruiting Incentive) (A) There is created a program within the South Carolina Center for Educator Recruitment, Retention, and Advancement (CERRA) to recruit and retain classroom educators in rural and underserved districts experiencing excessive turnover of classroom teachers on an annual basis.

(B) During Fiscal Year 2015-16, CERRA shall develop eligibility requirements and applications for individual educators, school districts, and institutions of higher education not inconsistent with existing licensure requirements for each, but also including:

(1) Eligible districts identified by CERRA as experiencing greater than twelve percent average annual teacher turnover, as reported on the districts' five most recent district report cards issued by the South

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Carolina Department of Education, may make application to participate in the program.

(2) Individuals eligible for incentives shall be willing to provide instructional services in an eligible district in exchange for participation in an incentive detailed in item (C) of this section, pursuant to the obligations and restrictions stated for each.

(3) Institutions of higher education eligible to receive education funding as a component of recruiting incentives created pursuant to item (C) of this section shall not be excluded from participation in Teaching Fellows Program in accordance with proviso 1A.58 of this Act.

(4) Any incentives requiring individuals to relocate into an eligible district to provide instructional services shall not be made available to individuals providing instructional services in other eligible districts.

(C) Pursuant to item (A), CERRA shall develop a set of incentives including, but not limited to, salary supplements, education subsidies, professional development, and mentorship to be provided to classroom educators that offer instructional services in eligible districts. The incentives and implementation shall be developed in consultation with the State Department of Education and the Education Oversight Committee, and shall provide incentive options for eligible individuals at all stages of their careers, including high-school and college or university students interested in entering the teaching profession.

(D) CERRA shall report by January 15, 2016 to the Governor, President pro Tempore of the Senate, and Speaker of the House on the incentives developed pursuant to item (C) of this section and make recommendations for attracting and retaining high quality teachers in rural and underserved districts. The report shall contain at a minimum eligibility requirements and application processes for districts and individuals, descriptions of and proposed budgets for each incentive program and an analysis of the number and demographics of individuals potentially eligible for each.

(E) Funds appropriated or transferred for use in the Rural Teacher Recruiting Incentive may be carried forward from prior fiscal years and used for the same purpose.

1A.74. (SDE-EIA: Project Read) Of the funds appropriated in Section 1A. XII.A.3 for Reading, \$500,000 must be used for teacher in-service training and professional development related to Project Read. The department may set accountability guidelines to ensure that funds are spent in accordance with the proviso.

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1A.75. (SDE-EIA: Reading Coaches) (A) Funds appropriated for Reading Coaches must be allocated to school districts by the Department of Education as follows:

(1) for each elementary school in which twenty percent or more of the students scored Not Met on the reading and research test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of either up to \$62,730 or the actual cost of salary and benefits for a full-time reading coach; and

(2) for each elementary school in which fewer than twenty percent of the students scored Not Met on the reading and research test during the same period, the school district shall be eligible to receive the lesser of either up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full-time reading coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading coaches with local funds. A district may, however, assign a reading coach to a primary school rather than to the elementary school to improve the early literacy skills of young children.

(C) Funds appropriated for Reading Coaches are intended to be used to provide elementary schools with reading coaches, who shall serve as job-embedded, stable resources for professional development throughout schools in order to generate improvement in reading and literacy instruction and student achievement. Reading coaches shall support and provide initial and ongoing professional development to teachers based on an analysis of student assessment and the provision of differentiated instruction and intensive intervention. The reading coach shall:

(1) model effective instructional strategies for teachers by working weekly with students in whole, and small groups, or individually;

(2) facilitate study groups;

(3) train teachers in data analysis and using data to differentiated instruction;

(4) coaching and mentoring colleagues;

(5) work with teachers to ensure that research-based reading programs are implemented with fidelity;

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(6) work with all teachers (including content area and elective areas) at the school they serve, and help prioritize time for those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in the classrooms;

(7) help lead and support reading leadership teams; and

(8) The reading coach must not be assigned a regular classroom teaching assignment, must not serve as an administrator, must not perform administrative functions that deter from the flow of improving reading instruction and reading performance of students and must not devote a significant portion of his or her time to administering or coordinating assessments.

(D) No later than February 1, 2016, the Department of Education must publish guidelines that define the minimum qualifications for a reading coach for Fiscal Year 2015-16. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist,

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely related field.

Within these guidelines, the Department of Education must also establish a process for Fiscal Year 2015-16 through which an elementary school may be permitted to use some or all of the allocation granted under subsection (A) in order to obtain in-school reading coaching services from a department-approved consultant or vendor, in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(E) The Department of Education must develop procedures for monitoring the use of funds appropriated for Reading Coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for Reading Coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(F) Prior to the close of the current fiscal year, any remaining funds for Reading Coaches, but no more than \$5,000,000, shall be distributed by the Department of Education among the school districts containing

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elementary or primary schools that were eligible for and which elected to receive funding under subsection (A)(1) of this proviso; these funds shall be distributed in proportion to these districts' relative shares of students who scored Not Met on the research and reading test in the most recent year for which such data are available. Funds distributed under this subsection must be used exclusively to support reading related professional development opportunities for teachers that lead to the literacy add-on endorsement.

(G) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading coach; as well as the school in which the coach is assigned along with the rationale for how the school selection was made; and

(2) any school district receiving funding under subsection (F) to account for the specific amounts and uses of such funds.

(H) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading coaches by school and on the expenditure of professional development funds for opportunities for teachers to earn the literacy endorsement. The department shall also report the amount of funds that will be carried forward.

(I) Funds appropriated for Reading Coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

(J) For Fiscal Year 2015-16, if increased funding for reading coaches is not sufficient to provide additional reading coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment.

1A.76. (SDE-EIA: Digital Instructional Materials) The Department of Education shall create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts who wish to receive both the digital version and class sets of textbooks may be awarded that option. Funds appropriated for the purchase of textbooks and other instructional materials may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted textbook inventory, purchasing new kits from the central textbook depository, or a

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combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. Digital Instructional Materials shall include the digital equivalent of materials and devices.

1A.77. (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program from the previous fiscal year, the Department of Education is authorized to expend up to \$800,000 on assessments and professional development to analyze the early literacy competencies of children in publicly funded prekindergarten. The department, in consultation with the Office of First Steps, will select up to three formative assessments that analyze the early literacy and language development of children in publicly funded prekindergarten. Each school district and private provider participating in a publicly funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last forty-five days of the school year. School districts and private providers will be allocated \$15 per child assessed to cover the cost of the formative assessment. School districts and private providers are required to report electronically the results of each individual assessment to the department using a form that must include the unique student identifier and any other information prescribed by the department. In turn, the department will provide the assessment data to the Education Oversight Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

Furthermore, \$2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from assessment must be expended by the Department of Education to administer the Developmental Reading Assessment® 2nd Edition PLUS to implement the progress monitoring system required by the Read to Succeed Act of

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2014 and to evaluate the early literacy and language competencies of each child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of once during the first forty-five days of the school year and once during the last forty-five days of the school year with the results collected by the department. The results of the assessments and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten. Districts are given the option of designating up to two days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available funds, the department will also provide or secure training for appropriate educators in how to administer the assessment. In addition the department may pilot in kindergarten classes one or more comprehensive readiness assessments that address the other domains in numeracy, approaches to learning, social and emotional development, and physical well-being in the current school year.

1A.78. (SDE-EIA: Teacher Supply Study) With funds appropriated to the Center for Educator Recruitment, Retention, and Advancement (CERRA), in concert with the Commission on Higher Education, the Department of Education, and the Education Oversight Committee, CERRA shall initiate and conduct a study to identify and project the number of additional teachers needed annually in public school classrooms for grades K5 through 12, for school years beginning 2017 through 2027. The purpose of the study shall be to: (1) provide specific data and projections on the number of teachers expected to be needed as compared to the number available, by Subject Areas Taught as indicated in CERRA's annual Supply and Demand Report, and with a focus on critical need subject areas; (2) determine whether, individually and collectively, teaching programs at applicable institutions of higher learning in South Carolina have the capacity and infrastructure to fulfill projected needs in item (1); and (3) provide data for general use in estimating the fiscal impact of any new or revised programs being considered to incent more talented individuals to enter teacher training programs and more highly qualified teachers to remain in the profession for longer periods of time.

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1A.79. (SDE-EIA: Statewide Assessment Procurement) With the funds appropriated and carried forward for assessment, the Department of Education, in consultation with the State Board of Education and the Education Oversight Committee pursuant to Section 59-18-320 of the 1976 Code, is directed to issue a procurement for a statewide assessment to students in grades 3 through 8 in English/language arts and mathematics that meet the requirements of the Education Accountability Act as amended by Act 200 of 2014. The assessment must be a rigorous, achievement assessment that measures student mastery of the SC College- and Career-Ready Standards, that provides timely reporting of results to educators, parents, and students, and that measures each student's progress toward college and career readiness.

In addition, the Department of Education, in consultation with the State Board of Education and the Education Oversight Committee pursuant to Section 59-18-320, is directed to issue a procurement for a statewide assessment of students in grade 11 that meets the requirements of the Education Accountability Act as amended by Act 155 of 2014. The procured assessments are to be administered in school year 2015-16.

1A.80. (SDE-EIA: CDEPP Unexpended Funds) For Fiscal Year 2015-16, the Office of First Steps to School Readiness is directed to retain the first \$2,000,000 of any unexpended CDEPP funds from the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities. No later than April 1, 2016, the Office of First Steps must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants.

By August first, the Office of First Steps is directed to allocate any unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the purposes:

1. Department of Education - \$4,250,000 for full-day 4K; and.
2. Education Oversight Committee - \$2,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

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If any funds are remaining, they shall be transferred to the Department of Education to be expended only on full day 4K.

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

3.1. (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations.

For institutions of higher learning, adopted procedures to monitor expenditures of lottery funds shall be reported to the Commission on Higher Education and the Executive Budget Office by October 1, 2015, and these expenditures are subject to annual verification and audit by the Commission on Higher Education on a rotational schedule not to exceed three years. The annual verification and audit shall be funded from the funds appropriated to or authorized for the Commission on Higher Education and the commission shall not assess a fee or charge institutions of higher learning for performing this function. In addition, the Commission on Higher Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by October 1 each year summarizing, by institution, how lottery funds were expended in the prior fiscal year, issues and concerns as well as institution responses to those issues and concerns discovered as a result of the commission's verification and/or audit activity during the prior fiscal year, if any. In addition, by January 15, 2016, the commission shall provide the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee a detailed estimate of the cost for the commission to establish a statewide state scholarship and grant tracking system for students.

For the Department of Education, adopted procedures to monitor expenditures of lottery funds that are allocated to the South Carolina school districts and other recipient institutions according to law and Department of Education guidelines shall be reported to the Executive Budget Office by October 1, 2015. In addition, the Department of Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the amount of lottery funds the department distributed to each entity in the prior fiscal year.

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All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget Office by October 1, 2015.

The Executive Budget Office shall ensure that state agencies receiving lottery funds have procedures in place to monitor expenditures of lottery funds and that the monitoring procedures are operating effectively.

3.2. DELETED

3.3. (LEA: Election Day Sales) For the current fiscal year, Section 59-150-210(E) is suspended.

3.4. DELETED

3.5. DELETED

3.6. (LEA: FY 2015-16 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2015-16 certified net lottery proceeds and investment earnings and any other proceeds identified by this provision are appropriated as follows:

- (1) Commission on Higher Education and State Board for
 Technical and Comprehensive Education--Tuition
 Assistance \$ 47,400,000;
- (2) Commission on Higher Education--LIFE Scholarships as
 provided in Chapter 149, Title 59 \$ 171,896,844;
- (3) Commission on Higher Education--HOPE Scholarships as
 provided in Section 59-150-370 \$ 8,565,373;
- (4) Commission on Higher Education--Palmetto Fellows
 Scholarships as provided in
 Section 59-104-20 \$ 38,691,990;
- (5) Commission on Higher Education--Need-Based
 Grants \$ 13,000,000;

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

- (6) Department of Education--K-12 Technology Initiative \$ 18,870,793; and
- (7) South Carolina State University \$ 2,500,000.

Fiscal Year 2015-16 funds appropriated to the Commission on Higher Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.

The funds appropriated above for South Carolina State University shall be utilized by the Interim Board of Trustees for administrative functions of the interim board and for any other purpose deemed necessary by the interim board.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2015-16 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2015-16 are fully funded.

If the lottery revenue received for Fiscal Year 2015-16 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and to provide for a Scholarship Compliance Auditor.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

Funds appropriated to the Department of Education for the K-12 Technology Initiative shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district with a poverty index of greater than 85 or a special school with no defined poverty index: \$70 per ADM.

The Department of Education may adjust the per-ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per-ADM rate for each class is adjusted by the same percentage.

Funds distributed to a school district through the K-12 Technology Initiative may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by 2017; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by 2017; or (3) To develop or expand one-to-one computing initiatives.

A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Initiative Committee for permission to expend its allocation on other technology-related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.

Funds appropriated for the K-12 Technology Initiative may not be used to supplant existing school district expenditures on technology. By June 30, 2016, each school district that receives funding through the K-12 Technology Initiative during Fiscal Year 2015-16 must provide the K-12 Technology Initiative Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E-Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Initiative Committee shall support school districts' efforts to obtain these reimbursements.

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

For Fiscal Year 2015-16, funds certified from unclaimed prizes are appropriated as follows:

- (1) Higher Education Tuition Grants Commission--Tuition Grants \$ 6,660,000;
- (2) Commission on Higher Education--National Guard Tuition Repayment Program as provided in Section 59-111-75 \$ 4,545,000;
- (3) Department of Alcohol and Other Drug Abuse Services--Gambling Addiction Services \$ 50,000;
- (4) School for the Deaf and the Blind--Technology \$ 200,000;
- (5) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 2,950,000; and
- (6) Department of Education--School Buses \$ 595,000.

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2015-16 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate shall be appropriated as follows:

- (1) Department of Education--School Buses \$ 6,000,000; and
- (2) Department of Education--Instructional Materials \$ 6,000,000.

For Fiscal Year 2015-16, net lottery proceeds and investment earnings realized in the prior fiscal year above the amount needed to fund the appropriations in this provision are appropriated as follows in priority order:

- (1) Department of Education--K-12 Technology Initiative \$ 10,418,183;
- (2) Department of Education--School Buses \$ 4,300,000;
- (3) Commission on Higher Education and State Board for Technical and Comprehensive Education--Tuition Assistance \$ 3,700,000;
- (4) Higher Education Tuition Grants Commission--Tuition Grants \$ 1,598,764;
- (5) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 1,028,053;

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

- (6) Commission on Higher Education--
 Technology-Public Four-Year Institutions,
 Two-Year Institutions, and State
 Technical Colleges \$ 5,000,000; and
- (7) State Board for Technical and Comprehensive
 Education--Workforce Scholarships and
 Grants \$ 5,000,000.

Of the funds appropriated to institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges," each institution shall use the amount appropriated only for technology repair and related technology maintenance that is necessary to support an institution's educational purpose.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education they continue to meet the requirement of this provision.

For Fiscal Year 2015-16, if net lottery proceeds and investment earnings realized in the prior fiscal year are above both the amount needed to fund the appropriations in this provision as well as the amount needed to fully fund the priority order above, the following items are appropriated on a pro rata basis:

- (1) Department of Education--School Buses \$ 4,000,000;
- (2) State Library--Aid to County Libraries \$ 1,700,000;
- (3) Commission on Higher Education--Technology-Public
 Four-Year Universities, Two-Year Institutions, and State
 Technical Colleges \$ 2,500,000;
- (4) Commission on Higher Education--Non-Profit, Bachelors
 Level Institution of Higher Learning, Established in
 1894, is a Member of TRACS, with Sixty Percent
 or More Low-Income Students - Maintenance
 and Improvement in Classroom,
 Library, Laboratory, or Other
 Institutional Facilities \$ 50,000;

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

- (5) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 658,084;
- (6) Commission on Higher Education--PASCAL Program \$ 1,500,000;
- (7) Commission on Higher Education--Non-Profit, Four-Year Comprehensive Institution of Higher Learning, First Established as a College in 1908, is SACS Accredited, with Forty Percent or More Minority Enrollment-Support for Memorial Professorships for the Purpose of Helping the College Recruit and Retain Faculty Members Whose Research, Teaching and Service Uniquely Contribute to the Mission of the College \$ 50,000; and
- (8) Commission on Higher Education--Maintenance-Critical Care and Replacement-1 to 1 Match \$ 3,000,000.

Of the funds appropriated in subitem (8) above for the Commission on Higher Education--Maintenance-Critical Care and Replacement-1 to 1 Match, each public four-year university, two-year branch campus and state technical college shall use the amount appropriated only for critical repair and related maintenance and/or other critical equipment and systems repair and maintenance that are necessary for the safe and efficient operation of an institution's physical plant in its support of the institution's educational purpose.

Funds must not be used for new construction and may only be utilized by an institution to the extent the funds are matched by the institution for necessary repair and maintenance projects generally.

Matching funds exclude supplemental, capital reserve, lottery, or non-recurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or deferred maintenance projects.

Prior to the distribution of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement.

Upon certification, the funds shall be distributed to institutions based on the distribution methodology described below provided that the distribution does not exceed an institution's pro rata share or the amount matched by the institution if less than that share. The distribution

SECTION 3 - H66-LOTTERY EXPENDITURE ACCOUNT

methodology to be used by the commission shall be based on each institution's or agency's proportion of general fund appropriation in Part IA of Act 286 of 2014 as compared to the total general fund appropriation in that Act for all public four-year universities, two-year branch campuses and state technical colleges. Distribution of the share allocated to the state technical colleges is to be made by a formula to be developed by the State Board for Technical and Comprehensive Education in consultation with the colleges Chief Business Officers for approval by the State Board's Presidents Council.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to the matching requirement.

3.7. (LEA: Higher Education Excellence Enhancement Program Additions) Converse College and Columbia College shall be eligible to receive lottery funds under the Higher Education Excellence Enhancement Program.

3.8. (LEA: Transfer for Veteran Differential Reimbursement Fund) The Commission on Higher Education is directed to transfer \$3,000,000 of unexpended National Guard Tuition Repayment Program funds carried forward from the prior fiscal year to the Office of State Treasurer for the College and University Out of State Veteran Tuition Differential Reimbursement Fund.

SECTION 5 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

5.1. (WLG: Truants) The Opportunity School will incorporate into its program services for students, ages fifteen and over, who are deemed truant; and will cooperate with the Department of Juvenile Justice, the Family Courts, and School districts to encourage the removal of truant students to the Opportunity School when such students can be served appropriately by the Opportunity School's program.

5.2. (WLG: GED Test) Students attending school at the Wil Lou Gray Opportunity School that are sixteen years of age and are unable to remain enrolled due to the necessity of immediate employment or enrollment in post-secondary education may be eligible to take the General Education Development (GED) Test.

SECTION 5 - H71-WIL LOU GRAY OPPORTUNITY SCHOOL

5.3. (WLG: Deferred Salaries Carry Forward) Wil Lou Gray is authorized to carry forward into the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

5.4. (WLG: Improved Forestry Practices) The Trustees of the Wil Lou Gray Opportunity School may carry out improved forestry practices on the timber holdings of the school property and apply the revenues derived from them and any other revenue source on the property for the further improvement and development of the school forest and other school purposes.

5.5. (WLG: Educational Program Initiatives) Wil Lou Gray Opportunity School is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

5.6. (WLG: Lease Revenue) Wil Lou Gray Opportunity School is authorized to retain revenues derived from the lease of school properties titled to or utilized by the school and may use revenues retained for general school operations, including, but not limited to, maintenance of such properties. Unexpended funds may be carried forward into the current fiscal year and used for the same purposes.

5.7. (WLG: USDA Federal Grants) All revenues generated from USDA federal grants may be retained and expended by the school in accordance with Federal regulations for the purpose of covering actual expenses in the cafeteria/food service operations of the school.

5.8. (WLG: By-Products Revenue Carry Forward) The Wil Lou Gray Opportunity School is authorized to sell goods that are by-products of the school's programs and operations, charge user fees and fees for services to the general public, individuals, organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses of the school's programs and operations.

5.9. (WLG: Capacity) For Fiscal Year 2015-16, funds appropriated to Wil Lou Gray Opportunity School must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

SECTION 6 - H75-SCHOOL FOR THE DEAF AND THE BLIND

6.1. (SDB: Student Activity Fee) The School for the Deaf and the Blind is authorized to charge to the parents of students at the school a student activity fee, differentiated according to the income of the family. The required student activity fee shall not exceed \$40.00. Such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses for student activities.

6.2. (SDB: Weighted Student Cost) The School for the Deaf and the Blind shall receive through the Education Finance Act the average State share of the required weighted cost for each student enrolled in the School.

6.3. (SDB: Admissions) Deaf, blind, multi-disabled and other disabled students identified by the Board of Commissioners as target groups for admission to the South Carolina School for the Deaf and the Blind may be admitted by the School either through direct application by parents or on referral from the local school district. The Board of Commissioners shall define the appropriate admissions criteria including mental capacity, degree of disability, functioning level, age, and other factors deemed necessary by the board. All placement hearings for admission to the South Carolina School for the Deaf and the Blind shall be organized by the School. The South Carolina School for the Deaf and the Blind shall obtain information from the local school district concerning the needs of the student and shall prepare an Individualized Education Plan for each student admitted. All parents applying for admission of their children must sign a statement certifying that they feel the South Carolina School for the Deaf and the Blind is the most appropriate placement which constitutes the least restrictive environment for the individual student, based upon needs identified in the placement meeting and the Individualized Education Plan. The decision concerning placement and least restrictive environment shall be reviewed annually at the IEP Conference.

6.4. (SDB: Adult Vocational Program Fees) The School for the Deaf and the Blind is authorized to charge appropriate tuition, room and board, and other fees to students accepted into the Adult Vocational Program. Such fees will be determined by the School Board of Commissioners, and such revenue shall be retained and carried forward into the current fiscal year and expended by the School for the purpose of covering expenses in the Adult Vocational Program.

6.5. (SDB: Mobility Instructor Service Fee) The School for the Deaf and the Blind is authorized to charge a fee for the services of a mobility

SECTION 6 - H75-SCHOOL FOR THE DEAF AND THE BLIND

instructor to provide service on a contractual basis to various school districts in the state, and such revenue shall be retained and carried forward into the current fiscal year and expended by the School for the purpose of covering expenses in the Blind School.

6.6. (SDB: Cafeteria Revenues) All revenues generated from cafeteria operations may be retained and expended by the institution for the purpose of covering actual expenses in cafeteria operations.

6.7. (SDB: School Buses) The school buses of the South Carolina School for the Deaf and the Blind are authorized to travel at the posted speed limit.

6.8. (SDB: USDA Federal Grants) All revenues generated from USDA federal grants may be retained and expended by the SCSDB in accordance with Federal regulations for the purpose of covering actual expenses in the cafeteria/food service operations of the school.

6.9. (SDB: By-Products Revenue Carry Forward) The School for the Deaf and the Blind is authorized to sell goods that are by-products of the school's programs and operations, charge user fees and fees for services to the general public: individuals, organizations, agencies and school districts, and such revenue may be retained and carried forward into the current fiscal year and expended for the purpose of covering expenses of the school's programs and operations.

6.10. (SDB: Deferred Salaries Carry Forward) South Carolina School for the Deaf and the Blind is authorized to carry forward in the current fiscal year the amount of the deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds are not to be included or part of any other authorized carry forward amount.

6.11. (SDB: Sale of Property) After receiving approval from the Department of Administration or State Fiscal Accountability Authority for the sale of property, the school may retain revenues associated with the sale of property titled to or utilized by the school. These funds shall be expended on capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority. For the current fiscal year, the school is authorized to use the retained revenue from the sale of donated property for educational and other operating purposes.

6.12. (SDB: USC-Upstate Visual Impairment Master of Education Program) Of the funds appropriated to the South Carolina School for the Deaf and the Blind, \$50,000 shall be used to fund the Master of

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Education Program In Visual Impairment at the University of South Carolina - Upstate.

6.13. (SDB: Capacity) For Fiscal Year 2015-16, funds appropriated to the School for the Deaf and the Blind must be used to bring the school up to full capacity, to the extent possible, and the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

6.14. (SDB: Educational Program Initiatives) The School for the Deaf and Blind is authorized to utilize funds received from the Department of Education for vocational equipment on educational program initiatives.

6.15. (SDB: School Leave Policy) The School for the Deaf and Blind is authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of the School's board of directors. This policy shall address the school calendar in order to comply with the instructional needs of students attending the school.

6.16. (SDB: Buildings) For the current fiscal year; the South Carolina School for the Deaf and Blind will be subject to the same requirements as a local education agency for the purposes of building renovation and construction.

SECTION 7 - L12-JOHN DE LA HOWE SCHOOL

7.1. (JDLHS: Status Offender Carry Forward) Unexpended status offender funds distributed to John de la Howe School from the Department of Education may be carried forward and used for the same purpose.

7.2. (JDLHS: Campus Private Residence Leases) John de la Howe School is authorized to lease, to its employees, private residences on the agency's campus. Funds generated may be retained and used for general operating purposes including, but not limited to, maintenance of the residences.

7.3. (JDLHS: Deferred Salaries Carried Forward) John de la Howe School is authorized to carry forward into the current fiscal year the amount of deferred salaries and employer contributions earned in the prior fiscal year for non-twelve month employees. These deferred funds

SECTION 7 - L12-JOHN DE LA HOWE SCHOOL

are not to be included or part of any other authorized carry forward amount.

7.4. (JDLHS: Capacity) For Fiscal Year 2015-16, funds appropriated to John de la Howe School must be used to complete deferred maintenance on the residential cottages and to bring the school up to full capacity, to the extent possible. The school must not utilize the funds to hire new employees until the school has completed deferred maintenance on a cottage and requires the new employee due to a projected increase in students. Any increases in staff must be reported to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee thirty days prior to the hire. Further, the school must report electronically to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December first, on how the funds have been utilized and how many additional students have been served.

7.5. DELETED

7.6. (JDLH: Educational, Therapeutic Progress, and Other Financial Information) For the current fiscal year, the John de la Howe School shall provide information and data to the Education Oversight Committee, the Office of the Inspector General, and the Department of Education on a quarterly basis, as required, to document the following for all programs and services offered by the school:

(1) student enrollment counts and data that document what educational and therapeutic needs and interventions each student at the school received in the prior and current school years;

(a) student counts shall be broken out to detail students on campus during the day and the number of overnight students requiring and receiving 24/7 supervision;

(b) using this data a cost per student calculation shall be reported with the calculation excluding capital costs and the assumption day students are revenue neutral unless documentation is provided to the contrary;

(2) dates of enrollment and withdrawal of each student; included with this data shall be a calculation showing the average length of stay of students receiving 24/7 supervision and average enrollment for each month;

(3) the district of residence for each student enrolled at the school in the prior and current school years;

SECTION 7 - L12-JOHN DE LA HOWE SCHOOL

(4) evidence of the educational and therapeutic progress being made by each student based on the school's evidence based treatment model;

(5) the number of staff employed that provide direct and indirect services to students;

(6) other financial expenses of the school; and

(7) any other data as identified by the committee.

To protect the identity of each student, unique student identifiers and not personally identifiable information must be provided. The Education Oversight Committee, the Office of the Inspector General, and the Department of Education shall prescribe the reporting measures to be followed by the school and shall report to the Governor, to the Senate Finance Committee, and to the House Ways and Means Committee by January 15, 2016, on recommendations for improving services to students.

7.7. DELETED**SECTION 8 - H67-EDUCATIONAL TELEVISION COMMISSION**

8.1. (ETV: Grants/Contributions Carry Forward) The Educational Television Commission shall be permitted to carry forward any funds derived from grant awards or designated contributions and any state funds necessary to match such funds, provided that these funds be expended for the programs which they were originally designated.

8.2. DELETED**8.3. DELETED**

8.4. (ETV: Spectrum Auction) During the current fiscal year, if the Educational Television Commission opts to enter the Federal Communications Commission TV Spectrum Auction and subsequently receives any proceeds from the auction, the commission is authorized to receive and retain the proceeds for the development of a capital reserve declining balance fund. Up to \$40,000,000 of the proceeds shall be used to fund several critical capital needs at ETV, including an expected broadcast industry standards change. Proceeds shall also be deployed for existing equipment repair, maintenance and replacement needs and operational costs. Any proceeds received above \$40,000,000 must be placed into a segregated account and shall require General Assembly approval prior to the expenditure of these funds. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. The commission shall report to the

SECTION 8 - H67-EDUCATIONAL TELEVISION COMMISSION

Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the intent to enter the auction; dates of the auction; potential revenue estimates; and actual received revenue.

SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

11.1. (CHE: Contract for Services Program Fees) The amounts appropriated in this section for “Southern Regional Education Board Contract Programs” and “Southern Regional Education Board Dues” are to be used by the commission to pay to the Southern Regional Education Board the required contract fees for South Carolina students enrolled under the Contract for Services program of the Southern Regional Education Board, in specific degree programs in specified institutions and the Southern Regional Education Board membership dues. The funds appropriated may not be reduced to cover any budget reductions or be transferred for other purposes.

11.2. DELETED

11.3. (CHE: African-American Loan Program) Of the funds appropriated to the Commission on Higher Education for the African-American Loan Program, 73.7 percent shall be distributed to South Carolina State University and 26.3 percent shall be distributed to Benedict College, and must be used for a loan program with the major focus of attracting African-American males to the teaching profession. The Commission of Higher Education shall act as the monitoring and reporting agency for the African-American Loan Program. Of the funds allocated according to this proviso, no more than ten percent shall be used for administrative purposes.

11.4. (CHE: GEAR-UP) Funds appropriated for GEAR-UP shall be used for state grants programs to reach disadvantaged middle school students to improve their preparation for college. Eligible South Carolina public schools and public institutions of higher education shall cooperate with the Commission on Higher Education in the provision of services under the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

11.5. (CHE: EPSCoR Committee Representation) With the intent that the four-year teaching institutions receive a portion of EPSCoR funding, the State EPSCoR Committee shall have an executive committee consisting of one representative from each of the research

SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

institutions and one representative from the four-year teaching university sector.

11.6. (CHE: SREB Funds Exempt From Budget Cut) In the calculation of any across the board cut mandated by the Executive Budget Office or General Assembly, the amount which the Commission on Higher Education is appropriated for Southern Regional Education Board (SREB) Professional Scholarship Programs and Fees, Dues and Assessments shall be excluded from the Commission on Higher Education's base budget. Funds appropriated for SREB programs may be carried forward into the current fiscal year and expended for the same purpose by the Commission on Higher Education.

11.7. (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education under Section III. Other Agencies & Entities: Special Items: Performance Funding, eighty percent will be allocated to the EPSCoR program under the Commission on Higher Education to improve South Carolina's research capabilities and twenty percent will be allocated to support the management education programs of the School of Business at South Carolina State University.

11.8. (CHE: Troop-to-Teachers) Members of the Armed Forces either active-duty, retired, or separated who are admitted to and enrolled in the South Carolina Troop-to-Teachers Alternative Route to Certification program are entitled to pay in-state rates at participating state institutions for requisite program work.

11.9. (CHE: Need-Based Grants for Foster Youth) For the current academic year, youth in the custody of the Department of Social Services and attending a higher education institution in South Carolina are eligible for additional need-based grants funding of up to \$2,000 above the \$2,500 maximum. Foster youth must apply for these funds no later than May first, of the preceding year. All other grants, both state and federal, for which these foster youth are eligible must be applied first to the cost of attendance prior to using the additional need-based grant funding. If the cost of attendance for a foster youth is met with other grants and scholarships, then no additional need-based grant may be used. The Department of Social Services, in cooperation with the Commission on Higher Education will track the numbers of recipients of this additional need-based grant to determine its effectiveness in encouraging more foster youth to pursue a secondary education. No more than \$100,000 may be expended from currently appropriated need-based grants funding for this additional assistance.

SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

11.10. (CHE: Tuition Age) For the current fiscal year, the age limitation for those children of certain war veterans who may be admitted to any state-supported college, university, or post high school technical education institution free of tuition is suspended for eligible children that successfully appeal the Division of Veterans Affairs on the grounds of a serious extenuating health condition.

11.11. (CHE: LIFE and Palmetto Fellows Enhancement Stipends) In the current fiscal year before fall awards are made, to continue eligibility for LIFE and Palmetto Fellows Enhancement Stipends, students shall certify and the institutions shall verify that the student is meeting all requirements as stipulated by the policies established by the institution and the academic department to be enrolled as a declared major in an eligible program and is making academic progress toward completion of the student's declared eligible major. These determinations are subject to the verification and audit of the Commission on Higher Education. Institutions shall return funds determined to have been awarded to ineligible students.

11.12. (CHE: SmartState) The Commission on Higher Education is prohibited from expending any source of funds on the marketing of the SmartState Program.

11.13. DELETED

11.14. DELETED

11.15. (CHE: College Transition Need-Based Grants) Of the currently appropriated need-based grants funding, no more than \$179,178 shall be used to provide need-based grants to South Carolina resident students enrolled at a public institution of higher education in an established college transition program that serves students with intellectual disabilities. The Commission on Higher Education shall allocate the available funds to eligible institutions on the basis of student need and enrollment in the established college transition programs. All other grants and gift aid for which these students are eligible must be applied first to the cost of attendance prior to using the need-based grant funding. If the cost of attendance for an eligible student is met with all other grants and gift aid, the need-based grant shall not be used. The participating institutions, in cooperation with the Commission on Higher Education, shall track the number of grant recipients and other information determined necessary to evaluate the effectiveness of these grants in assisting students with intellectual disabilities in college transition programs.

11.16. DELETED

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11.17. DELETED

11.18. DELETED

11.19. (CHE: Scholarship Awards) A student may receive a Palmetto Fellows or LIFE scholarship award during the summer, in addition to fall and spring semesters of an academic year, provided continued eligibility requirements are met as of the end of the spring semester. Students must enroll full-time, which for purposes of the summer award will require enrollment in at least twelve hours over the course of the summer. The summer is defined as the period between the end of the spring term and prior to the opening of the fall term. The total summer award per student may not exceed half of the allowable academic year award up to the cost of attendance and must be reimbursed if less than twelve hours for academic credit are not attempted by the student during summer sessions. If awarded in the summer, a student's total award during his or her enrollment may not exceed the amount that would otherwise be provided under current semester limits applied for the scholarship awards. The Commission on Higher Education may provide additional guidelines necessary to ensure uniform implementation.

11.20. DELETED

11.21. DELETED

11.22. DELETED

11.23. DELETED

11.24. DELETED

11.25. (CHE: Other Funded FTE Revenue) Each institution of higher learning, when requesting additional other funded full-time equivalent positions shall ensure to the Commission on Higher Education, or its successor entity, that sufficient revenues exist to fund the salary and fringe benefits for the positions. In addition, the institution shall also ensure that in the calculation of the revenue required for the positions, future pay increases and future health insurance adjustments as may be mandated by the General Assembly are taken into consideration.

11.26. DELETED

11.27. DELETED

11.28. DELETED

11.29. (CHE: Abatements) By October first of each year, state supported institutions of higher learning must submit to the Commission on Higher Education, or its successor entity, the number of out-of-state students during the prior fiscal year that received abatement of rates pursuant to Section 59-112-70 of the 1976 Code. The report must include the geo-origin of the student, class of the student, comprehensive

SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

listing of all financial awards received by the student, number of semesters the student has received the abated rate, as well as the athletic status of the student. The report must also include the calculation method used to determine the abatement amount awarded to students as well as the number of students that received educational fee waivers pursuant to Section 59-101-620.

11.30. (CHE: Outstanding Institutional Debt) By November first, institutions of higher learning must submit to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Commission on Higher Education, or its successor entity, data on all outstanding institutional debt for their respective institution. Data shall include, but not be limited to, the amount of the initial debt, year in which the debt was incurred, the year in which the debt will be satisfied, the repayment schedule, and the purpose for which the debt was incurred.

11.31. DELETED

11.32. DELETED

11.33. DELETED

11.34. DELETED

11.35. (CHE: Transferability) No later than May 2, 2016, the Commission on Higher Education's Council of Presidents, or the council's designees, in consultation with the State Board for Technical and Comprehensive Education, or its designees, shall make a recommendation(s) to the Chairman of the Senate Education Committee and the Chairman of the House Education and Public Works Committee concerning policy options for the state to consider with regards to the development of a more seamless transition for students with Associate Degrees from public two-year institutions of higher learning wishing to transfer to public research institutions and four-year colleges and universities. Recommendations must consider both the costs and opportunities of the option(s) presented including, but not limited to, impacts on institutional core requirements and accreditation standards. Nothing herein shall be construed as superseding any agreements, memorandums of understanding, or letters of intent that are in effect in the current fiscal year between or on behalf of one or more public institutions of higher learning in this state with another public institution or institutions of higher learning in this state regarding the transferability of students between institutions as described herein.

11.36. DELETED

11.37. DELETED

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11.38. DELETED

11.39. DELETED

11.40. DELETED

11.41. (CHE: Technical College Study) (A) The Commission on Higher Education shall examine the viability of a program that allows a student who graduated from a high school in this state or who attained the state educational equivalency of a high school diploma to attend a state technical college without paying tuition and fees at the institution for a specified period. When conducting the examination, the commission shall identify and consider:

(1) The anticipated number of students who will participate in the program;

(2) The anticipated annual cost of the program and federal, state and other sources of funding that could be used to pay the costs of the program;

(3) Current capacity available at state technical colleges to enroll additional students;

(4) The ability of the program to increase the state's pool of skilled workers and meet projected workforce demands;

(5) The impact of the program to increase educational attainment in the state;

(6) The regions of the state the program would likely significantly increase educational attainment and workforce readiness;

(7) Potential eligibility criteria for students participating in the program; and

(8) The possibility of requiring students to first use financial aid available to the students, including federal funding provided to low-income students for the purpose of paying for post-secondary education.

(B) The commission shall propose criteria for the program.

(C) The commission shall submit a report that summarizes the findings to the General Assembly no later than January 31, 2016. The report may include recommendations for legislation.

11.42. (CHE: College and University Out of State Veteran Tuition Differential Reimbursement Fund) Of the funds appropriated to and/or authorized for the Commission on Higher Education for the Out of State Veteran Tuition Reimbursement, the Office of State Treasurer is directed to establish a fund, separate and distinct from the general fund and all other funds, entitled the College and University Out of State Veteran Tuition Differential Reimbursement Fund. Any funds appropriated

SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

and/or authorized in the current fiscal year for this purpose must be deposited into the fund and interest accrued by the fund must remain in the fund.

The purpose of the fund is to reimburse public institutions of higher learning, as defined in Section 59-103-5 of the 1976 Code, for revenue loss resulting from the provisions of Section 59-112-50(C). By March 1, 2016, a public institution of higher learning seeking a reimbursement from this fund must submit an application to the Commission on Higher Education to receive a reimbursement from the fund. The total reimbursement to a public institution may not exceed the difference between the amounts the institution would have charged but for Section 59-112-50(C), and the amounts the institution actually charged. The Commission on Higher Education may require any proof it determines necessary to verify the veracity of the application.

By June 15, 2016, the Commission on Higher Education must distribute the funds to those institutions that have applied pursuant to this provision. In the event that the total requested and verified reimbursements exceed the amount in the fund, the distribution to each public institution shall be reduced pro rata based on the institution's amount of verified reimbursements compared to the total amount of verified reimbursements of all institutions.

**SECTION 14 - H12-CLEMSON UNIVERSITY - EDUCATIONAL
& GENERAL****14.1. DELETED**

14.2. (CU: Electrical Infrastructure) Clemson University is directed to enter into negotiations with an appropriate entity or an electric cooperative to determine the feasibility for the purchase and operation of the main campus electrical infrastructure and maintenance associated with said infrastructure. A report shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 1, 2015 on the results of the negotiations.

SECTION 19 - H24-SOUTH CAROLINA STATE UNIVERSITY**19.1. DELETED****19.2. DELETED****19.3. DELETED**

SECTION 19 - H24-SOUTH CAROLINA STATE UNIVERSITY

19.4. (SCSU: Loan Funds) (A) Pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, South Carolina State University was approved for a loan to be disbursed through a series of scheduled installments. Any funds not disbursed to the university pursuant to the schedule during Fiscal Year 2014-15 shall be carried forward to Fiscal Year 2015-16. In Fiscal Year 2015-16, the State Treasurer, upon certification of the Executive Budget Office, shall disburse up to \$8,500,000 to the university pursuant to the provisions contained in this proviso. The loan amount consists of (1) funds carried forward pursuant to this proviso and (2) the \$4,000,000 approved for Fiscal Year 2015-16 by the Joint Bond Review Committee pursuant to Paragraph 19.2, Part IB, of Act 286 of 2014. Any funds approved pursuant Paragraph 19.2, Part IB, of Act 286 of 2014 that remain undisbursed at the end of Fiscal Year 2015-16 shall be carried forward. The loan must be at an interest rate established by the State Treasurer pursuant to Section 11-9-250 of the 1976 Code.

(B) To compel disbursements, the Executive Budget Office must certify that:

(1) for the initial scheduled quarterly installment, the Board of Trustees of the university, based on reasonable enrollment and other realistic budgetary assumptions, has adopted a balanced budget, whereby operating expenditures do not exceed operating revenue and that the university is not projected by the Executive Budget Office, based upon a cash flow analysis, to fall out of balance for the quarter; and

(2) for each remaining quarterly installment, the Executive Budget Office, certifies that the university's budget for the fiscal year in which the loan is made remains in balance based on a cash flow analysis at the time of the installment payment and that the university is not projected, by the Executive Budget Office, based on a cash flow analysis, to fall out of balance during the quarter.

(C) If the provisions contained in item (B) are not met, then installment payments scheduled but not yet made must be suspended until the Executive Budget Office certifies that the university has taken necessary corrective action to meet the provisions of this proviso.

SECTION 20 - H45-UNIVERSITY OF SOUTH CAROLINA

20.1. (USC: Palmetto Poison Center) Of the funds appropriated or authorized herein, the University of South Carolina shall expend at least \$150,000 on the Palmetto Poison Center.

SECTION 20 - H45-UNIVERSITY OF SOUTH CAROLINA

20.2. (USC: School Improvement Council) Of the funds appropriated to the University of South Carolina Columbia Campus, \$100,000 shall be used for the School Improvement Council.

20.3. (USC: Child Abuse Medical Response Program) Of the funds appropriated to the University of South Carolina School of Medicine, not less than \$750,000 shall be expended for the Child Abuse and Neglect Medical Response Program. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the university may not reduce the funds for the Child Abuse and Neglect Medical Response Program greater than such stipulated percentage.

20.4. DELETED

20.5. (USC: Palmetto College - Operating) The University of South Carolina is directed to allocate additional, recurring state appropriations totaling \$373,010 to the USC campuses at Lancaster, Salkehatchie, Sumter and Union in order to reduce the per-student funding disparity that exists between each of these campuses. The university shall determine the appropriate enrollment measure to guide the distribution of these additional, recurring state appropriations. The allocation of state funds shall be reported to the Commission on Higher Education, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

**SECTION 23 - H51-MEDICAL UNIVERSITY OF
SOUTH CAROLINA**

23.1. (MUSC: Rural Dentist Program) The Rural Dentist Program, in coordination with the Department of Health and Environmental Control's Public Health Dentistry Program, is established at the Medical University of South Carolina. The funds appropriated to the Medical University of South Carolina for the Rural Dentist Program shall be administered by the South Carolina Area Health Education Consortium physician recruitment office. The costs associated with administering this program are to be paid from the funds appropriated to the Rural Dentist Program and shall not exceed four percent of the appropriation. The Medical University of South Carolina is responsible for the fiscal management of funds to ensure that state policies and guidelines are adhered to. MUSC shall be permitted to carry forward unspent general funds appropriated to the Rural Dentist program provided that these funds be expended for the program for which they were originally

**SECTION 23 - H51-MEDICAL UNIVERSITY OF
SOUTH CAROLINA**

designated. A board is created to manage and allocate these funds to insure the location of licensed dentists in rural areas of South Carolina and on the faculty of the College of Dental Medicine at MUSC. The board will be composed of the following: the Dean, or his designee, of the MUSC College of Dental Medicine; three members from the South Carolina Dental Education Foundation Board who represent rural areas; and the President of the South Carolina Dental Association. The Director of DHEC's Office of Primary Care; the Director or his designee of the Department of Health and Human Services; and the Executive Director of the South Carolina Dental Association shall serve as ex officio members without vote. This board shall serve without compensation.

23.2. (MUSC: Telemedicine) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority, the Authority is directed to continue the development of its Telemedicine network. The MUSC Hospital Authority shall determine which hospitals are best suited for a Telemedicine partnership.

23.3. (MUSC: Rural Access Plan) The MUSC Hospital Authority, in conjunction with the Department of Health and Human Services, shall study how to partner with existing rural hospitals to ensure that these regions maintain access to medical care.

**SECTION 25 - H59-STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

25.1. (TEC: Training of New & Expanding Industry) (A) Notwithstanding the amounts appropriated in this section for readySC it is the intent of the General Assembly that the State Board for Technical and Comprehensive Education expend the funds necessary to provide direct training for new and expanding business or industry.

(B) In the event projected expenditures are above the appropriation, the appropriation in this section for readySC may be appropriately adjusted, if and only if, the Executive Budget Office determines that the projected expenditures are directly related to:

(1) an existing technology training program where the demand for the program exceeds the program's capacity and the additional funds are to be utilized to meet the demand; or

(2) a new program is necessary to provide direct training for new or expanding business or industry.

**SECTION 25 - H59-STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

(C) The adjustment may occur only upon approval by the Executive Budget Office. Upon the Executive Budget Office's approval of the adjustment, the Director of the Executive Budget Office must certify, in writing, that the adjustment is directly related to either subsection (B)(1) or (B)(2). The Director must immediately provide a copy of the written certification, including the amount of the adjustment, to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

(D) Upon the Director's written certification approving an adjustment, the State Board for Technical and Comprehensive Education must submit a statement to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee containing a detailed itemization of the manner in which funds initially appropriated for technology training were utilized, the specific purpose for the adjustment, and the ultimate recipient of the adjusted amount.

(E) The aggregate amount of all adjustments made pursuant to this section may not exceed ten million dollars.

(F) In the event that projected expenditures for readySC exceed the amounts appropriated and the amount of any adjustments authorized, the State Board for Technical and Comprehensive Education may request a supplemental appropriation from the General Assembly.

25.2. (TEC: Training of New & Expanding Industry Carry Forward) In addition to the funds appropriated in this section, any of the funds appropriated under this section for the prior fiscal year which are not expended during that fiscal year may be carried forward and expended for direct training of new and expanding industry in the current fiscal year.

25.3. (TEC: Training of New & Expanding Industry - Payments of Prior Year Expenditures) The State Board for Technical and Comprehensive Education may reimburse business and industry for prior year training costs billed to the agency after fiscal year closing with the concurrence of the Comptroller General.

25.4. (TEC: MSSC) The funds appropriated to the State Board for Technical and Comprehensive Education for the Manufacturing Skills Standards Council Initiative may not be used for consulting associated with the Initiative.

**SECTION 25 - H59-STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

25.5. (TEC: Critical Statewide Workforce Needs) Of the funds appropriated in this act to the State Board for Technical and Comprehensive Education for E&G STEM Programs: Critical Needs Workforce Development Initiative, the State Board must allocate the funds between the colleges based on a methodology designed to best meet the state's workforce needs and demands. This methodology should be created by the State Board in consultation with the Department of Commerce and the Department of Employment and Workforce and should identify the areas with the most critical need. For this purpose, critical need shall be defined as unmet employment demand in areas or fields of Science, Technology, Engineering, Mathematics, and Manufacturing. Funds must be used by the college for STEM programs.

25.6. (TEC: Aeronautics Training Center) Funds appropriated for the S.C. Aeronautics Training Center may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose.

25.7. DELETED

**SECTION 26 - H79-DEPARTMENT OF ARCHIVES AND
HISTORY**

26.1. (AH: Use of Proceeds) The proceeds of facilities rentals, gift shop operations, training sessions, sales of publications, reproductions of documents, repair of documents, research fees, handling charges, and the proceeds of sales of National Register of Historic Places certificates and plaques by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of facility operations and maintenance, gift shop inventory, additional training sessions, publication, reproduction expenses, repair expenses, and National Register of Historic Places certificates and plaques, and selected Historic Preservation Grants.

26.2. (AH: Disposal of Materials) For the current fiscal year, the Department of Archives and History, upon prior approval of the commission, may sell from its collections certain record and non-record materials, which are not eligible for public auction, in a manner most advantageous to the department.

SECTION 27 - H87-STATE LIBRARY

27.1. (LIB: Aid to Counties Libraries Allotment) The amount appropriated in this section for "Aid to County Libraries" shall be allotted to each county on a per capita basis according to the official United States Census For 2010, as aid to the County Library. No county shall be allocated less than \$75,000 under this provision. To receive this aid, local library support shall not be less than the amount actually expended for library operations from local sources in the second preceding year.

27.2. (LIB: Information Service Fees) The State Library may charge a fee for costs associated with information delivery and retain such funds to offset the costs of maintaining, promoting and improving information delivery services.

27.3. (LIB: Continuing Education Fees) The State Library may charge a fee for costs associated with continuing education and retain such funds to offset the costs of providing continuing education opportunities.

27.4. (LIB: Books and Materials Disposal) The State Library may sell or otherwise dispose of books and other library materials that are deemed by the State Library as no longer of value to the State of South Carolina and the State Library's collection. Funds received from the sale of books and materials shall be retained and expended to purchase new materials for the collection. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

27.5. (LIB: SCLENDS) The State Library may accept money for the South Carolina Library Evergreen Network Delivery System (SCLENDS), a consortium providing patrons access to more library materials. The consortium shall allow South Carolina libraries the ability to share resources and provide a forum for sharing expertise in technical areas such as systems administration and cataloging. Funds received by the State Library for SCLENDS shall be placed in a special account and shall only be utilized to pay for items related to SCLENDS. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

27.6. (LIB: Donations) The State Library may accept donation funds to be used for administration, operation, and programs from any donor source. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

27.7. (LIB: Sale of Promotional Items) The State Library shall be allowed to sell promotional items with the South Carolina State Library

brand and logo for the purpose of generating funds for the State Library. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year.

27.8. (LIB: Consortium Purchasing) The State Library shall be authorized to accept funds to be used for consortium purchasing between libraries (public, academic, special) that serve South Carolina residents. Funds received by the State Library for consortium purchasing agreements shall be placed in a designated account and shall only be used to pay for items related to specific consortium purchasing agreements. These funds may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

SECTION 28 - H91-ARTS COMMISSION

28.1. (ARTS: Professional Artists Contract) Where practicable, all professional artists employed by the Arts Commission in the fields of music, theater, dance, literature, musical arts, craft, media arts and environmental arts shall be hired on a contractual basis as independent contractors. Where such a contractual arrangement is not feasible employees in these fields may be unclassified, however, the approval of their salaries shall be in accord with the provisions of Section 8-11-35 of the 1976 Code.

28.2. (ARTS: Special Revolving Account) Any income derived from Arts Commission sponsored arts events or by gift, contributions, or bequest now in possession of the Arts Commission including any federal or other funds balance remaining at the end of the prior fiscal year, shall be retained by the commission and placed in a special revolving account for the commission to use solely for the purpose of supporting the programs provided herein. Any such funds shall be subject to the review procedures as set forth in Act 651 of 1978.

28.3. (ARTS: Partial Indirect Cost Waiver) The commission is allowed to apply a fifteen percent indirect cost rate for continuing federal grants for which they must compete. The commission shall apply the full approved negotiated rate to the Basic State Grant and any new grants received by the commission.

28.4. (ARTS: Grants) The Arts Commission must expend seventy percent of appropriated state funds on grants to support the statewide improvement of learning and enrichment opportunities for children and

SECTION 28 - H91-ARTS COMMISSION

communities through educational and cultural programs with proven research based strategies.

28.5. (ARTS: Distribution to Subdivisions) Of the funds appropriated and/or authorized to the Arts Commission for Distribution to Subdivisions, the following amounts shall be distributed in the same manner as the funds were distributed in the prior fiscal year, subject to requests received and availability of funds: \$65,000 for Alloc Mun-Restricted; \$10,000 for Alloc Cnty-Restricted; \$226,280 for Alloc School Dist; \$10,000 for Alloc Other State Agencies; \$368,148 for Alloc-Private Sector; \$25,750 for Alloc Private Sector; \$69,992 for Aid Mun-Restricted; \$25,889 for Aid Cnty-Restricted; \$305,306 for Aid School Districts; \$328,839 for Aid Other State Agencies; \$1,527,874 for Aid To Private Sector; \$54,014 for Aid To Private Sector-Reportable; and \$5,855 for Aid to County Libraries.

SECTION 29 - H95-STATE MUSEUM COMMISSION

29.1. (MUSM: Removal From Collections) The commission may remove accessioned objects from its museum collections by gift to another public or nonprofit institution, by trade with another public or nonprofit institution, by public sale, by transfer to the commission's education, exhibit, or study collections or to its operating property inventory; or as a last resort, by intentional destruction on the condition that the objects so removed meet with one or more of the following criteria: (1) they fall outside the scope of the South Carolina Museum Commission's collections as defined in the Collection Policy; (2) they are unsuitable for exhibition or research; (3) they are inferior duplicates of other objects in the collection; or (4) they are forgeries or were acquired on the basis of false information; funds from the sale of such objects will be placed in a special revolving account for the commission to use solely for the purpose of purchasing objects for the collections of the State Museum.

29.2. (MUSM: Museum Store) The Museum Commission shall establish and administer a museum store in the State Museum. This store may produce, acquire, and sell merchandise relating to historical, scientific, and cultural sources. All profits received from the sale of such merchandise shall be retained by the Museum Commission in a restricted fund to be carried forward into the following fiscal year. These funds may be used for store operations, publications, acquisitions, educational programs, exhibit production and general operating expenses provided

SECTION 29 - H95-STATE MUSEUM COMMISSION

that the expenditures for such expenses are approved by the General Assembly in the annual Appropriation Act.

29.3. (MUSM: Retention of Revenue) The Museum Commission may retain revenue received from admissions, program fees, facility rentals, professional services, donations, food service, exhibits and exhibit components, and other miscellaneous operating income generated by or for the museum and may expend such revenue for general operating expenses provided that such expenditures are approved by the General Assembly in the annual Appropriation Act. Any unexpended revenue from these sources may be carried forward into the current fiscal year to be expended for the same purposes.

29.4. (MUSM: School Tour Fee Prohibition) The commission may not charge admission fees to groups of children from South Carolina who have made reservations that are touring the museum as part of a school function.

29.5. (MUSM: Dining Area Rent) Of the space currently vacant in the Columbia Mills Building, space large enough for the museum to have dining space for school-aged children shall be provided to the State Museum at no cost.

29.6. (MUSM: Remittance to General Services) The State Museum is directed to remit not less than \$1,800,000 to the Department of Administration as compensation for expenses associated with the premises it leases in the Columbia Mills Building. In the event the General Assembly or the Executive Budget Office implements a mid-year across-the-board budget reduction, the rent that the State Museum remits to the Department of Administration shall be reduced by the same percentage as the assessed budget reduction.

**SECTION 30 - H96-CONFEDERATE RELIC ROOM AND
MILITARY MUSEUM COMMISSION**

30.1. (CRR: Southern Maritime Collection) The Confederate Relic Room and Military Museum Commission, on behalf of the Hunley Commission is authorized to expend funds appropriated for such purpose to pay the outstanding note entered into to finance the purchase of the Southern Maritime Collection and the Hunley Commission will assume custody and management of the Collection for the State. The commission is authorized to use up to \$500,000 of the funds transferred for implementation of this proviso. The balance of the funds transferred may be used by the commission for costs associated with other Museum

**SECTION 30 - H96-CONFEDERATE RELIC ROOM AND
MILITARY MUSEUM COMMISSION**

operations. The General Assembly will provide for funds in future fiscal years to cover the costs of the financing of the Southern Maritime Collection.

**SECTION 32 - H73-DEPARTMENT OF VOCATIONAL
REHABILITATION**

32.1. (VR: Production Contracts Revenue) All revenues derived from production contracts earned by people with disabilities receiving job readiness training at the agency's Work Training Centers may be retained by the State Agency of Vocational Rehabilitation and used in the facilities for Client Wages and any other production costs; and further, any excess funds derived from these production contracts may be used for other operating expenses and/or permanent improvements of these facilities.

32.2. (VR: Reallotment Funds) To maximize utilization of federal funding and prevent the loss of such funding to other states in the Basic Service Program, the State Agency of Vocational Rehabilitation be allowed to budget reallotment and other funds received in excess of original projections in following State fiscal years.

32.3. (VR: User/Service Fees) Any revenues generated from user fees or service fees charged to the general public or other parties ineligible for the department's services may be retained to offset costs associated with the related activities so as to not affect the level of service for regular agency clients.

32.4. (VR: Meal Ticket Revenue) All revenues generated from sale of meal tickets may be retained by the agency and expended for supplies to operate the agency's food service programs or cafeteria.

32.5. (VR: Basic Services Program - Educational Scholarships) For those persons with disabilities who are eligible for and are receiving services under an approved plan of the South Carolina Vocational Rehabilitation Department (consistent with the 1973 Rehabilitation Act, as amended) tuition costs at state supported institutions (four year, technical, or trade schools) will not increase beyond the 1998 tuition rate, will be provided, or will be waived by the respective institution after the utilization of any other federal or state student aid for which the student is eligible. Persons eligible for this tuition reduction or sponsorship must meet all academic requirements of the particular institution and be

**SECTION 32 - H73-DEPARTMENT OF VOCATIONAL
REHABILITATION**

eligible for State need-based scholarships as defined in Chapter 142, Title 59, Code of Laws of South Carolina, 1976.

**SECTION 33 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

33.1. (DHHS: Recoupment/Restricted Fund) The Department of Health and Human Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. Further, the Department of Health and Human Services is authorized to maintain a restricted fund, on deposit with the State Treasurer, to be used to pay for liabilities and improvements related to enhancing accountability for future audits. The restricted fund will derive from prior year program refunds. The restricted fund shall not exceed one percent of the total appropriation authorization for the current year. Amounts in excess of one percent will be remitted to the general fund.

33.2. (DHHS: Long Term Care Facility Reimbursement Rate) The department, in calculating a reimbursement rate for long term care facility providers, shall obtain for each contract period an inflation factor, developed by the Revenue and Fiscal Affairs Office. Data obtained from Medicaid cost reporting records applicable to long term care providers will be supplied to the Revenue and Fiscal Affairs Office. A composite index, developed by the Revenue and Fiscal Affairs Office will be used to reflect the respective costs of the components of the Medicaid program expenditures in computing the maximum inflation factor to be used in long term care contractual arrangements involving reimbursement of providers. The Revenue and Fiscal Affairs Office shall update the composite index so as to have the index available for each contract renewal.

The department may apply the inflation factor in calculating the reimbursement rate for the new contract period from zero percent up to the inflation factor developed by the Revenue and Fiscal Affairs Office.

33.3. (DHHS: Medical Assistance Audit Program Remittance) The Department of Health and Human Services shall remit to the State Auditor's Office an amount representing fifty percent (allowable Federal Financial Participation) of the cost of the Medical Assistance Audit Program as established in the State Auditor's Office of the State Fiscal Accountability Authority, Section 105. Such amount shall also include

SECTION 33 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES

appropriated salary adjustments and employer contributions allocable to the Medical Assistance Audit Program. Such remittance to the State Auditor's Office shall be made monthly and based on invoices as provided by the State Auditor's Office of the State Fiscal Accountability Authority.

33.4. (DHHS: Third Party Liability Collection) The Department of Health and Human Services is allowed to fund the net costs of any Third Party Liability and Drug Rebate collection efforts from the monies collected in that effort.

33.5. (DHHS: Medicaid State Plan) Where the Medicaid State Plan has been altered to cover services that previously were provided by one hundred percent state funds, or that have been requested to be added by other state agencies, the department can bill other agencies for the state share of services provided through Medicaid. In order to comply with Federal regulations regarding allowable sources of matching funds, state agencies are authorized to make appropriation transfers to the Department of Health and Human Services to be used as the state share when certified public expenditures are not allowed for those state agency Medicaid services. The department will keep a record of all services affected and submit periodic reports to the Senate Finance and House Ways and Means Committees.

33.6. (DHHS: Medically Indigent Assistance Fund) The department is authorized to expend disproportionate share funds to all eligible hospitals with the condition that all audit exceptions through the receipt and expenditures of these funds are the liability of the hospital receiving the funds.

33.7. (DHHS: Registration Fees) The department is authorized to receive and expend registration fees for educational, training, and certification programs.

33.8. (DHHS: Fraud and Abuse Collections) The Department of Health and Human Services may offset the administrative costs associated with controlling fraud and abuse.

33.9. (DHHS: Medicaid Eligibility Transfer) The South Carolina Department of Health and Human Services (DHHS) is hereby authorized to determine the eligibility of applicants for the South Carolina Medicaid Program in accordance with the State Plan Under Title XIX of The Social Security Act Medical Assistance Program. The governing authority of each county shall provide office space and facility service for this function as they do for DSS functions under Section 43-3-65.

SECTION 33 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES

33.10. (DHHS: Franchise Fees Suspension) Franchise fees imposed on nursing home beds and enacted by the General Assembly during the 2002 session are suspended.

33.11. (DHHS: Program Integrity Efforts) The Department of Health and Human Services is instructed to expand its program integrity efforts by utilizing resources both within and external to the agency including, but not limited to, the ability to contract with other entities for the purpose of maximizing the department's ability to detect and eliminate provider fraud.

33.12. (DHHS: Post Payment Review) The department is directed to perform post payment reviews as permitted under Medicaid regulations to ensure compliance with the Hyde Amendment provisions as it relates to the performance of medically necessary services under the Medicaid program. The results of such reviews shall be available to the General Assembly upon request in a format that meets the requirements of the Health Insurance Accountability and Portability Act (HIPAA) and Medicaid confidentiality regulations.

33.13. (DHHS: Long Term Care Facility Reimbursement Rates) The department shall direct staff to complete and submit its Medicaid State Plan Amendment for long term care facility reimbursement rates to the Director of the Department of Health and Human Services by August first of each year. The director shall review the plan and submit to the Federal Government on or before August fifteenth of each year provided the State Appropriations Act has been enacted by that date. All additional requests for information from CMS concerning the plan shall be promptly submitted to CMS by the Department of Health and Human Services.

33.14. (DHHS: Nursing Services to High Risk/High Tech Children) The Department of Health and Human Services shall continue a separate classification and compensation plan for Registered Nurses (RN) and Licensed Practical Nurses (LPN) who provide services to Medically Fragile Children, who are Ventilator dependent, Respirator dependent, Intubated, and Parenteral feeding or any combination of the above. The classification plan shall recognize the skill level that these nurses caring for these Medically Fragile Children must have over and above normal home-care or school-based nurses.

33.15. DELETED

33.16. (DHHS: SCHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify

**SECTION 33 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

eligible children to the State Children's Health Insurance Program (SCHIP) and must use available state agency program data housed in the Revenue and Fiscal Affairs Office, to include the Department of Social Services' Food Stamp program and the Department of Education's Free and Reduced Meal eligibility data. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and maintenance of eligibility for SCHIP.

33.17. (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward cash balances from the prior fiscal year into the current fiscal year for any earmarked or restricted trust and agency, or special revenue account or subfund. The department shall submit a comprehensive reporting of all cash balances brought forward from the prior fiscal year. The report shall, at a minimum, for each account or subfund include the following: the statutory authority that allows the funds to be carried forward, the maximum authorized amount that can be carried forward, the general purpose or need for the carry forward, the specific source(s) of funding or revenue that generated the carry forward, and a detailed description of any pending obligations against the carry forward. The report must be submitted to the President Pro Tempore of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee, within fifteen days after the Comptroller General closes the fiscal year.

33.18. (DHHS: Medicaid Provider Fraud) The department shall expand and increase its effort to identify, report, and combat Medicaid provider fraud. The department shall publish on its' agency homepage by April first, of the current fiscal year, the results of these efforts, the funds recovered, and information pertaining to prosecutions of such cases, including pleas agreements entered into.

33.19. (DHHS: GAPS) The requirements of Article 5, Chapter 6, Title 44 shall be suspended for the current state fiscal year.

33.20. (DHHS: Disproportionate Share - DMH) For the current fiscal year, the department is directed to transfer funds to the Department of Mental Health to make up any shortfall in disproportionate share funding due to rule changes from the Center for Medicare and Medicaid Services from the latest federal fiscal year amount. The department must also take any necessary action, including the submission of an amendment to the State Medicaid Plan, to minimize the impact of disproportionate

**SECTION 33 - J02-DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

share funding redistribution to the Department of Mental Health in future years.

33.21. (DHHS: Contract Authority) The Department of Health and Human Services is authorized to contract with community-based not-for-profit organizations for local projects that further the objectives of department programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal requirements associated with the funds used for the contracts and to assure fairness and accountability in the award and administration of these contracts. The department may require a match from contract recipients. The department shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committees on the contracts administered.

33.22. (DHHS: Medicaid Accountability and Quality Improvement Initiative) From the funds appropriated and authorized to the Department of Health and Human Services, the department is authorized to implement the following accountability and quality improvement initiatives:

(A) Healthy Outcomes Initiative - The Department of Health and Human Services may tie Disproportionate Share Hospital (DSH) payments to participation in the Healthy Outcomes Initiative and may expand the program as DSH funding is available.

(B) To improve community health, the department may explore various health outreach, education, patient wellness and incentive programs. The department may pilot health interventions targeting diabetes, smoking cessation, weight management, heart disease, and other health conditions. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

(C) Rural Hospital DSH Payment - Medicaid-designated rural hospitals in South Carolina may be eligible to receive up to one hundred percent of costs associated with uncompensated care as part of the DSH program. Funds shall be allocated from the existing DSH program and shall not exceed \$25,000,000 total funds. To be eligible, rural hospitals must participate in reporting and quality guidelines published by the department and outlined in the Healthy Outcomes Initiative. In addition to the requirements placed upon them by the department, rural hospitals must actively participate with the department and any other stakeholder

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identified by the department, in efforts to design an alternative health care delivery system in these regions.

(D) Primary Care Safety Net - The department shall implement a methodology to reimburse safety net providers participating in a hospital Healthy Outcomes Initiative program to provide primary care, behavioral health services, and pharmacy services for chronically ill individuals that do not have access to affordable insurance. Qualifying safety net providers are approved, licensed, and duly organized Federally Qualified Health Centers (FQHCs, entities receiving funding under Section 330 of the Public Health Services Act, and FQHC Look-A-Likes), Rural Health Clinics (RHCs), local alcohol and drug abuse authorities established by Act 301 of 1973, Free Clinics, other clinics serving the uninsured, and Welvista. The department shall formulate a methodology and allocate at least \$5,000,000 for innovative care strategies for qualifying safety net providers. The department shall formulate a separate methodology and allocate \$8,000,000 of funding to FQHCs at least \$4,000,000 for documented capital needs for FQHCs , at least \$2,000,000 for of funding for Free Clinics, and at least \$2,000,000 of funding for local alcohol and drug abuse authorities created under Act 301 of 1973. The department shall develop a process for obtaining encounter-level data that may be used to access the cost and impact of services provided through this proviso.

(E) Rural and Underserved Area Provider Capacity - The department shall incentivize the development of primary care access in rural and underserved areas through the following mechanisms:

(1) the department shall leverage Medicaid spending on Graduate Medical Education (GME) by implementing methodologies that support recommendations contained in the January 2014 report of the South Carolina GME Advisory Group;

(2) the department shall develop a program to leverage the use of teaching hospitals to provide rural physician coverage, expand the use of Telemedicine, and ensure targeted placement and support of OB/GYN services in at least four counties with a demonstrated lack of adequate OB/GYN resources by June 30, 2016; and

(3) during the current fiscal year the department shall contract with the MUSC Hospital Authority in the amount of \$10,000,000 to lead the development and operation of an open access South Carolina Telemedicine Network. Working with the department, the MUSC Hospital Authority shall collaborate with Palmetto Care

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Connections to pursue this goal. No less than \$1,000,000 of these funds shall be allocated toward support of Palmetto Care Connections and other hospitals in South Carolina. MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. MUSC Hospital Authority shall publish a summary report to the General Assembly indicating the overall progress of the state's telemedicine transformation by March 1, 2015. In addition, the department shall also contract with the MUSC Hospital Authority in the amount of \$1,000,000, and the USC School of Medicine in the amount of \$2,000,000 to further develop statewide teaching partnerships.

(4) the department shall partner with the University of South Carolina School of Medicine to develop a statewide Rural Health Initiative to identify strategies for significantly improving health care access, supporting physicians, and reducing health inequities in rural communities.

(F) The department shall allocate funds to be used for obesity education for patients, reimbursement payments for providers, and continuing education for all providers through partnerships with the Department.

(G) To be eligible for funds in this proviso, providers must provide the department with patient, service and financial data to assist in the operation and ongoing evaluation of both the initiatives resulting from this proviso, and other price, quality, transparency and DSH accountability efforts currently underway or initiated by the department. The Revenue and Fiscal Affairs Office shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

(H) The department shall pilot an all-inclusive health intervention program for wrap-around care to vulnerable mental health patients who frequent the emergency room in hotspots and underserved areas within the state. The pilot program must provide reports detailing progress on the target population and health outcomes achieved. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

(I) The department shall publish quarterly reports on the agency's website regarding the department's progress in meeting the goals established by this provision.

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33.23. (DHHS: Medicaid Healthcare Initiatives Outcomes) Prior to February fifteenth of the current fiscal year, the Director of the Department of Health and Human Services shall make a presentation to the House Ways and Means Healthcare Budget Subcommittee on the outcomes of Medicaid healthcare initiatives enacted during the current fiscal year to improve the well being of persons enrolled in the Medicaid program and receiving services from Medicaid providers.

33.24. DELETED

33.25. (DHHS: Carry Forward Authorization) For the current fiscal year, the Department of Health and Human Services is authorized to carry forward and expend any General Fund balances for the Medicaid program. Within thirty days after the close of the fiscal year, the department shall report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

33.26. DELETED

33.27. (DHHS: Hospital Transformation Plans) The Department of Health and Human Services shall continue a program to help qualifying hospitals transition to more sustainable models of service delivery that meet the needs of their community and reduce reliance on inpatient admissions, surgery or high-tech diagnostics. This includes encouraging new long-term partnerships between rural hospitals and community, tertiary and teaching facilities to ensure seamless, timely and high quality clinical care for patients in rural areas of the state. Notwithstanding the provisions in its existing regulations, for the current fiscal year, the Department of Health and Environmental Control, may in its discretion, make exceptions to applicable licensing standards and regulations where it is determined that the exception will assist in the successful implementation and operation of the plans developed by the Department of Health and Human Services pursuant to this provision; the health, safety, and well-being of the community will not be compromised by the exception; and provided that the standard is not specifically required by statute. The program shall provide funding that fully or partially offsets the one-time costs of these transitions. The department shall develop the methodology for funding award amounts and distribution and may prioritize funding to target hotspots of poor health and/or limited health care access. Total state funds available statewide for transition funding shall not exceed \$15,000,000, less funds allocated during the prior fiscal year, and the department may leverage

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federal funds or other funding mechanisms to maximize resources as appropriate and approved by CMS. Plans must be submitted to the department on or before April 1, 2016. No partnership may receive an allocation in the current fiscal year that would result in it having received more than \$4,000,000 in cumulative support through the hospital transformation program. The department shall provide reports detailing progress on transformation efforts to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 1, 2016 and by June 1, 2016.

33.28. DELETED

33.29. DELETED

****33.30. (DHHS: Healthcare Workforce Analysis) *Of the funds appropriated to the Department of Health and Human Services, the department shall transfer \$200,000 to the Area Health Education Consortium (AHEC) for the Office of Healthcare Workforce Analysis.***

33.31. DELETED

33.32. (DHHS: Healthy Connections Prime Participation) In the current fiscal year participation in Healthy Connections Prime shall be limited to individuals who affirmatively elect to participate until April 1, 2016, at which time the department may begin passively enrolling participants.

33.33. DELETED

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34.1. (DHEC: County Health Departments Funding) Out of the appropriation provided in this section for "Access to Care", the sum of \$25,000 shall be distributed to the county health departments by the commissioner, with the approval of the Board of Department of Health and Environmental Control, for the following purposes:

(1) To insure the provision of a reasonably adequate public health program in each county.

(2) To provide funds to combat special health problems that may exist in certain counties.

(3) To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.

** See note at end of Act.

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(4) To encourage and promote local participation in financial support of the county health departments.

(5) To meet emergency situations which may arise in local areas.

(6) To fit funds available to amounts budgeted when small differences occur.

The provisions of this proviso shall not supersede or suspend the provisions of Section 13-7-30 of the 1976 Code.

34.2. (DHEC: County Health Units) General funds made available to the Department of Health and Environmental Control for the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Board of the Department of Health and Environmental Control. The amount of general funds appropriated herein for Access to Care shall be allocated on a basis such that no county budget shall receive less than the amount received in the prior fiscal year, except when instructed by the Executive Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may unilaterally reduce the county health units up to the stipulated percentage.

34.3. (DHEC: Camp Burnt Gin) Private donations or contributions for the operation of Camp Burnt Gin shall be deposited in a restricted account. These funds may be carried forward and shall be made available as needed to fund the operation of the camp. Withdrawals from this restricted account must be in accordance with approved procedures.

34.4. (DHEC: Children's Rehabilitative Services) The Children's Rehabilitative Services shall be required to utilize any available financial resources including insurance benefits and/or governmental assistance programs, to which the child may otherwise be entitled in providing and/or arranging for medical care and related services to physically handicapped children eligible for such services, as a prerequisite to the child receiving such services.

34.5. (DHEC: Cancer/Hemophilia) Notwithstanding any other provisions of this act, the funds appropriated herein for prevention, detection and surveillance of cancer as well as providing for cancer treatment services, \$545,449 and the hemophilia assistance program, \$1,186,928 shall not be transferred to other programs within the agency and when instructed by the Executive Budget Office or the General Assembly to reduce funds within the department by a certain percentage, the department may not act unilaterally to reduce the funds for any

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cancer treatment program and hemophilia assistance program provided for herein greater than such stipulated percentage.

34.6. (DHEC: Local Health Departments) Counties of the state will be relieved of contribution requirements for salary, fringe benefits and travel reimbursement to local health departments. The amount of \$5,430,697 is appropriated for county health department salaries, fringe benefits and travel. These funds and other state funds appropriated for county health units may, based upon need, be utilized in either salary or travel categories. Each county shall provide all other operating expenses of the local health department in an amount at least equal to that appropriated for operations for each county in Fiscal Year 1981. In the event any county makes uniform reductions in appropriations to all agencies or departments for maintenance and operations, exclusive of salaries and fringe benefits, a like reduction shall be made in funds appropriated for the operating expenses of the local health department.

34.7. (DHEC: Insurance Refunds) The Department of Health and Environmental Control is authorized to budget and expend monies resulting from insurance refunds for prior year operations for case services in family health.

34.8. (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of eighty-one percent of the additional funds appropriated herein, to the EMS Regions at a ratio of twelve percent of the additional funds appropriated herein and to the state EMS Office at the ratio of seven percent of the additional funds appropriated herein. The Department of Health and Environmental Control shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based on demonstrated need and local match. Funds appropriated to Emergency Medical Services shall not be transferred to other programs within the department's budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years and expended for administrative and operational support and for

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temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS personnel and administration of grants to local EMS providers. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

34.9. (DHEC: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, \$1,103,956 shall be used to support programmatic efforts of the state's rape crisis centers with distribution of these funds based on the Standards and Outcomes for Rape Crisis Centers and each center's accomplishment of a preapproved annual action plan. For the current fiscal year, the department shall not reduce these contracts below the current funding level.

34.10. (DHEC: Sickle Cell Blood Sample Analysis) \$16,000 is appropriated in Independent Living for the Sickle Cell Program for Blood Sample Analysis and shall be used by the department to analyze blood samples submitted by the four existing regional programs - Region I, Barksdale Sickle Cell Anemia Foundation in Spartanburg; Region II, Clark Sickle Cell Anemia Foundation in Columbia; Region III, Committee on Better Racial Assurance Hemoglobinopathy Program in Charleston; and the Orangeburg Area Sickle Cell Anemia Foundation.

34.11. (DHEC: Sickle Cell Programs) \$761,233 is appropriated for Sickle Cell program services and shall be apportioned as follows:

(1) sixty-seven percent is to be divided equitably between the existing Community Based Sickle Cell Programs located in Spartanburg, Columbia, Orangeburg, and Charleston; and

(2) thirty-three percent is for the Community Based Sickle Cell Program at DHEC.

The funds shall be used for providing prevention programs, educational programs, testing, counseling and newborn screening. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control by the Executive Budget Office; provided, however, that the department may not act unilaterally to reduce the funds for the Sickle Cell program greater than such stipulated percentage. The

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department shall not be required to undertake any treatment, medical management or health care follow-up for any person with sickle cell disease identified through any neonatal testing program, beyond the level of services supported by funds now or subsequently appropriated for such services. No funds appropriated for ongoing or newly established sickle cell services may be diverted to other budget categories within the DHEC budget. For the current fiscal year, the department shall not reduce these funds below the current funding level.

34.12. (DHEC: Genetic Services) The sum of \$104,086 appearing under the Independent Living program of this act shall be appropriated to and administered by the Department of Health and Environmental Control for the purpose of providing appropriate genetic services to medically needy and underserved persons. Such funds shall be used by the department to administer the program and to contract with appropriate providers of genetic services. Such services will include genetic screening, laboratory testing, counseling, and other services as may be deemed beneficial by the department, and these funds shall be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from the Medical University of South Carolina, the University of South Carolina School of Medicine, and the Greenwood Genetic Center.

34.13. (DHEC: Revenue Carry Forward Authorization) The Department of Health and Environmental Control is hereby authorized to collect, expend, and carry forward revenues in the following programs: Sale of Goods (confiscated goods, arm patches, etc.), sale of meals at Camp Burnt Gin, sale of publications, brochures, Spoil Easement Areas revenue, performance bond forfeiture revenue for restoring damaged critical areas, beach renourishment appropriations, photo copies and certificate forms, including but not limited to, pet rabies vaccination certificate books, sale of listings and labels, sale of State Code and Supplements, sale of films and slides, sale of maps, sale of items to be recycled, including, but not limited to, used motor oil and batteries, sale and/or licensing of software products developed and owned by the Department, and collection of registration fees for non-DHEC employees. Any unexpended balance carried forward must be used for the same purpose.

34.14. (DHEC: Medicaid Nursing Home Bed Days) Pursuant to Section 44-7-84(A) of the 1976 Code, the maximum number of Medicaid patient days for which the Department of Health and

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Environmental Control is authorized to issue Medicaid nursing home permits is 4,452,015.

34.15. (DHEC: Health Licensing Fee) Funds resulting from an increase in the Health Licensing Fee Schedule shall be retained by the department to fund increased responsibilities of the health licensing programs. Failure to submit a license renewal application or fee to the department by the license expiration date shall result in a late fee of \$75 or twenty-five percent of the licensing fee amount, whichever is greater, in addition to the licensing fee. Continual failure to submit completed and accurate renewal applications and/or fees by the time period specified by the department shall result in enforcement actions. The department may waive any or all of the assessed late fees in extenuating circumstances, as long as it is with public knowledge.

34.16. (DHEC: Infectious Waste Contingency Fund) The Department of Health and Environmental Control is authorized to use not more than \$75,000 from the Infectious Waste Contingency Fund per year for personnel and operating expenses to implement the Infectious Waste Act.

34.17. (DHEC: Nursing Home Medicaid Bed Day Permit) When transfer of a Medicaid patient from a nursing home is necessary due to violations of state or federal law or Medicaid certification requirements, the Medicaid patient day permit shall be transferred with the patient to the receiving nursing home. The receiving facility shall apply to permanently retain the Medicaid patient day permit within sixty days of receipt of the patient.

34.18. (DHEC: Mineral Sets Revenue) The department is authorized to charge a reasonable fee for mineral sets. Funds generated from the sale of mineral sets may be retained by the department in a revolving account with a maximum carry forward of \$2,000 and must be expended for mineral set supplies and related mining and reclamation educational products.

34.19. (DHEC: Spoil Easement Areas Revenue) The department is authorized to collect, retain and expend funds received from the sale of and/or third party use of spoil easement areas, for the purpose of meeting the State of South Carolina's responsibility for providing adequate spoil easement areas for the Atlantic Intracoastal Waterway in South Carolina.

34.20. (DHEC: Per Visit Rate) The SC DHEC is authorized to compensate nonpermanent, part-time employees on a fixed rate per visit basis. Compensation on a fixed rate per visit may be paid to employees

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for whom the department receives per visit reimbursement from other sources. These individuals will provide direct patient care in a home environment. The per visit rate may vary based on the discipline providing the care and the geographical location of services rendered. Management may pay exempt or nonexempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Individuals employed in this category may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System.

34.21. (DHEC: Allocation of Indirect Cost and Recoveries) The department shall continue to deposit in the general fund all indirect cost recoveries derived from state general funds participating in the calculation of the approved indirect cost rate. Further administration cost funded with other funds used in the indirect cost calculation may, based on their percentage, be retained by the agency to support the remaining administrative costs of the agency.

34.22. (DHEC: Permitted Site Fund) The South Carolina Department of Health and Environmental Control may expend funds as necessary from the permitted site fund established pursuant to Section 44-56-160(B)(1), for legal services related to environmental response, regulatory, and enforcement matters, including administrative proceedings and actions in state and all federal courts.

34.23. (DHEC: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

34.24. (DHEC: Health Licensing Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. BHFL shall retain up to the first \$50,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records.

34.25. (DHEC: Health Facility Monetary Penalties) In the course of regulating health care facilities/services, the Division of Construction/Fire & Life Safety (DCFLS) assesses civil monetary penalties against nonconforming providers. DCFLS shall retain up to the first \$100,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the

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provisions of regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records. Regulations for nursing home staffing for Fiscal Year 2015-16 must (1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the non-licensed nursing staff; and (2) maintain at least one licensed nurse per shift for each staff work area. All other staffing standards and non-staffing standards established in Standards for Licensing Nursing Homes: R61-17, Code of State Regulations, must be enforced.

34.26. (DHEC: Radiological Health Monetary Penalties) In the course of regulating health care facilities/services, the Bureau of Radiological Health (BRH) assesses civil monetary penalties against nonconforming providers. BRH shall retain up to the first \$30,000 of civil monetary penalties collected each fiscal year and these funds shall be utilized solely to carry out and enforce the provisions of regulations applicable to that Bureau. These funds shall be separately accounted for in the department's fiscal records.

34.27. (DHEC: Prohibit Use of Funds) The Department of Health and Environmental Control must not use any state appropriated funds to terminate a pregnancy or induce a miscarriage by chemical means.

34.28. (DHEC: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

34.29. (DHEC: Compensatory Payment) In the event the President of the United States has declared a state of emergency or the Governor has declared a state of emergency in a county in the State, Fair Labor Standards Act exempt employees of the department may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency Director, and providing funds are available.

34.30. (DHEC: Beach Renourishment and Monitoring and Coastal Access Improvement) If state funds are made available or carried forward from any general revenue, capital, surplus or bond funding appropriated to the department for beach renourishment and maintenance, the department shall be able to expend not more than \$100,000 of these funds annually to support annual beach profile monitoring. Additional funds made available or carried forward for beach renourishment projects that are certified by the department as excess may be spent for beach renourishment and departmental activities

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that advance the policy goals contained in the State Beachfront Management Plan, R.30-21.

34.31. (DHEC: South Carolina State Trauma Care Fund) Of the funds appropriated to the South Carolina State Trauma Care Fund, \$2,268,885 shall be utilized for increasing the reimbursement rates for trauma hospitals, for trauma specialists' professional fee, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and for support of the trauma system, based on a methodology as determined by the department with guidance and input from the Trauma Council as established in Section 44-61-530 of the South Carolina Code of Laws. The methodology to be developed will include a breakdown of disbursement of funds by percentage, with a proposed seventy-six and one half percent disbursed to hospitals and trauma physician fees, sixteen percent of the twenty-one percent must be disbursed to EMS providers for training EMTs, Advanced EMTs and paramedics by the four regional councils of this state and the remaining five percent must be disbursed to EMS providers in counties with high trauma mortality rates, and two and one half percent allocated to the department for administration of the fund and support of the trauma system. The Department of Health and Environmental Control shall promulgate regulations as required in Section 44-61-540 of the 1976 Code for the administration and oversight of the Trauma Care Fund.

34.32. (DHEC: Pandemic Influenza) The Department of Health and Environmental Control shall assess South Carolina's ability to cope with a major influenza outbreak or pandemic influenza and maintain an emergency plan and stockpile of medicines and supplies to improve the state's readiness condition. The department shall report on preparedness measures to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor by November first, each year. The department, in conjunction with the Department of Health and Human Services, is authorized to establish a fund for the purpose of developing an emergency supply, stockpile, and distribution system of appropriate antiviral, antibiotic, and vaccine medicines and medical supplies. In the event the United States Department of Health and Human Services makes available medicines or vaccines for purchase by states via federal contract or federally subsidized contract or other mechanism, the department, with Executive Budget Office approval,

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may access appropriated or earmarked funds as necessary to purchase an emergency supply of these medicines for the State of South Carolina.

34.33. (DHEC: Pharmacist Services) For the current fiscal year, provisions requiring that all department facilities distributing or dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are suspended. Each Department of Health and Environmental Control Public Health Region shall be required to have a permit to distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one department facility. Only pharmacists, nurses, or physicians are allowed to dispense and provide prescription drugs/products/vaccines for conditions or diseases that the department treats, monitors, or investigates. In the event of a public health emergency or upon activation of the strategic national stockpile, other medications may be dispensed as necessary.

34.34. (DHEC: Coastal Zone Appellate Panel) The Coastal Zone Appellate Panel as delineated in Section 48-39-40 of the 1976 Code under the Department of Health and Environmental Control shall be suspended for the current fiscal year.

34.35. (DHEC: Rural Hospital Grants) Rural Hospital Grants funds shall be allocated to public hospitals in very rural or rural areas whose largest town is less than 25,000 and whose licensed bed capacity does not exceed two hundred beds. Hospitals qualifying for the grants shall utilize such funds for any of the following purposes: (a) the development of preventive health programs, medical homes, and primary care diversion from emergency departments; (b) expanded health services, including physician recruitment and retention; (c) to improve hospital facilities; (d) activities involving electronic medical records or claims processing systems; (e) to enhance disease prevention activities in diabetes, heart disease, etc; and (f) activities to ensure compliance with State or Federal regulations.

34.36. (DHEC: Camp Burnt Gin) Notwithstanding any other provision of law, the funds appropriated to the department pursuant to Part IA, or funds from any other source, for Camp Burnt Gin must not be reduced in the event the department is required to take a budget reduction.

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34.37. (DHEC: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in Section 44-37-30 (D) and (E) of the 1976 Code, if there are insufficient state funds to support the storage requirements. In that event, the samples may be destroyed in a scientifically appropriate manner after testing. The department shall notify providers of the suspension within thirty days of its effective date.

34.38. (DHEC: Fetal Pain Awareness) (A) The department must utilize at least one hundred dollars to prepare printed materials concerning information that unborn children at twenty weeks gestation and beyond are fully capable of feeling pain and the right of a woman seeking an abortion to ask for and receive anesthesia to alleviate or eliminate pain to the fetus during an abortion procedure. The materials must be provided to each abortion provider in the State and must be placed in a conspicuous place in each examination room at the doctor's office. The materials must contain only the following information:

"Fetal Pain Awareness

An unborn child who is twenty weeks old or more is fully capable of experiencing pain. Anesthesia provided to a woman for an abortion typically offers little pain prevention for the unborn child. If you choose to end your pregnancy, you have a right to have anesthesia or analgesic administered to alleviate the pain to your unborn child during the abortion."

(B) The materials must be easily comprehensible and must be printed in a typeface large and bold enough to be clearly legible.

34.39. (DHEC: SCHIDS) From funds appropriated for Chronic Disease Prevention, the department shall establish a South Carolina Health Integrated Data Services (SCHIDS) program to disseminate data about prevalence, treatment and cost of disease from the South Carolina Health and Human Services Data Warehouse and in particular the Medicaid System. The purpose of the program is to educate communities statewide about improving health and wellness through lifestyle changes.

The Revenue and Fiscal Affairs Office shall provide data needed by the SCHIDS program to fulfill its mission, and all state agencies and public universities involved in educating South Carolinians through public programs for the purpose of improving health and wellness shall communicate with the program in order to improve collaboration and

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coordination and the possible use of SCHIDS to assist in the evaluation of program outcomes.

Medicaid staff shall coordinate with the SCHIDS program staff to target Prevention Partnership Grant awards to those communities demonstrating a prevalence of chronic disease and/or lack of access to care.

34.40. (DHEC: Abstinence Education Contract) For the current fiscal year, funds made available to the State of South Carolina under the provisions of Title V, Section 510, may only be awarded to other entities through a competitive bidding process.

34.41. (DHEC: Immunizations) The department is authorized to utilize the funds appropriated for immunizations to hire temporary personnel to address periods of high demand for immunizations at local health departments.

34.42. (DHEC: Obesity) The Department of Health and Environmental Control is charged with addressing the public health of our citizens and shall be the convener and coordinator of the fight against Obesity in South Carolina. Because addressing the obesity epidemic requires behavioral, educational, systemic, medical, and community involvement, the following state agencies should use their best efforts to cooperate with the requests of the department and its partners to facilitate an environment that decreases body mass index (BMI): Department of Education; Department of Health and Human Services; Department of Social Services; Department of Mental Health; Medical University of South Carolina; University of South Carolina Arnold School of Public Health; Department of Parks, Recreation and Tourism; Department of Commerce; Department of Transportation; and Commission for the Blind.

In addition, school districts must provide the Department of Health and Environmental Control with information regarding their progress towards meeting certain provisions of the Student Health and Fitness Act of 2005, specifically: Section 59-10-10 regarding the average number of minutes students exercise weekly; Section 59-10-50 regarding the SC Physical Education Assessment; Section 59-10-310 regarding efforts to promote healthy eating patterns; Section 59-10-320 regarding assessment of school district health education programs; Section 59-10-340 regarding snacks in vending machines; and Section 59-10-360 regarding health curriculum. The department is given the authority to

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collect, compile and assess the progress of the State and the School Districts in meeting the goals of this act.

34.43. (DHEC: Residential Treatment Facilities Swing Beds) For Fiscal Year 2015-16 in coordination with the South Carolina Health Plan and to improve access for acute psychiatric beds as patient populations demand, Residential Treatment Facilities (RTF) may swing up to eighteen beds per qualifying facility to accommodate patients with a diagnosis of an acute psychiatric disorder. In order to qualify to utilize swing beds a facility must meet the following criteria: the facility must currently have both licensed acute psychiatric and residential treatment facility beds, the RTF beds must meet the same licensure requirements as the existing licensed acute psychiatric beds, and any facility utilizing swing beds must keep the acute and RTF patient populations separate and distinct. The utilization of swing beds must also comply with all federal Centers for Medicare and Medicaid Services rules and regulations.

34.44. DELETED

34.45. (DHEC: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Health and Environmental Control may expend any funds available to the agency, for the purpose of surveillance, investigation, containment, and treatment activities related thereto.

(B) During an investigation of an index tuberculosis patient, the Department of Health and Environmental Control, through the South Carolina Health Alert Network, must notify the patient's community that a tuberculosis contact investigation is being conducted into the possible exposure to tuberculosis. This subsection only applies if the investigation of the patient has met all of the following criteria:

- (1) abnormal chest x-rays;
- (2) positive Acid Fast Bacilli (AFB) sputum results; and
- (3) first round of contact investigation completed with results of individuals testing positive outside of the index patient's family.

(C) Upon being informed of or having reason to suspect a case of tuberculosis that is capable of transmitting tubercle bacilli at a school or child care center involving a student, teacher, employee, volunteer, or an individual working at the school or child care center for an employer providing services to the school or child care center, the department immediately shall notify:

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(1) if the case is at a school, the principal, and the Superintendent of the school district if the school is a public school; and

(2) if the case is at a child care center, the director of the child care center; and

(D) When informing the principal of a school or the director of a child care center about a known or suspected case of tuberculosis that is capable of transmitting tubercle bacilli as provided for in subsection (C), the department shall provide:

(1) an update addressing the:

(a) status of the investigation, including the steps the department is taking to identify the source and extent of the exposure and the risks of additional exposure; and

(b) steps the school or child care center must take to assist the department in controlling the spread of the tuberculosis infection; and

(2) information and other resources to distribute to parents and guardians that discuss how to assist the department in identifying and managing the tuberculosis infection.

34.46. (DHEC: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to DHEC in this act as a Special Item and titled "Abstinence-Until Marriage Emerging Programs" the department shall award a twelve month grant for abstinence-until-marriage emerging programs. This funding shall be awarded by the department only to nonprofit 501(c)(3) agencies meeting all the A-H Title V, Section 510 definitions of Abstinence Education.

(B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

(C) Applicants must provide a budget and budget narrative to the department that explains how the funds will be used.

(D) Prior to application, proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirements for abstinence-until-marriage education programs.

(E) The department shall determine and develop the necessary application for awards.

(F) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina

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Comprehensive Health Education Act must reimburse the State for all funds disbursed.

Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department of Health and Environmental Control and the Department of Social Services within fifteen days of the end of each quarter.

(G) Grantees failing to submit reports within thirty days of the end of each quarter will be terminated.

34.47. (DHEC: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, contracts must be awarded to separate private, nonprofit 501(c)(3) entities to provide Abstinence Until Marriage teen pregnancy prevention programs and services within the State that meet all of the A-H Title V, Section 510 definitions of Abstinence Education. Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code. Proposed programs/curricula must be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until-marriage education programs. Applicants must provide a budget for the proposed project for which the application is being made. Monies will be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement. The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

34.48. (DHEC: Wave Dissipation Device) From funds appropriated to the department for the Coastal Resource Improvement program, the department shall permit a Wave Dissipation Device pilot program to be initiated.

The deployment of a qualified wave dissipation device seaward of the setback line or baseline pursuant to a study conducted by the Citadel or a research university is not construction and meets the permitting exception contained in Section 48-39-130(D)(2). Prior to deploying or expanding a qualified wave dissipation device, a person proposing to deploy or expand the device must pay the department a fee of ten cents

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per linear foot of the proposed deployment or expansion. The department may order the removal of all or any portion of a qualified wave dissipation device that the department determines causes material harm to the flora, fauna, physical or aesthetic resources of the area under Section 48-39-130(D)(2) of the 1976 Code.

A 'qualified wave dissipation device' is a device that:

- (1) is placed mostly parallel to the shoreline;
- (2) is designed to dissipate wave energy;
- (3) is designed to minimize scouring seaward of and adjacent to the device by permitting sand to move landward and seaward through the device;
- (4) the horizontal panels designed to dissipate wave energy can be deployed within one-hundred twenty hours or less and can be removed within one-hundred twenty hours or less;
- (5) does not negatively impact or inhibit sea turtle nesting or other fauna;
- (6) can be adjusted after initial deployment in response to fluctuations in beach elevations; and
- (7) otherwise prevents down-coast erosion, protects property, and limits negative impacts to public safety and welfare, beach access, and the health of the beach dune system.

34.49. (DHEC: Birthing Center Inspections) For this fiscal year, birthing centers, accredited by the Commission on Accreditation of Birth Centers on or before July 1, 2014, must register an on-call agreement and any transfer policies with the Department of Health and Environmental Control. The on-call agreement shall contain provisions which provide that the on-call physician is readily available to provide medical assistance either in person or by telecommunications or other electronic means, which means the physician must be within a thirty minute drive of the birthing center or hospital, must be licensed in the State of South Carolina, and shall provide consultation and advice to the birthing center at all times it is serving the public. Furthermore, a birthing center shall document in its practice guidelines and policies the ability to transfer care to an acute care hospital with obstetrical and newborn services and must demonstrate this by: (A) coordinated transfer care plans, protocols, procedures, arrangements, or through collaboration with one or more acute care hospitals with appropriate obstetrical and newborn services; and (B) admitting privileges at one or more hospitals with appropriate obstetrical and newborn services by a

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birthing center's consulting physician. The department shall require a \$25.00 registration fee upon receipt and review of the agreements containing these provisions. Birthing centers registering on-call and transfer policies in accordance with this proviso shall be deemed by the department to be in compliance with Section 44-89-60(3) of the South Carolina Code and any implementing regulations for this fiscal year.

34.50. DELETED

34.51. (DHEC: Abortion Clinic Certification) Prior to January 31, 2015, a facility other than a hospital that is licensed and certified by the department to perform abortions must file a report with the department that provides the number of physicians that performed an abortion at the facility between July 1, 2014 and December 31, 2014, who did not have admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital and the percentage of these physician in relation to the overall number of physicians who performed abortions at the facility. The report must include a summation of any abortion that resulted in an outcome which required a level of aftercare that exceeds what is customarily provided by physicians in such cases in accordance with accepted medical practice and indicate whether or not the abortion was performed by a physician with admitting privileges at a local certified hospital and staff privileges to replace on-staff physicians at the certified hospital. Any summation of any abortion must not divulge any information that is privileged or required to be maintained as confidential by any provision of law. An applicable facility must remit a twenty-five dollar filing fee to the department for the report required by this provision.

34.52. (DHEC: Seawall Reconstruction/Repair) In the current fiscal year, the Department of Health and Environmental Control may issue a special permit for the reconstruction or repair of an existing erosion control device of at least four thousand contiguous linear feet that is located landward of an area which the department has granted a permit authorizing a renourishment project that does not qualify for public funding and the permit is active as of July 1, 2014. The department may only issue the permit if the seawall will be reconstructed or repaired with like material and the footprint of the replacement is no more than two feet from the footprint of the original. The department may charge a permit fee equal to the actual cost of issuing the permit.

34.53. (DHEC: Maternal Morbidity and Mortality Review Committee) (A) From the funds appropriated to or authorized for the

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Department of Health and Environmental Control in Fiscal Year 2015-16, the department shall establish a Maternal Morbidity and Mortality Review Committee to review maternal deaths and to develop strategies for the prevention of maternal deaths. The committee must be multidisciplinary and composed of members deemed appropriate by the department. The committee also may review severe maternal morbidity. The department may contract with an external organization to assist in collecting, analyzing, and disseminating maternal mortality information, organizing and convening meetings of the committee, and performing other tasks as may be incident to these activities, including providing the necessary data, information, and resources to ensure successful completion of the ongoing review required by this provision.

(B) The committee shall:

- (1) identify maternal death cases, as defined as a death within one year of pregnancy with a direct or indirect causation related to the pregnancy or postpartum period;
- (2) review medical records and other relevant data;
- (3) contact family members and other affected or involved persons to collect additional data;
- (4) consult with relevant experts to evaluate the records and data;
- (5) make determinations regarding the preventability of maternal deaths;
- (6) develop recommendations for the prevention of maternal deaths; and
- (7) disseminate findings and recommendations pursuant to subsection (F).

(C)(1) Health care providers and pharmacies licensed pursuant to Title 40 shall provide reasonable access to the committee to all relevant medical records associated with a case under review by the committee.

(2) A health care provider, health care facility, or pharmacy providing access to medical records pursuant to subsection (C) are not liable for civil damages or subject to criminal or disciplinary action for good faith efforts in providing the records.

(D)(1) Information, records, reports, statements, notes, memoranda, or other data collected pursuant to this section are not admissible as evidence in any action of any kind in any court or before another tribunal, board, agency, or person. The information, records, reports, statements, notes, memoranda, or other data must not be exhibited nor their contents

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disclosed, in whole or in part, by an officer or a representative of the department or another person, except as necessary for the purpose of furthering the review of the committee of the case to which they relate. A person participating in a review may not disclose the information obtained except in strict conformity with the review project.

(2) All information, records of interviews, written reports, statements, notes, memoranda, or other data obtained by the department, the committee, and other persons, agencies, or organizations authorized by the department pursuant to this provision are confidential.

(E)(1) All proceedings and activities of the committee, opinions of members of the committee formed as a result of the proceedings and activities, and records obtained, created, or maintained pursuant to this provision, including records of interviews, written reports, and statements procured by the department or another person, agency, or organization acting jointly or under contract with the department in connection with the requirements of this provision, are confidential and are not subject to the provisions of Chapter 4, Title 30 relating to open meetings or public records, or subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding. However, this provision must not be construed to limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another source and entirely independent of the committee's proceedings.

(2) Members of the committee must not be questioned in a civil or criminal proceeding regarding the information presented in or opinions formed as a result of a meeting or communication of the committee. However, this provision must not be construed to prevent a member of the committee from testifying to information obtained independently of the committee or which is public information.

(F) Reports of aggregated non-individually identifiable data for the previous calendar year must be compiled and disseminated by January thirty first of the following year in an effort to further study the causes and problems associated with maternal deaths. Reports must be distributed to the General Assembly, the Director of the Department of Health and Environmental Control, health care providers and facilities, key governmental agencies, and others necessary to reduce the maternal death rate.

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(G) Members shall serve without compensation, and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

SECTION 35 - J12-DEPARTMENT OF MENTAL HEALTH

35.1. (DMH: Patient Fee Account) The Department of Mental Health is hereby authorized to retain and expend its Patient Fee Account funds. In addition to funds collected for the maintenance and medical care for patients, Medicare funds collected by the department from patients' Medicare benefits and funds collected by the department from its veteran facilities shall be considered as patient fees. The department is authorized to expend these funds for departmental operations, for capital improvements and debt service under the provisions of Act 1276 of 1970, and for the cost of patients' Medicare Part B premiums. The department shall remit \$290,963 to the General Fund, \$400,000 to the Continuum of Care, \$50,000 to the Alliance for the Mentally Ill, and \$250,000 to S.C. Share Self Help Association Regarding Emotions.

35.2. (DMH: Institution Generated Funds) The Department of Mental Health is authorized to retain and expend institution generated funds which are budgeted.

35.3. (DMH: Alzheimer's Funding) Of the funds appropriated to the Department of Mental Health for Community Mental Health Centers, \$778,706 must be used for contractual services to provide respite care and diagnostic services to those who qualify as determined by the Alzheimer's Disease and Related Disorders Association. The department must maximize, to the extent feasible, federal matching dollars. On or before September thirtieth of each year, the Alzheimer's Disease and Related Disorders Association must submit to the department, Governor, Senate Finance Committee, and House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. These funds may not be expended or transferred during the current fiscal year until the required reports have been received by the department, Governor, Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds transferred to the

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Alzheimer's Disease and Related Disorders Association greater than such stipulated percentage.

35.4. DELETED

35.5. (DMH: Crisis Intervention Training) Of the funds appropriated to the department, \$170,500 shall be utilized for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

35.6. (DMH: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the department for medical costs incurred for patients. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

35.7. (DMH: Meals in Emergency Operations) The cost of meals may be provided to state employees who are required to work during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

35.8. (DMH: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Mental Health is authorized to establish an interest bearing fund with the State Treasurer to deposit funds appropriated for deferred maintenance and other one-time funds from any source. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

35.9. DELETED**SECTION 36 - J16-DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS**

36.1. (DDSN: Work Activity Programs) All revenues derived from production contracts earned by individuals served by the department in Work Activity Programs be retained by the South Carolina Department of Disabilities and Special Needs and carried forward as necessary into the following fiscal year to be used for other operating expenses and/or permanent improvements of these Work Activity Programs.

36.2. (DDSN: Sale of Excess Real Property) The department is authorized to retain revenues associated with the sale of excess real property owned by, under the control of, or assigned to the department and may expend these funds as grants to purchase or build community

**SECTION 36 - J16-DEPARTMENT OF DISABILITIES AND
SPECIAL NEEDS**

residences and day program facilities for the individuals DDSN serves. The department shall follow all the policies and procedures of the Department of Administration or State Fiscal Accountability Authority and the Joint Bond Review Committee.

36.3. (DDSN: Prenatal Diagnosis) Revenues not to exceed \$126,000 from client fees, credited to the debt service fund and not required to meet the department's debt service requirement, may be expended only in the current fiscal year to promote expanded prenatal diagnosis of intellectual and/or other related disabilities by the Greenwood Genetic Center.

36.4. (DDSN: Medicaid-Funded Contract Settlements) The department is authorized to carry forward and retain settlements under Medicaid-funded contracts.

36.5. (DDSN: Departmental Generated Revenue) The department is authorized to continue to expend departmental generated revenues that are authorized in the budget.

36.6. (DDSN: Transfer of Capital/Property) The department may transfer capital to include property and buildings to local DSN providers with State Fiscal Accountability Authority approval.

36.7. (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by selected unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of Disabilities and Special Needs, provided such selected unlicensed persons have documented medication training and skill competency evaluation. Licensed nurses may train and supervise selected unlicensed persons to provide medications and, after reviewing competency evaluations, may approve selected unlicensed persons for the provision of medications. The provision of medications by selected unlicensed persons is limited to oral and topical medications and to regularly scheduled insulin and prescribed anaphylactic treatments under established medical protocol and does not include sliding scale insulin or other injectable medications. The selected unlicensed persons shall be protected against tort liability provided their actions are within the scope of their job duties and the established medical protocol.

The Department of Disabilities and Special Needs shall establish curriculum and standards for training and oversight.

This provision shall not apply to a facility licensed as an intermediate care facility for individuals with intellectual and/or related disability.

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36.8. (DDSN: Pervasive Developmental Disorder) The Department of Disabilities and Special Needs, as the agency authorized to treat autistic disorder, is designated for a Medicaid project to treat children who have been diagnosed by eight years of age with a pervasive developmental disorder. The project must target the youngest ages feasible for treatment effectiveness, treatment for each individual child shall not exceed three years without a special exception as defined in the waiver, and reimbursement for each individual participant may not exceed \$50,000 per year. The Department of Disabilities and Special Needs and the Department of Health and Human Services will determine the areas of the State with the greatest need and availability of providers. Children participating in the project will be selected based upon an application system developed in compliance with the Medicaid waiver. Treatment will be provided as authorized and prescribed by the department according to the degree of the developmental disability. In authorizing and prescribing treatment the department may award grants or negotiate and contract with public or private entities to implement intervention programs, which must comply with Medicaid reimbursement methodologies, for children who have been diagnosed with a pervasive developmental disorder. "Pervasive developmental disorder" means a neurological condition, including autistic disorder and Asperger's syndrome, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. The department shall report semi-annually to the General Assembly and the Governor on the developmental progress of the children participating in the project and the fiscal status of the project, to include expenditure data and appropriation balances. This provision does not establish or authorize creation of an entitlement program or benefit.

36.9. (DDSN: Child Daycare Centers) Of the funds appropriated to the department, the department shall provide reimbursement for services provided to department eligible children at daycare centers previously under contract prior to December 31, 2008. The reimbursement shall not be less than eighty percent of the amount reimbursed in the previous fiscal year. By September fifteenth, the department must transfer \$100,000 to the Anderson County Disabilities Board for the provision of these services.

36.10. (DDSN: Debt Service Account) The department shall utilize the uncommitted dollars in their debt service account, account E164660,

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for operations and services that are not funded in the appropriations bill. By August first, the department must report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on the remaining balance in this account and on the amounts and purposes for which the account was used in the prior fiscal year.

36.11. (DDSN: Traumatic Brain Injury) Funds appropriated to the agency for Traumatic Brain Injury/Spinal Cord Injury Post-Acute Rehabilitation shall be used for that purpose only. In the event the department receives a general fund reduction in the current fiscal year, any reductions to the post-acute rehabilitation funding shall not exceed reductions in proportion to the agency as a whole.

36.12. (DDSN: Greenwood Genetic Center Autism Research) The department is authorized to transfer up to \$500,000 of unencumbered funds from the PDD autism waiver to the Greenwood Genetic Center for autism research.

36.13. (DDSN: Medicaid Direct Billing) The department shall facilitate Medicaid direct billing for all providers, including local disabilities and special needs boards, who choose to initiate the direct billing process regardless of the receipt of capital grant funds from the department for the specific facility involved. All entities receiving capital grant funds must use the funds as originally specified in the award. If the purpose or use of a facility constructed or purchased with departmental grant funds is altered without the department's approval, the entity must repay the department the amount of the funds awarded. The use of direct billing shall not be construed as a change in the purpose or use of a facility.

36.14. (DDSN: Carry Forward Authorization) For the current fiscal year, the department is authorized to carry forward any balance of General Funds appropriated for the reduction of the department's waiting lists in the prior fiscal year and must utilize these funds for the same purpose in the current fiscal year. Within thirty days after the close of the fiscal year, the department shall report the balance carried forward to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

36.15. (DDSN: Service Providers Expenditure Requirement) For the current fiscal year, in order to accommodate service provider infrastructure needs resulting from the reductions in the department's waiting lists, service providers including local disabilities and special

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needs boards are authorized to carry forward from the prior fiscal year unexpended funds based on a ninety percent expenditure requirement for capitated services. Service providers shall not withhold services in order to generate funds to be carried forward. The expenditure requirement shall not affect the department's three month reserve limitation policy.

36.16. (DDSN: LAC Audit Recommendations Report) The department shall provide a status report on the implementation of the recommendations contained in the Legislative Audit Council's report "S.C. Department of Disabilities and Special Needs' Process to Protect Consumers from Abuse, Neglect, and Exploitation, Administrative Issues, and a Follow Up to Our 2008 Audit". The report shall include, but not be limited to, a delineation of each Legislative Audit Council recommendation and the status of the department's actions regarding each recommendation. If no action was taken on a recommendation, an explanation as to the reason shall be included in the report. The report shall be provided to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee and shall be prominently posted on the department's website no later than December 31, 2015.

**SECTION 37 - J20-DEPARTMENT OF ALCOHOL AND
OTHER DRUG ABUSE SERVICES**

37.1. (DAODAS: Training & Conference Revenue) The department may charge fees for training events and conferences. The revenues from such events shall be retained by the department to increase education and professional development initiatives.

37.2. (DAODAS: Gambling Addiction Services) In that gambling is a serious problem in South Carolina, the department through its local county commissions may provide, from funds appropriated to the department, information, education, and referral services to persons experiencing gambling addictions.

37.3. (DAODAS: Medicaid Match Transfer) At the beginning of the fiscal year, the Department of Alcohol and Other Drug Abuse Services will transfer \$1,915,902 to the Department of Health and Human Services to meet federal Medicaid Match participation requirements for the delivery of alcohol and other drug abuse services to the Medicaid beneficiary population.

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37.4. (DAODAS: Health Information Technology) The Department of Alcohol and Other Drug Abuse Services shall work with Department of Health and Human Services and each county's designated alcohol and drug abuse authorities to pursue funding to aid in purchasing the appropriate Certification Commission for Health Information Technology (CCHIT) behavioral health Electronic Health Records (EHR) system for the authorities. The new system shall streamline the 301 system and shall contain CCHIT certified programming that will have the capability of interoperability with other state agencies such as the Department of Health and Human Services and Federally Qualified Health Centers. The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall work together to determine if additional funding may be available to assist in offsetting the costs associated with the new system implementation through the Medicare and Medicaid EHR Incentive Program or any other grant programs.

SECTION 38 - L04-DEPARTMENT OF SOCIAL SERVICES

38.1. (DSS: Fee Retention) The Department of Social Services shall recoup all refunds and identified program overpayments and all such overpayments shall be recouped in accordance with established collection policy. Funds of \$800,000 collected under the Child Support Enforcement Program (Title IV-D) which are state funds shall be remitted to the State Treasurer and credited to the General Fund of the State. All state funds above \$800,000 shall be retained by the department to fund Self-Sufficiency and Family Preservation and Support initiatives.

38.2. (DSS: Recovered State Funds) The department shall withhold a portion of the State Funds recovered, under the Title IV-D Program, for credit to the general fund in order to allow full participation in the federal "set off" program offered through the Internal Revenue Service, the withholding of unemployment insurance benefits through the Department of Employment and Workforce and reimbursement for expenditures related to blood testing. Such funds may not be expended for any other purpose. The Department of Social Services shall be allowed to utilize the State share of Federally required fees, collected from non-TANF clients, in the administration of the Child Support Enforcement Program. Such funds may not be expended for any other

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purpose. However, this shall not include Child Support Enforcement Program incentives paid to the program from federal funds to encourage and reward cost effective performance. Such incentives are to be reinvested in the program to increase collections of support at the state and county levels in a manner consistent with federal laws and regulations governing such incentive payments. The department shall not use clerk of court incentive funds to replace agency operating funds. Such funds shall be remitted to the appropriate state governmental entity to further child support collection efforts.

38.3. (DSS: Foster Children Burial) The expenditure of funds allocated for burials of foster children shall not exceed one thousand five hundred dollars per burial.

38.4. (DSS: Battered Spouse Funds) Appropriations included in Subprogram II.J entitled Battered Spouse shall be allocated through contractual agreement to providers of this service. These appropriations may also be used for public awareness and contracted services for victims of this social problem including the abused and children accompanying the abused. Such funds may not be expended for any other purpose nor be reduced by any amount greater than that stipulated by the Executive Budget Office or the General Assembly for the agency as a whole.

38.5. (DSS: Court Examiner Service Exemption) In order to prevent the loss of federal funds to the State, employees of the Department of Social Services whose salaries are paid in full or in part from federal funds will be exempt from serving as court examiners.

38.6. (DSS: TANF Advance Funds) The Department of Social Services is authorized to advance sufficient funds during each fiscal year from the Temporary Assistance for Needy Families Assistance Payments general fund appropriations to the Temporary Assistance for Needy Families Assistance Payments federal account only for the purpose of allowing a sufficient cash flow in the federal account. The advance must be refunded no later than April of the same fiscal year. Upon the advance of funds as provided herein, the Comptroller General is authorized to process the July voucher for the funding of benefit checks.

38.7. (DSS: Fee Schedule) The Department of Social Services shall be allowed to charge fees and accept donations, grants, and bequests for social services provided under their direct responsibility on the basis of a fee schedule. The fees collected shall be utilized by the Department of

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Social Services to further develop and administer these program efforts.
The below fee schedule is established for the current fiscal year.

Day Care	
Family Child Care Homes (up to six children)	\$15
Group Child Care Homes (7-12 children)	\$30
Registered Church Child Care (13+)	\$50
Licensed Child Care Centers (13-49)	\$50
Licensed Child Care Centers (50-99)	\$75
Licensed Child Care Centers (100-199)	\$100
Licensed Child Care Centers (200+)	\$125
Central Registry Checks	
Nonprofit Entities	\$8
For-profit Agencies	\$25
State Agencies	\$8
Schools	\$8
Day Care	\$8
Other – Volunteer Organizations	\$8
Other Children's Services	
Services Related to Adoption of Children from	
Other Countries	\$225
Court-ordered Home Studies in non-DSS Custody Cases	\$850
Licensing Residential Group Homes Fee for an	
Initial License	\$250
For Renewal	\$75
Licensing Child Caring Institutions Fee for an	
Initial License	\$500
For Renewal	\$100
Licensing Child Placing Agencies Fee for an	
Initial License	\$500
For Renewal	\$60
For Each Private Foster Home Under the Supervision of a Child Placing Agency	\$15
Responsible Father Registry	
Registry Search	\$50

38.8. (DSS: Food Stamp Fraud) The state portion of funds recouped from the collection of recipient claims in the TANF and Food Stamp programs shall be retained by the department. A portion of these funds shall be distributed to local county offices for emergency and program operations.

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38.9. (DSS: TANF - Immunizations Certificates) The department shall require all TANF applicants and/or recipients to provide proof of age appropriate immunizations for children. If such immunizations have not been administered, the department shall assist in referring applicants to appropriate county health departments to obtain the immunizations.

38.10. (DSS: County Directors' Pay) With respect to the amounts allocated to the Department of Social Services for Employee Pay Increase in this act, the Department of Social Services is authorized to allot funds for pay increases to individual county directors and regional directors in classified positions without uniformity. Pay increases for DSS county directors and regional directors shall be administered in accordance with the guidelines established by the Department of Administration for Executive Compensation System and other nonacademic unclassified employees. Any employees subject to the provisions of this paragraph shall not be eligible for any other compensation increases provided in this act.

38.11. (DSS: Use of Funds Authorization) Department investigative units shall be authorized to receive and expend funds awarded to these units as a result of a donation, contribution, prize, grant, and/or court order. These funds shall be retained by the department on behalf of the investigative units and deposited in a separate, special account and shall be carried forward from year to year and withdrawn and expended as needed to fulfill the purposes and conditions of the donation, contribution, prize, grant, and/or court order, if specified, and if not specified, as may be directed by the Director of the Department of Social Services. These accounts shall not be used to supplant operating funds in the current or future budgets. The agency shall report to the Senate Finance Committee and Ways and Means Committee by January thirtieth of the current fiscal year on the amount of funds received and how expended.

38.12. (DSS: Use of Funds Authorization) Unless specifically directed by the General Assembly, when DSS is directed to provide funds to a not-for-profit or 501(c)(3) organization, that organization must use the funds to serve persons who are eligible for services in one or more DSS programs.

38.13. (DSS: Grant Authority) The Department of Social Services is authorized to make grants to community-based not-for-profit organizations for local projects that further the objectives of DSS programs. The department shall develop policies and procedures and may promulgate regulations to assure compliance with state and federal

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requirements associated with the funds used for the grants and to assure fairness and accountability in the award and administration of these grants. The department shall require a match from all grant recipients.

38.14. (DSS: Family Foster Care Payments) The Department of Social Services shall furnish as Family Foster Care payments for individual foster children under their sponsorship:

ages	0 - 5	\$383	per month
ages	6 - 12	\$458	per month
ages	13 +	\$518	per month

These specified amounts are for the basic needs of the foster children. Basic needs within this proviso are identified as food (at home and away), clothing, housing, transportation, education and other costs as defined in the U.S. Department of Agriculture study of "Annual Cost of Raising a Child to Age Eighteen". Further, each agency shall identify and justify, as another line item, all material and/or services, in excess of those basic needs listed above, which were a direct result of a professional agency evaluation of clientele need. Legitimate medical care in excess of Medicaid reimbursement or such care not recognized by Medicaid may be considered as special needs if approved by the sponsoring/responsible agency and shall be reimbursed by the sponsoring agency in the same manner of reimbursing other special needs of foster children.

38.15. (DSS: Penalty Assessment) The Department of Social Services may impose monetary penalties against a person, facility, or other entity for violation of statutes or regulations pertaining to programs, other than foster home licensing, that the department regulates. Penalties collected must be remitted to the State Treasurer for deposit into the State General Fund. The department shall promulgate regulations for each program in which penalties may be imposed. The regulations must include guidance on the decision to assess a penalty, the effect of failure to pay a penalty in a timely manner, and a schedule of penalty ranges that takes into account severity and frequency of violations. These regulations must provide for notice of the penalty and the right to a contested case hearing before a designee of or panel appointed by the director of the department. Judicial review of the final agency decision concerning a penalty must be in accordance with statutes or regulations that apply to judicial review of final revocation and denial decisions in that particular program. The department, in accordance with regulations promulgated pursuant to this provision, shall have discretion in determining the appropriateness of assessing a

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monetary penalty against a person or facility and the amount of the penalty. The authority to assess monetary penalties shall be in addition to other statutory provisions authorizing the department to seek injunctive relief or to deny, revoke, suspend, or otherwise restrict or limit a license or other types of operating or practice registrations, approvals, or certificates.

38.16. (DSS: Child Support Enforcement Automated System Carry Forward) The department shall be authorized to retain and carry forward any unexpended funds appropriated for the Child Support Enforcement automated system and related penalties.

38.17. (DSS: Child Support Enforcement System) From the funds appropriated in Part IA, Section 38(F), the Department of Social Services shall prepare a detailed report on the status of the Child Support Enforcement System. The report shall include, but not be limited to, actions currently being undertaken to become compliant with federal government requirements; the cost required to meet minimum federal guidelines; total funds spent so far on the system; the amount of fines assessed by the federal government associated with noncompliance; how much has been spent to satisfy actions taken by the state judicial system; and how much has been spent related to actions taken by any other entity which may have altered the amount required for meeting minimum federal guidelines. The report shall be submitted to the General Assembly by August thirty-first of the current fiscal year.

38.18. (DSS: Child Care Voucher) State funds allocated to the Department of Social Services and used for child care vouchers must be used to enroll eligible recipients within provider settings exceeding the state's minimum child care licensing standards. The department may waive this requirement on a case by case basis.

38.19. (DSS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor declares a state of emergency.

38.20. (DSS: Day Care Facilities Supervision Ratios) For the current fiscal year, staff-child ratios contained in Regulations 114-504(B), 114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

38.21. (DSS: Foster Care Goals) To comply with the requirements of 42 U.S.C. Section 671(a)(14) and 45 C.F.R. Section 1356.21(n), it shall be the goal of the state that the maximum number of Title IV-E funded

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children who will remain in foster care for more than twenty-four months will not exceed a total of 2,617 during the fiscal year. The Department of Social Services shall develop appropriate plans for timely permanency and use appropriate data benchmarks and targets that will achieve this goal.

38.22. (DSS: Comprehensive Teen Pregnancy Prevention Funding)

(A) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, the department must award the dollars allocated to a nonprofit 501(c)(3) entity to provide abstinence first, age appropriate comprehensive approach to health and sexuality education with a goal of preventing adolescent pregnancy throughout South Carolina.

(B) Contracts must be awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

(C) The monies appropriated must be paid over a twelve month basis for services rendered. Unexpended funds shall be carried forward for the purpose of fulfilling the department's contractual agreement.

(D) The programs implemented by the entity awarded a contract pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

38.23. (DSS: SNAP Coupons) The Department of Social Services shall continue the "Healthy Bucks" program established to provide coupons that allow Supplemental Nutrition Assistance Program (SNAP) recipients to obtain additional fresh fruits and vegetables when purchasing fresh produce at grocery stores or farmers markets with SNAP benefits through their EBT cards. Each coupon shall allow the beneficiary to double the amount of produce purchased, up to ten dollars per month. The agency shall utilize all funds received in the prior and current fiscal years from the U.S. Department of Agriculture as a bonus for reducing the error rate in processing SNAP applications to fund the program. The agency shall work to identify and utilize funds as matching dollars for the continued success of the "Healthy Bucks" program and shall report semi-annually to the General Assembly on the status of the program. The report shall include, at a minimum, the number of recipients, counties served, and cumulative expenditure data for the program.

38.24. DELETED

38.25. DELETED

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38.26. DELETED

38.27. DELETED

**38.28. (DSS: Child Care Facilities Floor Beds) From funds appropriated to the department, a child care facility that provides child care services utilizing the practice of a documented educational curriculum including the least restrictive environment for infants may use floor beds in the facility instead of cribs.*

38.29. (DSS: Local Child Fatality Review Committees) For Fiscal Year 2015-16, the Director of the Department of Social Services shall create and fund Local Child Fatality Review Committees (local committees) pursuant to the authority granted in Sections 43-1-60(3), 43-1-80, and 63-7-910(E) of the 1976 Code to allow for the rapid and expeditious review of reported child fatalities which come within the investigative authority of the department. Each local committee shall be composed of a board-certified child abuse pediatrician and representatives from law enforcement, the coroner's office, the Department of Social Services, public health, the solicitor's office and, as necessary, healthcare workers, mental health providers, educators, and the Children's Advocacy Centers. The department is authorized to provide reasonable compensation for board-certified child abuse pediatricians serving on a Local Child Fatality Review Committee. Local committees shall have access to information and records maintained by a provider of medical care regarding a child whose death is being reviewed by the local committee, including information on prenatal care; all information and records maintained by any state, county, or local government agency, including, but not limited to, birth certificates, law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and records, and information and records of health agencies that provided services to the child or family; and unfounded reports of abuse or neglect made strictly confidential and whose disclosure is otherwise prohibited by statute. Further, local committees shall have the same authority as the State Child Fatality Advisory Committee to obtain information as set forth in Section 63-11-1970. The meetings, information obtained by, reports prepared by, and testimony before the local committees are confidential and protected from the Freedom of Information Act, criminal and civil proceedings, and subpoenas to the same extent as the State Child Fatality Advisory Committee as set forth in Sections 63-11-1980 and 63-11-1990.

* See note at end of Act.

SECTION 38 - L04-DEPARTMENT OF SOCIAL SERVICES**38.30. DELETED****SECTION 39 - L24-COMMISSION FOR THE BLIND**

39.1. (BLIND: Matching Federal Funds) For the current fiscal year the amount appropriated in this section under Program II for Rehabilitative Services is conditioned upon matching by federal funds to the maximum amount available under the Federal Vocational Rehabilitation Program.

39.2. DELETED**SECTION 42 - L32-HOUSING FINANCE AND
DEVELOPMENT AUTHORITY**

42.1. (HFDA: Federal Rental Assistance Administrative Fee Carry Forward) All federal rental assistance administrative fees shall be carried forward to the current fiscal year for use by the authority in the administration of the federal programs under contract with the authority.

42.2. (HFDA: Program Expenses Carry Forward) For the prior fiscal year monies withdrawn from the authority's various bond-financed trust indentures and resolutions, which monies are deposited with the State Treasurer to pay program expenses, may be carried forward by the authority into the current fiscal year.

42.3. (HFDA: Advisory Committee Mileage Reimbursement) Members of the nine member South Carolina Housing Trust Fund Advisory Committee are eligible for mileage reimbursement at the rate allowed for state employees as established in Proviso 117.20(J) (Travel-Subsistence Expenses & Mileage) in this act.

42.4. (HFDA: Allocation of Indirect Cost Recoveries) The authority shall deposit in the state general fund indirect cost recoveries for the authority's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The authority shall retain recoveries in excess of the SWCAP amount to be deposited in the state general fund.

SECTION 43 - P12-FORESTRY COMMISSION

43.1. (FC: Grant Funds Carry Forward) The Forestry Commission is authorized to use unexpended federal grant funds in the current year to pay for expenditures incurred in the prior year.

SECTION 43 - P12-FORESTRY COMMISSION

43.2. (FC: Retention of Emergency Expenditure Refunds) The Forestry Commission is authorized to retain all funds received as reimbursement of expenditures from other state or federal agencies when personnel and equipment are mobilized due to an emergency.

43.3. (FC: Commissioned Officers' Physicals) The Forestry Commission is authorized to pay the cost of physical examinations for agency personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

43.4. (FC: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Forestry Commission may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the agency director, and providing funds are available.

SECTION 44 - P16-DEPARTMENT OF AGRICULTURE

44.1. (AGRI: Market Bulletin) The Market Bulletin shall be mailed only to those persons who request it in writing and a record of each request shall be maintained by the department. Provided further, that the Department of Agriculture is authorized to charge a yearly subscription fee to each person requesting the bulletin and may charge for classified advertisements printed in the bulletin. The funds collected pursuant to this provision shall be retained by the department to defray the costs of publication and related incidental expenses.

44.2. (AGRI: Fruit/Vegetable Inspectors Subsistence) A daily subsistence allowance of up to \$30.00 may be allowed for temporarily employed fruits and vegetables inspectors from funds generated by fruits and vegetables inspection fees and budgeted under other funds in Program IV Marketing Services, D. Inspection Services, in lieu of reimbursements for meals and lodging expense.

44.3. (AGRI: Warehouse Receipts Guaranty Fund) The Department of Agriculture may retain and expend fifty thousand dollars from the Warehouse Receipts Guaranty Fund established by Section 39-22-150 of the 1976 Code as is necessary for the department to administer the funding of the program.

44.4. (AGRI: Weights & Measures Registration) All servicepersons required to be registered with the Department of Agriculture pursuant to the provisions of Section 39-9-65 of the 1976 Code shall pay to the department a registration fee of \$25.00. Revenues generated by this

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provision shall be for use by the Department of Agriculture to offset expenses incurred in administering this registration program.

44.5. (AGRI: Sale of Property Revenue) The department may retain revenues associated with the sale of the property titled to or utilized by the department, except for the State Farmers Market property, and must expend these funds on capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority. The department must continue to occupy any property until replacement capital improvements are completed.

44.6. (AGRI: Farmers Market Revenue) The revenues associated with the sale of the State Farmers Market shall be deposited into a separate restricted special account under the authority of the State Fiscal Accountability Authority. These funds and accrued interest may only be expended for relocating and reestablishing the State Farmers Market after approval by the Joint Bond Review Committee and the State Fiscal Accountability Authority.

44.7. (AGRI: Export Certification) The Department of Agriculture is allowed to charge up to \$250 for each export certification of agricultural products and to retain revenues to offset expenses incurred in performing certifications.

44.8. (AGRI: Feed Label Registration) The Department of Agriculture is authorized to require the annual registration of feed labels by manufacturers and to charge a fee of \$15.00 for such registrations. Revenues generated by these fees shall be retained and used by the department to offset expenses incurred in operating the Feed Inspection Program.

SECTION 45 - P20-CLEMSON UNIVERSITY - PSA

45.1. (CU-PSA: Phytosanitary Certificates) Revenues collected from the issuance of phytosanitary certificates shall be retained by the Division of Regulatory and Public Service for the purpose of carrying out phytosanitary inspections.

45.2. (CU-PSA: Witness Fee) The Public Service Activities of Clemson University are hereby authorized to charge a witness fee of \$100.00 per hour up to \$400.00 per day for each employee testifying as an expert witness in civil matters which do not involve the State as a party in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and deposited into a designated revenue account.

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45.3. (CU-PSA: Nursery/Nursery Dealer Registration Fee) The Division of Regulatory and Public Service Programs is authorized to retain up to \$92,000 of revenue collected from the issuance of Nursery/Nursery Dealer Fees for the purpose of carrying out nursery/nursery dealer inspections. Revenue collected from this fee above \$92,000 shall be deposited into the general fund.

45.4. (CU-PSA: Retention of Fees) All revenues collected from the regulatory programs of agrichemical, plant industry and crop protection including: fertilizer, lime, and soil amendments registration fees; pesticide licensing fees; seed certification fees; and fertilizer tax/inspection fees must be retained by Clemson University PSA regulatory programs.

45.5. (CU-PSA: Pesticide Registration) All revenues collected from pesticide registration fees and revenue collected from structural pest control businesses for business licensing must be retained by Clemson University PSA Regulatory and Public Service Programs to support general regulatory, enforcement, and education programs and to carry out provisions of the South Carolina Pesticide Control Act and regulations related to it.

45.6. (CU-PSA: Lime Inspection Fee) The Public Service Activities of Clemson University are hereby authorized to charge an inspection fee of \$0.50 per ton on Agricultural Liming Materials sold or distributed in this state. Clemson University-PSA may retain, expend, and carry forward these funds to maintain its programs.

45.7. (CU-PSA: Livestock-Poultry Health Programs) For the current fiscal year Clemson University Public Service Activities shall maintain operation of the state Meat Inspection Program. All revenues and recoveries from USDA Food Safety Inspection Services and from USDA Animal and Plant Health Inspection Services for Clemson University PSA's Livestock-Poultry Health Programs and its departments shall be retained by Clemson University-PSA's Livestock-Poultry Health Program for purposes of carrying out the operation of its programs.

45.8. (CU-PSA: Boll Weevil Eradication) For the current fiscal year Clemson University Public Services Activities shall maintain operation of the Boll Weevil Eradication Program. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or the General Assembly, the amount appropriated for the Boll Weevil Eradication Program shall be excluded from Clemson PSA's base budget. In the event of such a reduction Clemson PSA may reduce

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the amount of funds appropriated for this program by an amount not to exceed the percentage associated with the mandated reduction.

45.9. (CU-PSA: Landplaster Inspection Fee) For the purpose of regulating its use as applied to land for crop production, landplaster (gypsum), shall be defined as a product consisting chiefly of calcium sulfate with two combined water ($\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$) and is incapable of neutralizing soil acidity. It shall contain not less than seventy percent $\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$. All registrants of landplaster who sell or distribute in this state that previously were required to pay an inspection fee of \$1.50 per ton shall now pay to Clemson University Regulatory Services an inspection fee of fifty cents for each ton sold. Clemson University-PSA may retain, expend, and carry forward these funds from the prior fiscal year into the current fiscal year to maintain its programs.

SECTION 47 - P24-DEPARTMENT OF NATURAL RESOURCES

47.1. (DNR: Publications Revenue) For the current fiscal year all revenue generated from the sale of the "South Carolina Wildlife" magazine, its by-products and other publications, shall be retained by the department and used to support the production of same in order for the magazine to be self-sustaining. In addition, the department is authorized to sell advertising in the magazine and to increase the magazine's subscription rate, if necessary, to be self-sustaining. No general funds may be used for the operation and support of the "South Carolina Wildlife" magazine.

47.2. (DNR: Casual Sales Tax Collection) The Department of Natural Resources shall continue to collect the casual sales tax as contained in the contractual agreement between the Department of Revenue and the Department of Natural Resources and the State Treasurer is authorized to reimburse the department on a quarterly basis for the actual cost of collecting the casual sales tax and such reimbursement shall be paid from revenues generated by the casual sales tax.

47.3. (DNR: Proportionate Funding) Each of South Carolina's forty-six soil and water conservation districts shall receive a proportionate share of funding set aside for Aid to Conservation Districts at \$15,000 per district for general assistance to the district's program. Available funding above \$15,000 for each district will be apportioned by the Department of Natural Resources based upon local needs and priorities as determined by the board. During the fiscal year, the

SECTION 47 - P24-DEPARTMENT OF NATURAL
RESOURCES

districts' funding may only be reduced in an amount not to exceed the percentage of each agency budget reduction. No district shall receive any funds under this provision unless the county or counties wherein the district is located shall have appropriated no less than three hundred dollars to the district from county funds for the same purposes.

47.4. (DNR: Carry Forward - Contract for Goods & Services) If any funds accumulated by the Department of Natural Resources Geology Program, under contract for the provision of goods and services not covered by the department's appropriated funds, are not expended during the preceding fiscal years, such funds may be carried forward and expended for the costs associated with the provision of such goods and services.

47.5. (DNR: Revenue Carry Forward) The department may collect, expend, and carry forward revenues derived from the sale of goods and services in order to support aerial photography, map services, climatology data, and geological services. The department shall annually report to the Senate Finance Committee and the House Ways and Means Committee the amount of revenue generated from the sale of these goods and services.

47.6. (DNR: Clothing Allowance) The Department of Natural Resources is hereby authorized to provide Natural Resource Enforcement Officers on special assignment with an annual clothing allowance (on a prorata basis) not to exceed \$600 per officer for required clothing used in the line of duty.

47.7. (DNR: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

47.8. (DNR: Cormorant Control) The Department of Natural Resources shall continue to coordinate a public Cormorant control program with the US Fish and Wildlife Service for Lake Marion and Moultrie. The department shall try to coordinate with the Army Corp of Engineers, Santee Cooper, and the USFWS to include waters above and below each spillway, Wildlife Management Areas, and national refuges. The department shall assess the need to expand the program to other public waters and implement a plan if warranted. If the USFWS allows continuation of the control program, the department shall establish an online method of permitting.

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RESOURCES**

47.9. (DNR: Web Services and Technology Development) The department may carry forward any unexpended general fund balance remaining on the Other Operating Expenses line, identified in the "Web Services and Technology Development" program of the department appropriations from Part IA in this Act. Balances carried forward from the prior fiscal year are only authorized to be expended to support technology operating expenses within the department.

47.10. DELETED

SECTION 48 - P26-SEA GRANT CONSORTIUM

48.1. (SGC: Publications Revenue) Funds generated by the sale of pamphlets, books, and other promotional materials, the production of which has been paid for by non-state funding, may be deposited in a special account by the consortium and utilized as other funds for the purchase of additional pamphlets, books, and other promotional materials for distribution to the public.

**SECTION 49 - P28-DEPARTMENT OF PARKS,
RECREATION AND TOURISM**

49.1. (PRT: Tourism and Promotion) The funds appropriated in this act for Regional Promotions shall be distributed equally to the eleven Regional Tourism groups, except that the Grandstrand Tourism Region's funds shall be divided, with \$50,000 distributed to the Myrtle Beach Chamber of Commerce, \$115,000 distributed to the Georgetown Chamber of Commerce, \$30,000 distributed to the City of Georgetown, and \$30,000 distributed to the Williamsburg Chamber of Commerce for tourism related activities. The Myrtle Beach Chamber of Commerce and the Georgetown Chamber of Commerce shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.

49.2. (PRT: Destination Specific Tourism Marketing) The minimum grant awarded by the Destination Specific Tourism Program shall be \$250,000. Each state dollar must be matched with two dollars of private funds. An organization receiving a state grant must certify that, as of the date of the application: (i) the private funds are new dollars specifically designated for the purpose of matching state funds; (ii) the

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private funds have not been previously allocated or designated for tourism-related destination marketing; (iii) the organization has on hand or has an approved line of credit of not less than the amount of private funds needed to provide the required match. Organizations applying for a grant must include in the grant application, information on how the organization proposes to measure the success of the marketing and public relations program, including the estimated return on investment to the state. Promotional programs proposed by an applicant must be based on research-based outcomes. Grants must be made only to organizations that have a proven record of success in creating and sustaining new and repeat visitation to its area and must have sufficient resources to create, plan, implement, and measure the marketing and promotional efforts undertaken as a part of the program. The department must award a grant only to one qualified destination marketing organization within their tourism region where the organization's private funds are raised. An organization receiving a grant must use the public and private funds only for the purpose of destination specific marketing and public relations designed to target international and/or domestic travelers outside the state to destinations within the state. All grants that qualify under the program must be funded if funds are available. Funding of all qualified grants will be on a first come first served basis with such basis retained throughout the term of this proviso. No organization shall receive in the first quarter more than fifty percent of the state dollars allocated to the program. If by the end of the third quarter matching funds are still available with no other organizations meeting the criteria for funding, the funds will be distributed to the organization or organizations that have and can meet all of the requirements of this proviso. Grant recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the director of the Department of Parks, Recreation and Tourism on the expenditure of the grants funds and on the proposed outcome measures.

*****49.3. (PRT: Advertising Funds Use and Carry Forward) The Department of Parks, Recreation and Tourism may carry forward any unexpended funds appropriated on the Advertising line within Program II. A. Tourism Sales and Marketing from the prior fiscal year into the current fiscal year to be used for the same purposes which include the Tourism Partnership Fund, Destination Specific***

** See note at end of Act.

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Marketing Grants and the agency advertising fund. \$250,000 of the funds appropriated for the Advertising line within Program II. A. Tourism Sales and Marketing shall be provided to the Charleston Area Convention & Visitors Bureau for special event promotion.

49.4. (PRT: Film Marketing) From the funds authorized to the Department of Parks, Recreation and Tourism in Section 49, Part IA of this Act for the South Carolina Film Commission, the department may use the film marketing funds for the following purposes: (1) to allow for assistance with recruitment and infrastructure development of the film industry; (2) to develop a film crew base; (3) to develop ally support in the film industry; (4) marketing and special events; and (5) to allow for assistance with the auditing and legal service expenses associated with the Motion Picture Incentive Act.

49.5. (PRT: Motion Picture Administration Application Fee) The Department of Parks, Recreation and Tourism may charge an application fee for the Motion Picture Incentive programs and may retain and expend these funds for the purposes of meeting administrative, data collection, credit analysis, cost-benefit analysis, reporting and auditing, and other statutory obligations. A fee schedule must be established and approved by the Director of the Department of Parks, Recreation and Tourism.

49.6. (PRT: Gift Shops) At the discretion of the Department of Parks, Recreation and Tourism, the State House Gift Shop may close on weekends.

49.7. (PRT: PARD Interest) The department is hereby prohibited from utilizing the interest generated in the PARD program for anything other than the uses authorized by the law creating PARD. Should the PARD account not reach the required amount of \$920,000 to activate the minimum \$20,000 per county distribution, the department shall carry forward the funding until such time as the funds are sufficient to distribute as originally intended.

49.8. (PRT: Wage and Supplier Rebate Funds) From the funds set aside pursuant to the Motion Picture Incentive Act, any funds committed to film projects shall be carried forward from the prior fiscal year and used for the same purpose. Any uncommitted funds shall be carried forward from the prior fiscal year and may be used by the department for the same purpose, deferred maintenance and capital projects at state parks and Welcome Centers, and for Marketing/Advertising. Prior to the funds being utilized for the state's Welcome Centers the funds shall be placed in a separate and distinct fund prior to July thirtieth of the

**SECTION 49 - P28-DEPARTMENT OF PARKS,
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current fiscal year and the interest accrued by the fund must remain in the fund. Of the funds placed into the separate and distinct fund in the current fiscal year, up to ten percent may be utilized for operating costs directly related to the Welcome Centers. These funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purpose.

49.9. (PRT: Funds Exempt from Budget Cut) In the calculation of any across the board cut mandated by the Executive Budget Office or the General Assembly, any amounts appropriated for pass through, special items, or other items specified in any general proviso, which are exempt from reduction, shall be excluded from the Department of Parks, Recreation and Tourism's base budget.

49.10. (PRT: PARD) The Department of Parks, Recreation, and Tourism shall be authorized to expend restricted funds for the Parks and Recreation Development Fund (PARD) in accordance with the Section 51-23-20 of the 1976 Code, Regulations, and generally accepted accounting standards. The department is allowed to reimburse PARD grantees from current year funds for prior year expenditures for a period of three years as allowed in Section 51-23-30 of the 1976 Code.

49.11. (PRT: Admission Fees and Charges) The department may impose reasonable fees and charges for admission to and/or use of park and recreational facilities and the revenues from such fees and charges must be used for park and recreational uses.

49.12. (PRT: Vending Services) The State Park Service, an office within the Department of Parks, Recreation, and Tourism shall be granted an exemption requiring the State Park Service to use the Commission for the Blind for vending services. All revenues earned by vending and retail operations at the State Parks shall be retained by the department to support the operational costs of the South Carolina State Parks. These funds may be carried forward from the prior fiscal year and must be used for the same purpose. This exemption does not apply to vending services at the State Welcome Centers.

49.13. DELETED

49.14. (PRT: Football Exhibition Funding) The funds appropriated to the Department of Parks, Recreation and Tourism for Football Exhibition Games and carried forward into FY 2015-16 shall be made available to the Medal of Honor Bowl by September 1, 2015.

SECTION 50 - P32-DEPARTMENT OF COMMERCE

50.1. (CMRC: Development - Publications Revenue) The proceeds from the sale of publications may be retained in the agency's printing, binding, and advertising account to offset increased costs.

50.2. (CMRC: Economic Dev. Coordinating Council - Set Aside Fund) From the amount set aside in Section 12-28-2910, the council is authorized to use up to ten percent of such amount for actual operating expenses in support of administrative program costs and business recruitment and retention and up to \$60,000 to support the Geographic Information Systems (GIS) program, as approved by council. Any balance on June thirtieth of the prior fiscal year may be carried forward and expended for the same purposes in the current fiscal year.

50.3. (CMRC: Coordinating Council Funds) In order to provide maximum flexibility to encourage the creation of new jobs and capital investment, the Coordinating Council for Economic Development has the authority to transfer economic development funds at its disposal to the Closing Fund, provided the transfer is approved by a majority vote of the Coordinating Council members in a public meeting. Any unexpended balance on June thirtieth, of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purpose.

50.4. (CMRC: Export Trade Show Funds) Funds collected from South Carolina companies for offsetting costs associated with participation in future trade shows may be carried forward from the prior fiscal year to the current fiscal year and used for that purpose.

50.5. (CMRC: Special Events Advisory Committee) The Department of Commerce is required to establish a Special Events Advisory Committee to provide oversight to the department as it relates to the department's Special Events Fund. The Advisory Committee shall be made up of contributors to the Fund appointed by the Secretary of Commerce and shall consist of no fewer than eight members, including a chairman. The Advisory Committee shall establish guidelines for the use of these funds. The Department of Commerce shall prepare a detailed report and have an independent audit of all expenditures of the fund during the previous calendar year. None of these funds shall be used for operating expenses. The report shall be submitted to the Governor, the Speaker of the House, the President of Pro Tempore of the Senate, the Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

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50.6. (CMRC: Development-Rental Revenue) Revenue received from the sublease on non-state-owned office space may be retained and expended to offset the cost of the department's leased office space.

50.7. (CMRC: Development-Ad Sales Revenue) The department may charge a fee for ad sales in department authorized publications and may use these fees to offset the cost of printing and production of the publications. Any revenue generated above the actual cost shall be remitted to the General Fund.

50.8. (CMRC: Foreign Offices) The Secretary of Commerce shall be authorized to appoint the staff of the department's foreign offices on a contractual basis on such terms as the Secretary deems appropriate, subject to review by the Department of Administration.

50.9. (CMRC: Funding For I-73) Of the funds authorized for the Coordinating Council Economic Development, \$500,000 shall be made available for the routing, planning and construction of I-73.

50.10. (CMRC: Closing Fund) In order to encourage and facilitate economic development, funds appropriated for the Closing Fund for competitive recruitment purposes shall be used as approved by the Coordinating Council for Economic Development. Any unexpended at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

50.11. (CMRC: Coordinating Council - Application Fee Deposits) Application fees received by the department must be deposited within five business days from the Coordinating Council application approval date.

50.12. (CMRC: Recycling Advisory Council Reporting) The Recycling Market Development Advisory Council must submit an annual report outlining recycling activities to the Governor and members of the General Assembly by March fifteenth each year.

50.13. (CMRC: Regional Economic Development Organizations) The Department of Commerce shall utilize \$5,000,000 appropriated in Fiscal Year 2015-16 for Regional Economic Development Organizations to provide funds to the following economic development organizations and must be disbursed as follows:

- | | |
|--|------------|
| (1) Upstate Alliance | \$750,000; |
| (2) Central SC Economic Development Alliance | \$750,000; |
| (3) North Eastern Strategic Alliance (NESA) | \$745,000; |
| (4) Charleston Regional Development Alliance | \$660,000; |
| (5) I-77 Alliance | \$600,000; |

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- (6) Economic Development Partnership \$450,000;
- (7) Southern Carolina Alliance \$460,000; and
- (8) The LINK Economic Alliance \$385,000.

Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development. No funds appropriated in this proviso may be used for routine operating costs of the organization as defined by the Department of Commerce.

The remaining \$200,000 shall be provided to counties as follows, provided they meet the requirements established above:

- (1) Beaufort County \$140,000; and
- (2) Lancaster County \$60,000.

Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the funds to the requesting organization.

Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures.

Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall first be made available to Regional Economic Development Organizations and any remainder shall be transferred to the Rural Infrastructure Fund at the Department of Commerce. If more than one alliance applies for the same funds, the funds will be distributed pro-rata.

50.14. DELETED

50.15. (CMRC: SC Mfg Extension Partnership) No funds appropriated to the department that are designated for the SC Manufacturing Extension Partnership may be utilized to compensate employees or individuals who engage in lobbying services on behalf of the department or the partnership. In addition, the department shall prepare an annual report on the SC Manufacturing Extension Partnership's expenditures for the prior fiscal year and shall submit the report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by November first.

50.16. (CMRC: Business Incubator/Innovation Program) Any funds appropriated to the department for the Business Incubator/Innovation Program shall be used for eligible projects that address one or more of

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the goals in the South Carolina Innovation Plan and any investments must be accompanied by a dollar-for-dollar match from non-state appropriated funds. Up to \$300,000 may be used by the department for administrative costs associated with this program.

50.17. (CMRC: Council on Competitiveness) The Department of Commerce shall utilize the funds appropriated in the current fiscal year for the South Carolina Council on Competitiveness to provide funds for existing business economic development activities. Each dollar of state funds disbursed must be matched equally with non-state appropriated funds and prior to the disbursement of funds, the Council on Competitiveness must certify that these funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development. The Council on Competitiveness shall provide a report on the expenditure of the funds and on the outcome measures by January first, to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Secretary of Commerce.

50.18. DELETED

**SECTION 51 - P34-JOBS-ECONOMIC DEVELOPMENT
AUTHORITY**

51.1. (JEDA: Bonds Interest Rates) Pursuant to Sections 41-43-100 and 41-43-110(A) of the 1976 Code, the interest rate of bonds issued by the authority are not subject to approval by the State Fiscal Accountability Authority.

**SECTION 52 - P36-PATRIOTS POINT DEVELOPMENT
AUTHORITY**

52.1. (PPDA: USS Laffey Overnight Stays) From the funds authorized or appropriated to Patriots Point Development Authority as "other operating expenses" members of the USS Laffey Association who are temporarily present at Patriots Point to perform voluntary maintenance on the USS Laffey may remain onboard the vessel overnight if the Executive Director approves and has deemed it safe to do so.

SECTION 53 - P40-S.C. CONSERVATION BANK

53.1. (CB: Conservation Bank Trust Fund) All revenues designated for the South Carolina Conservation Bank pursuant to Sections 12-24-95 and 12-24-97 of the 1976 Code must be credited to the South Carolina Conservation Bank Trust Fund.

53.2. DELETED

SECTION 54 - P45-RURAL INFRASTRUCTURE AUTHORITY

54.1. (RIA: Rural Infrastructure Fund Carry Forward) The Rural Infrastructure Authority may carry forward from the prior fiscal year into the current fiscal year, funds appropriated to the Rural Infrastructure Fund. The authority shall retain any unexpended funds at the close of the fiscal year and these funds shall be carried forward from the prior fiscal year into the current fiscal year.

54.2. DELETED

54.3. (RIA: Carry Forward - Local Government Assistance) The Rural Infrastructure Authority may carry forward from prior fiscal years to the current fiscal year funds appropriated for the purpose of providing financial assistance and for matching federal funds for financial assistance to local governments with water, wastewater, and sewer projects.

54.4. (RIA: Carry Forward Calculation) For purposes of calculating the amount of funds which may be carried forward by the Rural Infrastructure Authority, grant and loan program funds carried forward by the Office of Local Government shall be excluded from the calculation of the carry forward authorized by provision elsewhere in this act.

54.5. (RIA: State Water Pollution Control Revolving Fund) In the event that any state funds remain after fully matching federal grants for the State Revolving Funds under the Clean Water Act or Safe Drinking Water Act, such funds may be deposited into the South Carolina Infrastructure Revolving Loan Fund established pursuant to Section 11-40-50.

SECTION 57 - B04-JUDICIAL DEPARTMENT

57.1. (JUD: Prohibit County Salary Supplements) County salary supplements of Judicial Department personnel shall be prohibited.

SECTION 57 - B04-JUDICIAL DEPARTMENT

57.2. (JUD: County Offices For Judges) Every county shall provide for each circuit and family judge residing therein an office with all utilities including a private telephone, and shall provide the same for Supreme Court Justices and Judges of the Court of Appeals upon their request.

57.3. (JUD: Commitments to Treatment Facilities) The appropriation for continued implementation of Article 7, Chapter 17, Title 44 of the 1976 Code, Chapter 24, Title 44 of the 1976 Code, and Chapter 52, Title 44 of the 1976 Code, relating to commitments, admissions and discharges to mental health facilities, or treatment facility for the purpose of alcohol and drug abuse treatment, shall be expended for the compensation of court appointed private examiners, guardians ad litem, and attorneys for proposed patients, and related costs arising from the filing, service and copying of legal papers and the transcription of hearings or testimony. Court appointed private examiners, guardians ad litem and attorneys shall be paid at such rates or schedules as are jointly determined to be reasonable by the South Carolina Association of Probate Judges, the State Court Administrator, and the South Carolina Department of Mental Health with the approval of the Attorney General. The Judicial Department shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation.

57.4. (JUD: Judicial Commitment) Except as otherwise provided in Section 117.5, no money appropriated pursuant to Item VI, Judicial Commitment shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem, or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

57.5. (JUD: Judicial Expense Allowance) Each Supreme Court Justice, Court of Appeals Judge, Family Court Judge and Circuit Court Judge and any retired judge who receives payment for performing full-time judicial duties pursuant to Section 9-8-120 of the South Carolina Code of Laws, shall receive five hundred dollars per month as expense allowance.

57.6. (JUD: Special Judge Compensation) In the payment of funds from "Contractual Services", and "Administrative Fund", that no special judge shall be paid for more than a two week term within a fiscal year except that this restriction will not apply in case of an ongoing trial.

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57.7. (JUD: BPI/Merit) Judicial employees shall receive base and average merit pay in the same percentages as such pay are granted to classified state employees.

57.8. (JUD: Supreme Court Bar Admissions) Any funds collected from the Supreme Court Bar Admissions Office in excess of the amount required to be remitted to the general fund may be deposited into an escrow account with the State Treasurer's Office. The department is authorized to receive, expend, retain, and carry forward these funds.

57.9. (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be reimbursed in accordance with Section 117.20(J) of this act.

57.10. (JUD: Interpreters) The funds appropriated in this section for "Interpreters" shall be used to offset costs associated with interpreters appointed in judicial proceedings under Sections 17-1-50, 15-27-155, and 15-27-15. The selection, use, and reimbursement of interpreters shall be determined under such guidelines as may be established by the Chief Justice of the Supreme Court. Interpretive services for hearing impaired persons shall be obtained through contract with the South Carolina School for the Deaf and the Blind, provided that if the Chief Justice determines, for any reason, that adequate services are not available through the South Carolina School for the Deaf and the Blind, the Judicial Department may secure interpretive services from any qualified vendor.

57.11. (JUD: Reimbursement Receipt Deposit) Amounts received as payment for reproducing, printing, and distributing copies of court rules and other department documents shall be retained for use by the department.

57.12. (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to counties for use in court-related activities.

57.13. (JUD: Judicial Carry Forward) In addition to the funds appropriated in this section, the funds appropriated for the Judicial Department in the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

57.14. (JUD: Case Management Services) The Judicial Department shall retain revenue generated by charging a fee for technology support services provided to users of the State case management system. These funds may be expended and carried forward to offset the costs of supporting and maintaining the case management system.

SECTION 57 - B04-JUDICIAL DEPARTMENT

57.15. (JUD: Magistrates' Training) From the funds appropriated to the Judicial Department, the department shall provide magistrates annual continuing education on domestic violence, which may include, but is not limited to:

- (1) the nature, extent, and causes of domestic and family violence;
- (2) issues of domestic and family violence concerning children;
- (3) prevention of the use of violence by children;
- (4) sensitivity to gender bias and cultural, racial, and sexual issues;
- (5) the lethality of domestic and family violence;
- (6) legal issues relating to domestic violence and child custody;
- (7) procedures, penalties, programs, and other issues relating to criminal domestic violence, including social and psychological issues relating to such violence, the vulnerability of victims and volatility of perpetrators, and the court's role in ensuring that the parties have appropriate and adequate representation;

- (8) procedures and other matters relating to issuing orders of protection from domestic violence.

57.16. (JUD: Judges Salary Exemption) For the current fiscal year, judges' salaries and related employer contributions in Part IA, Section 57, are exempt from mid-year across-the-board reductions.

57.17. (JUD: Judicial Department Applicability) For purposes of this act and any other provision of law that would have any effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate or requirement of the provision, the terms "state agency" or "agency" do not include any component of the Judicial Department unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

57.18. (JUD: Court Costs Carry Forward) The Judicial Department shall retain the funds collected from costs related to court proceedings (including the cost of hearings, investigations, prosecution, service of process and court reporter services) under Rules 413 or 502 of the SC Appellate Court Rules, or from costs related to the appointment of a receiver or an attorney to assist the receiver under Rule 413, that are assessed against a party. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used for the same purpose.

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**57.19. (JUD: Active Retired Judges) In the current fiscal year, from the funds appropriated to and/or authorized for the Judicial Department, the department may reimburse retired justices and judges serving as acting associate justices or judges for actual expenses while serving and to pay an amount equal to that of active pay based on the number of hours worked less retirement pay received and attributable to the same working period.*

SECTION 58 - C05-ADMINISTRATIVE LAW COURT

58.1. (ALC: Copying Costs Revenue Deposit) The Administrative Law Court shall retain and expend, for the same purpose for which it is generated, all revenue received during the current fiscal year as payment for printing and distributing copies of court rules and other agency documents.

58.2. (ALC: County Office Space for Judges) Every county shall provide for each Administrative Law Judge residing therein, upon their request, an office within the existing physical facilities if space is available, to include all utilities and a private telephone. The request shall only be made provided that the judge's residence is not within fifty miles of the official headquarters of the agency by which the Administrative Law Judge is employed.

58.3. (ALC: ALJ Travel) While holding court or on other official business outside the county in which he resides, within fifty miles of his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, an Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. However, notwithstanding any other provision of law, the allowance as provided shall not exceed \$8,000 per judge in a fiscal year.

* See note at end of Act.

SECTION 59 - E20-OFFICE OF THE ATTORNEY GENERAL

59.1. (AG: Prior Year Expenditures) The Office of the Attorney General is authorized to use unexpended federal funds in the current fiscal year to pay for expenditures incurred in the prior fiscal year.

59.2. (AG: Other Funds Carry Forward) Any balance of unexpended funds, not including general fund appropriations, may be carried forward for the operation of the Office of Attorney General.

59.3. (AG: Reimbursement for Expenditures) The Office of the Attorney General may retain for general operating purposes, any reimbursement of funds for expenses incurred in a prior fiscal year.

59.4. (AG: Donation Carry Forward) All revenue derived from donations received at the Office of the Attorney General shall be retained, carried forward, and expended according to agreement reached between the donor, or donors, and the Attorney General.

59.5. (AG: Securities Fee Revenue) After the provisions of Section 35-1-702(b) of the 1976 Code have been satisfied, and upon notification to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee that such provisions have been satisfied, the next \$20,500,000 of Securities Fee revenues collected during the current fiscal year by the Office of the Attorney General shall be remitted to the General Fund of the State. The Office of the Attorney General may retain the next \$400,000 collected and may utilize these funds for operations to include expert witness expenses, investigative costs, trial preparation, and other related expenses associated with the increase in licensed securities agents. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose. Remaining Securities Fee revenues collected during the current fiscal year shall be remitted to the General Fund of the State.

59.6. (AG: Savannah River Maritime Commission Funds) The Office of the Attorney General is authorized to use funds appropriated for litigation expenses related to the Savannah River Maritime Commission to reimburse litigation expenditures incurred by the Office of the Attorney General on behalf of the Savannah River Maritime Commission during the current fiscal year. Following the conclusion of these litigation matters any remaining funds shall be deposited in the General Fund.

59.7. (AG: Gang Violence Prevention/Youth Mentor) The Office of the Attorney General may expend other funds to implement and maintain

SECTION 59 - E20-OFFICE OF THE ATTORNEY GENERAL

gang prevention and youth mentoring programs in conjunction with Section 63-19-1430 of the 1976 Code, the Youth Mentor Act.

59.8. (AG: Litigation Recovery Account) During the current fiscal year, when there is a recovery or an award in any litigation managed by the Attorney General, any funds received that would have otherwise been credited to the General Fund shall be deposited to the credit of a special account created in the Office of State Treasurer entitled "Litigation Recovery Account." The funds deposited in this account must be expended only as prescribed by law.

59.9. (AG: Public Official Attorney Fees) The Executive Director of the State Fiscal Accountability Authority shall pay from the Insurance Reserve Fund, up to \$50,000 of opposing attorney's fees and court costs as ordered by the court in those cases in which the Attorney General defends one or more public officers in their official capacities.

The Attorney General must certify to the Executive Director the amount the court has ordered the Attorney General to pay for opposing attorney's fees and court costs and upon receipt of the certification, the Executive Director shall pay up to \$50,000 of the amount certified to the appropriate individual or entity. The Attorney General must report any court ordered payment of attorney's fees and court costs that exceed \$50,000 to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee for consideration by the General Assembly.

**SECTION 60 - E21-PROSECUTION COORDINATION
COMMISSION**

60.1.(PCC: Solicitor Salary) The amount appropriated in this section for salaries of solicitors shall be paid to each full-time solicitor. Each full-time circuit solicitor shall earn a salary not less than each full-time circuit court judge.

60.2.(PCC: Solicitor Expense Allowance) Each solicitor shall receive five hundred dollars (\$500.00) per month as expense allowance.

60.3.(PCC: Judicial Circuits State Support) The amount appropriated and authorized in this section for Judicial Circuits (16) State Support shall be apportioned among the circuits. The first \$4,692,961 shall be distributed on a per capita basis based upon the current official census. The next \$1,179,041 shall be distributed on a pro-rata basis. Payment shall be made as soon after the beginning of each quarter as practical.

**SECTION 60 - E21-PROSECUTION COORDINATION
COMMISSION**

60.4.(PCC: Solicitor Carry Forward) Any unexpended balance on June 30, of the prior fiscal year, may be carried forward into the current fiscal year and expended for the operation of the solicitor's office relating to operational expenses.

60.5.(PCC: Solicitor's Office - County Funding Level) It is the intent of the General Assembly that the amounts appropriated for solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services without any additional charges. If the county reduces the amount of support provided to solicitors' offices below the level provided in the prior fiscal year, the Solicitor shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the amount of such reduced support.

60.6.(PCC: Solicitors Victim/Witness Assistance Programs) When funds are available, the amount appropriated and authorized in Part IA, Section 60 for Solicitors Victim/Witness Assistance Programs shall be apportioned among the circuits on a per capita basis and based upon the current official census. Payment shall be made as soon after the beginning of each quarter as practical.

60.7. (PCC: CDV Prosecution) The amount appropriated and authorized in this section for Criminal Domestic Violence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Prosecution Coordination Commission shall collect and retain information and data regarding Criminal Domestic Violence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

60.8. (PCC: Establish Victim/Witness Program) The funds appropriated in this section for Victim/Witness Program must be equally divided among the judicial circuits, less any adjustments made for budget reductions. The funds for each circuit must be distributed to the solicitor's office of that circuit and only used by the solicitor for the purpose of establishing a Victim/Witness Program in the circuit which shall provide, but not be limited to, the following services:

(1) Make available to victims/witnesses information concerning their cases from filing in general sessions court through disposition.

**SECTION 60 - E21-PROSECUTION COORDINATION
COMMISSION**

(2) Keep the victim/witness informed of his rights and support his right to protection from intimidation.

(3) Inform victims/witnesses of and make appropriate referrals to available services such as medical, social, counseling, and victims' compensation services.

(4) Assist in the preparation of victims/witnesses for court.

(5) Provide assistance and support to the families or survivors of victims where appropriate.

(6) Provide any other necessary support services to victims/witnesses such as contact with employers or creditors.

(7) Promote public awareness of the program and services available for crime victims.

The funds may not be used for other victim-related services until the above functions are provided in an adequate manner.

It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October first, for the preceding fiscal year.

60.9. (PCC: DUI Prosecution) The amount appropriated and authorized in this section for Driving Under the Influence Prosecution shall be apportioned among the circuits on a pro-rata basis. If not privileged information, the Prosecution Coordination Commission shall collect and retain information and data regarding Driving Under the Influence Prosecution and shall include: the number of dispositions, types of dispositions and county in which the disposition took place and shall provide the General Assembly with an annual report no later than sixty days after the conclusion of the fiscal year.

60.10. (PCC: Violent Crime Prosecution) The amount appropriated and authorized in this section for Violent Crime Prosecution shall be

**SECTION 60 - E21-PROSECUTION COORDINATION
COMMISSION**

apportioned pro rata among the circuits. Payment shall be made as soon after the beginning of each quarter as practical.

60.11. DELETED

SECTION 61 - E23-COMMISSION ON INDIGENT DEFENSE

61.1. (INDEF: Defense of Indigents Formula) The amount appropriated in this act for "Defense of Indigents" shall be apportioned among counties in accord with Section 17-3-330 of the 1976 Code, but on a per capita basis and based upon the most current official decennial census of the United States; provided that no county shall receive funding in an amount less than the amount apportioned to it as of July 1, 2005. The level of contribution of each county as of July 1, 2001, must be maintained. No county shall be permitted to contribute less money than the amount the county contributed in the prior fiscal year. Within the amount of money established for indigent defense services, the State shall set aside \$3,000,000 (Death Penalty Trial Fund) annually exclusively for use of the defense in capital cases pursuant to Section 16-3-26 of the 1976 Code, and for the expenses of the operation of the Commission on Indigent Defense to include salaries and operations expenses of the Death Penalty Trial Division. The State also shall set aside \$2,500,000 annually to pay fees and expenses of private counsel appointed in noncapital cases pursuant to Section 17-3-50 (Conflict Fund). Of the funds generated from the fees imposed under Sections 14-1-206(C)(4), 14-1-207(C)(6) and 14-1-208(C)(6) and the application fee provided in Section 17-3-30(B), on a monthly basis, fifty percent must be deposited into the Death Penalty Trial Fund, fifteen percent must be deposited into the Conflict Fund, and the remaining funds each month must be apportioned among the counties' public defender offices pursuant to Section 17-3-330. At the end of each fiscal year any leftover funds shall carryover to the next fiscal year. All applications for the payment of fees and expenses in capital cases shall be applied for from the Death Penalty Trial Fund which shall be administered by the Commission on Indigent Defense. All applications for the payment of fees and expenses of private counsel or expenses of public defenders pursuant to Section 17-3-50 shall be applied for from the Conflict Fund administered by the Commission on Indigent Defense. Reimbursement in excess of the hourly rate and limit set forth in Section 17-3-50 is authorized only if the court certifies, in a written order with specific

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findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the Senate Finance Committee and the House Ways and Means Committee.

61.2. (INDEF: State Employee Compensation Prohibited) Except as otherwise provided in Section 117.5, no money appropriated pursuant to Defense of Indigents shall be used to compensate any state employees appointed by the court as examiners, guardians ad litem or attorneys nor shall such funds be used in payment to any state agency for providing such services by their employees.

61.3. (INDEF: Appellate Conflict Fund) The purpose of the Appellate Conflict Fund is to provide money to pay attorneys for representing indigent defendants on appellate review when the Office of Appellate Defense is unable to do so. Funds designated for appellate use in conflict cases shall be administered by the Commission on Indigent Defense. The Office of Appellate Defense must first determine that it is unable to provide representation. Fees shall be \$40 per hour for out of court work and \$60 for in court work, with a maximum of \$3,500 per

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case for noncapital appeals. Fees shall be \$50 per hour for out of court work and \$75 per hour for in court work in capital appeals with a maximum of \$10,000 per capital appeal. The appropriate appellate court shall review and approve vouchers for payment for appellate conflict cases. The Office of Appellate Defense shall continue to provide printing and other support functions currently provided from their resources. On June thirtieth of each year, the Commission on Indigent Defense shall review all outstanding obligations in this fund. Any unspent and unobligated money shall be used to pay outstanding vouchers in the Death Penalty Trial Fund or the Conflict Fund, provided the designated fund has become exhausted during the year.

61.4. (INDEF: SC Appellate Court Rule 608 Appointments) The funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for Civil Court Appointments including Termination of Parental Rights, Abuse and Neglect, Probate Court Commitments, Sexually Violent Predator Act, and Post-Conviction Relief (PCR) and Criminal Conflict appointments to reimburse court appointed private attorneys and for other expenditures as specified in this provision. SC Appellate Court Rule 608 Appointments funds may not be transferred or used for any other purpose.

A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for “Termination of Parental Rights” cases and “Abuse and Neglect” cases to reimburse private attorneys who are appointed by the Family Court to represent guardians ad litem, children, or parents under the provisions of S.C. Code Sections 20-7-110 et seq., 20-7-1570 et seq., 20-7-1695 (A)(2) et seq., 20-7-7205 et seq., and 20-7-8705 (4)(a) et seq.; for “Probate Court Commitment” cases to reimburse private attorneys who are appointed by the Probate Court to represent indigent persons; and for “Sexually Violent Predator” cases to reimburse private attorneys who are appointed by the Circuit Court pursuant to Sections 44-48-10, et seq., to represent indigent persons. When private counsel is appointed pursuant to these provisions, counsel shall be reimbursed a reasonable fee to be determined on the basis of fifty dollars per hour or reimbursement may also be made on the basis of a set (flat) fee. The method of payment and the amount of the set fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed two thousand dollars for any case under which such private attorney is appointed.

A portion of the funds appropriated under “SC Appellate Court Rule 608 Appointments” shall be used for noncapital Post Conviction Relief

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Cases. Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed one thousand dollars in any single case.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" shall be used for noncapital criminal cases pursuant to Section 17-3-50 (Conflict Fund). Any attorney appointed shall be compensated at a rate not to exceed forty dollars per hour for time expended out of court and sixty dollars per hour for time expended in court, or on the basis of a set (flat) fee. The method of payment and amount of set (flat) fee will be determined by the Commission on Indigent Defense. Attorney fees shall not exceed three thousand five hundred dollars in any single felony case or one thousand dollars in any single misdemeanor case.

Reimbursement in excess of the hourly rate and limit set forth herein is authorized only if the court certifies, in a written order with specific findings of fact, prior to the fees being incurred, that reimbursement in excess of the rates or limit is necessary to provide reimbursement adequate to ensure effective assistance of counsel and reimbursement in excess of the limit is appropriate because the services to be provided are reasonable and necessary. If prior approval by written order of the court is not obtained, no additional fees shall be paid under any circumstances.

Upon a finding in ex parte proceedings that investigative, expert, or other services are reasonable and necessary for the representation of the defendant, the court shall authorize the defendant's attorney to obtain such services on behalf of the defendant and shall authorize the payment, from funds available to the Commission on Indigent Defense, of fees and expenses not to exceed five hundred dollars as the court considers appropriate. Payment in excess of the five hundred dollar limit is authorized only if the court certifies, in a written order with specific findings of fact, prior to the expense being incurred, that payment in excess of the limit is appropriate because the services to be provided are reasonable and necessary to provide adequate defense. Payments shall be made from funds appropriated for this purpose from the Commission of Indigent Defense. If prior approval by written order of the court is not obtained, no additional expenses shall be paid under any circumstances.

SECTION 61 - E23-COMMISSION ON INDIGENT DEFENSE

Indigent defense vouchers authorized in this provision must be reviewed and paid pursuant to procedures and policies established by the Commission on Indigent Defense. The commission shall provide a copy of the established procedures and policies to the Senate Finance Committee and the House Ways and Means Committee.

A portion of the funds appropriated under "SC Appellate Court Rule 608 Appointments" may be used by the Commission on Indigent Defense to retain, on a contractual basis, the services of attorneys qualified to handle civil and criminal court appointments, to be reimbursed in accordance with applicable provisos and statutes.

61.5. (INDEF: Carry Forward) To offset budget reductions, the Commission on Indigent Defense may carry forward and utilize any unencumbered balances available in the Appellate Conflict Fund and the SC Appellate Court Rule 608 Appointment Fund at the end of the prior fiscal year.

61.6. (INDEF: Public Defender Fee) Every person placed on probation on or after July 1, 2003, who was represented by a public defender or appointed counsel, shall be assessed a fee of five hundred dollars. The revenue generated from this fee must be collected by the clerk of court and sent on a monthly basis to the Commission on Indigent Defense. However, if a defendant fails to pay this fee, this failure alone is not sufficient basis for incarceration for a probation violation. This assessment shall be collected and paid over before any other fees.

61.7. (INDEF: Defense of Indigents Civil Action Application Fee)

(A) A person requesting appointment of counsel in any termination of parental rights (TPR), abuse and neglect, or any other civil court action in this state shall execute an affidavit that the person is financially unable to employ counsel and that affidavit shall set forth all of the person's assets. This affidavit must be completed before counsel may be appointed. If it appears that the person has some assets but they are insufficient to employ private counsel, the court, in its discretion, may order the person to pay these assets or a portion thereof to the Commission on Indigent Defense.

(B) A forty dollar application fee for appointed counsel services must be collected from every person who executes an affidavit that they are financially unable to employ counsel. The person may apply to the court, the clerk of court, or other appropriate official for a waiver or reduction in the application fee. If it is determined that the person is unable to pay the application fee, the fee may be waived or reduced, provided that if the fee is waived or reduced, the clerk or appropriate

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official shall report the amount waived or reduced to the trial judge and the trial judge shall order the remainder of the fee paid by a time payment method or such method as the trial judge deems appropriate. The clerk of court or other appropriate official shall collect the application fee imposed by this section and remit the proceeds to the Commission on Indigent Defense on a monthly basis. The monies must be deposited in an interest-bearing account separate from the general fund and used only to provide for indigent defense services. The monies shall be administered by the Commission on Indigent Defense. The clerk of court or other appropriate official shall maintain a record of all persons applying for representation and the disposition of the application and shall provide this information to the Commission on Indigent Defense on a monthly basis as well as reporting the amount of funds collected or waived.

(C) In matters in which a juvenile is brought before a court, the parents or legal guardian of such juvenile shall execute the above affidavit based upon their financial status and shall be responsible for paying any fee. In matters concerning juveniles, the parents or legal guardians of said juvenile, shall be advised in writing of this requirement at the earliest stage of the proceedings against said juvenile.

(D) Nothing contained above shall restrict or hinder a court from appointing counsel in any emergency proceedings or where existing statutes do not provide sufficient time for an individual to complete the application process.

(E) The appointment of counsel, as herein before provided, creates a claim against the assets and estate of the person who is provided counsel or the parents or legal guardians of a juvenile in an amount equal to the costs of representation as determined by a voucher submitted by the appointed counsel and approved by the court, less that amount that the person pays to the appointed counsel.

(F) Such claim shall be filed in the office of the clerk of court in the county where the person is assigned counsel, but the filing of a claim shall not constitute a lien against real or personal property of the person unless, in the discretion of the court, part or all of such claim is reduced to judgment by appropriate order of the court, after serving the person with at least thirty days' notice that judgment will be entered. When a claim is reduced to judgment, it shall have the same effect as judgments, except as modified by this provision.

61.8. (INDEF: Exemption for Pass Through Funding) The funds distributed by the Commission on Indigent Defense to the Legal Services

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Corporation in accordance with Section 14-1-204 of the 1976 Code shall not be considered part of the commission's budget for purposes of calculating budget reductions.

61.9. (INDEF: Reporting Requirement) Circuit Public Defenders shall provide, in a manner and form as the agency head requires, information and data concerning caseloads, dispositions, and other information as required by the agency head or General Assembly. The agency shall withhold payments and transfers to Circuit Public Defenders who are not in compliance with the agency reporting requirements.

61.10. (INDEF: Donation Carry Forward) The Commission on Indigent Defense may accept donations for the publication of "The South Carolina Juvenile Collateral Consequences Checklist." All revenue derived from donations received at the Commission on Indigent Defense shall be retained, carried forward and expended according to agreement reached between the donor, or donors, and the Commission on Indigent Defense.

61.11. (INDEF: Capital Case Contract Attorneys) Funds appropriated from the Death Penalty Trial Fund may be used by the commission to retain, on a contractual basis, the service of attorneys qualified to provide representation in capital proceedings to include: capital trials, post-conviction relief actions, re-sentencing, appeals or any other capital litigation proceeding.

The commission shall establish all policies, procedures and contract provisions as it deems appropriate for the implementation of the system, including but not limited to the selection and compensation of contract awardees.

61.12. (INDEF: Optional Courts and Indigent Representation) If a municipality has or elects to have an optional municipal court system, it must provide adequate funds for representation of indigents. No public defender shall be appointed in any such court unless the municipality and the office of the circuit public defender have reached an agreement for indigent representation and no funds allocated to the commission shall be used to provide compensation for appointed counsel in municipal courts.

61.13. (INDEF: Indigent Verification) The Commission on Indigent Defense is directed to review the Affidavit for Indigency and Application for Counsel and make recommendations to the General Assembly by January 5, 2016, on any additional requirements for applicants in order to verify their financial status; the supporting

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documentation that should be required of all applicants in order to verify their financial status; and the standards by which an application should be approved and counsel appointed accordingly. Additionally, the commission shall report to the General Assembly by August 1, 2015, on the number of applications accepted and rejected during Fiscal Year 2014-15.

SECTION 62 - D10-STATE LAW ENFORCEMENT DIVISION

62.1. (SLED: Special Account Carry Forward) Funds awarded to the State Law Enforcement Division by either court order or from donations or contributions shall be deposited in a special account with the State Treasurer, and shall be carried forward from year to year, and withdrawn from the Treasurer as needed to fulfill the purposes and conditions of the said order, donations or contributions, if specified, and if not specified, as may be directed by the Chief of the State Law Enforcement Division. Funds expended from the special account must be annually reported by October first to the Senate Finance Committee and the Ways and Means Committee.

62.2. (SLED: Computer/Communications Center Carry Forward) Revenue generated from the operation of the division's criminal justice computer/communications center and not expended during the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

62.3. (SLED: Agents Operations Carry Forward) Any unexpended balance on June thirtieth, of the prior fiscal year, in Part IA, subsection 62 of the section "Agents Operations" may be carried forward and expended for the same purpose in the current fiscal year.

62.4. (SLED: Match for Federal Grants Carry Forward) State appropriations to SLED that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.

62.5. (SLED: Clothing Allowance) The State Law Enforcement Division is hereby authorized to provide agents and criminalists with an annual clothing allowance (on a pro rata basis) not to exceed \$600 per agent/criminalist for required clothing used in the line of duty.

62.6. (SLED: Witness Fee) The State Law Enforcement Division is hereby authorized to charge a witness fee of \$130.00 per hour up to \$1,000 per day for each employee testifying in civil matters which do

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not involve the State as a part in interest. This fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and deposited into a designated revenue account.

62.7. (SLED: Commissioned Officers' Physicals) The department is authorized to pay for the cost of physical examinations for department personnel who are required to receive such physical examinations prior to receiving a law enforcement commission.

62.8. (SLED: Meals in Emergency Operations) The State Law Enforcement Division may provide meals to employees of SLED who are not permitted to leave assigned duty stations and are required to work during deployment, emergency simulation exercises and when the Governor declares a state of emergency.

62.9. (SLED: Hazardous Materials Security Detail) The State Law Enforcement Division (SLED) is authorized to be reimbursed for security related law enforcement services provided to entities authorized to transport sensitive materials within the borders of South Carolina. SLED shall determine all costs associated with security details and is authorized to coordinate the collection, retention, and distribution to any assisting agency. SLED and each assisting agency shall expend any funds associated with minimizing risks related to the transportation of these hazardous materials for the implementation of homeland security initiatives.

62.10. (SLED: Sex Offender Registry Fee) Each Sheriff is authorized to charge and collect an annual amount of one hundred fifty dollars from each sex offender required to register by law. If such sex offender has been declared indigent by the Sheriff of the county in which the offender must register and provides proof of the declaration at the time of registration, the fee will automatically be waived. If an offender is not declared indigent and fails to pay the fee, he is officially declared unregistered. This fee shall be divided between the Sheriffs and the State Law Enforcement Division with one hundred dollars of the fee retained by the Sheriffs and the remaining fifty dollars remitted by the Sheriffs to SLED on a quarterly basis. These funds must be used to support the Statewide Sex Offender Registry.

62.11. (SLED: Private Detective Fees Criminal History Checks) The State Law Enforcement Division is authorized to charge private detective companies, individual private detectives, private security companies, armed security guards, and proprietary security companies a fee of twenty-five dollars to process state criminal history checks and

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fifty dollars for federal fingerprint based criminal history checks. These funds shall be collected, retained, expended and carried forward by the State Law Enforcement Division.

62.12. (SLED: CWP Instructors Certification) The State Law Enforcement Division is authorized to charge one hundred dollars for the issuance of a Certified Concealable Weapons Permit Instructor certificate, and one hundred dollars every three years for each renewal. These funds shall be collected, retained, expended and carried forward by the State Law Enforcement Division.

62.13. (SLED: Expungement Requests) The State Law Enforcement Division is authorized to collect a twenty-five dollar expungement fee for each request to expunge criminal records. These funds shall be used to offset the operational and research expenses associated with processing these expungement requests. SLED is authorized to collect, retain, expend, and carry forward these funds. Persons found not guilty by a court of competent jurisdiction or where charges have been dismissed or nolle prossed shall be excluded from the fee requirement.

62.14. (SLED: Retention of Funds Reimbursed by State or Federal Agencies) The State Law Enforcement Division is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

62.15. (SLED: Monies Associated with Illegal Gaming Devices) The State Law Enforcement Division is authorized to retain, expend, and carry forward all monies associated with illegal gaming devices seized by the division, once orders of destruction and awarding of these monies have been received from a court of competent jurisdiction.

62.16. (SLED: Private Detective/Security Fee) The license and registration fees set by the State Law Enforcement Division for private detective businesses, private security businesses, including employees of these businesses, and companies which provide private security on their own premises must not exceed those fees set by regulation as of January 1, 2011, unless otherwise approved by the General Assembly. From the funds collected from these fees, the State Law Enforcement Division must transfer \$480,000 to the Department of Public Safety which shall be used for the purpose of providing security in the Capitol Complex area.

62.17. (SLED: Criminal Record Search Fees) The State Law Enforcement Division is authorized to charge and collect a fee of eight dollars for a criminal record search for local park and recreation

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volunteers through a commission, municipality, county, or the South Carolina Department of Parks, Recreation, and Tourism. Any organization that is authorized to receive the reduced fee must not charge the volunteer, mentor, member, or employee more than the eight dollars or any additional fee that is not required by the State Law Enforcement Division. All criminal record searches conducted under this provision must be for a volunteer, mentor, member or employee performing in an official capacity of the organization and must not be resold.

62.18. (SLED: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the State Law Enforcement Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Chief, and providing funds are available.

62.19. (SLED: Meth Lab Clean Up Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year, in the special line "Meth Lab Clean Up" may be carried forward and expended for the same purpose in the current fiscal year.

62.20. (SLED: CWP Renewal and Replacement) A concealed weapons permit may not be suspended by a state official, agent, or employee supported by state funds if the permit holder has initiated a renewal or replacement application and the processing and issuance of a renewal or replacement permit is delayed for administrative reasons. A concealed weapons permit remains valid during the pendency of the renewal or replacement process so long as the application for replacement renewal is submitted prior to the expiration of the permit.

62.21. (SLED: Drug Lab Electronic Mandatory Reporting System) Of the funds appropriated for Meth Lab Clean Up, the State Law Enforcement Division is authorized to expend such funds for the development and implementation of a statewide electronic mandatory reporting system for municipal, county and state governmental entities to report information, as directed by the State Law Enforcement Division, pertaining to the discovery or seizure of methamphetamine laboratories and dumpsites.

62.22. (SLED: Mandatory Meth Lab Reporting) If a municipal, county, or state governmental entity locates, finds, or seizes a methamphetamine laboratory or dumpsite within the State, the governmental entity shall report the incident within three business days to the State Law Enforcement Division.

The State Law Enforcement Division shall determine the reporting mechanism and is authorized to request, receive, catalogue, classify, and

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maintain all information it determines necessary pertaining to the laboratory or dumpsite including, but not limited to, the location, the type of manufacturing method used, and suspect information. The State Law Enforcement Division shall maintain information related to these governmental reports on its website, which must be made available to the public, and is authorized to use funds appropriated for Meth Lab Clean Up towards the prudent maintenance of information reported.

A governmental entity that fails to report information to the State Law Enforcement Division pursuant to this proviso is ineligible to receive public safety grants that are funded through the South Carolina Public Safety Coordinating Council pursuant to Section 23-6-520(2) of the 1976 Code.

SECTION 63 - K05-DEPARTMENT OF PUBLIC SAFETY

63.1. (DPS: Special Events Traffic Control) The highway patrol must not charge any fee associated with special events for maintaining traffic control and ensuring safety on South Carolina public roads and highways unless approved by the General Assembly. Nothing shall prohibit the Treasury of the State from accepting voluntary payment of fees from private or public entities to defray the actual expenses incurred for services provided by the Department of Public Safety.

63.2. (DPS: Retention of Private Detective Fees) The Department of Public Safety is hereby authorized to receive, expend, retain, and carry forward all funds transmitted from SLED related to fees charged and collected by SLED from license and registration fees for private detective businesses, private security businesses, including employees of these businesses, and companies which provide private security on their own premises. The funds transferred are to be used in the Bureau of Protective Services Program to provide security for state agencies and the Capitol Complex.

63.3. (DPS: Motor Carrier Advisory Committee) From the funds appropriated and/or authorized to the Department of Public Safety and the Department of Motor Vehicles, the departments are directed to jointly establish a Motor Carrier Advisory Committee to solicit input from the Trucking Industry and other interested parties in developing policies and procedures for the regulation of this industry. The members of the advisory committee shall serve without compensation.

63.4. (DPS: Sale of Real Property) At such time as any portion of the Laurens Road property in Greenville is declared to be surplus by the

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agency or agencies which occupy said portion, and after receiving approval from the Department of Administration or State Fiscal Accountability Authority, for the sale of the property, the Department of Public Safety, the Department of Transportation, and the Department of Motor Vehicles are authorized to receive, retain, expend, and carry forward funds derived from the sale of the real property in which each agency holds an interest or title. No portion of the property may be declared as surplus by one agency if another agency is occupying said property. The Department of Public Safety is directed to use these funds to defray the operating expenses of the Highway Patrol and the Department of Transportation and the Department of Motor Vehicles are directed to use their portion of these funds for department operating expenses.

63.5. (DPS: CMV Driver Rest Areas) A joint working group is to be established between the Department of Transportation, Department of Public Safety, State Transport Police and the South Carolina Trucking Association to review and evaluate where critical rest areas may be made available for commercial motor vehicle drivers to park and obtain their federally mandated required rest.

63.6. (DPS: SC Law Enforcement Officers Hall of Fame Scholarships) The Department of Public Safety is hereby authorized to accept donations from the public in order to provide scholarships to the children of law enforcement officers killed in the line of duty. The South Carolina Law Enforcement Officers Hall of Fame Advisory Committee is authorized to set the criteria for awarding such scholarships. All revenue received for this purpose shall be used to provide scholarships and shall be retained, carried forward, and expended for the same purpose.

63.7. DELETED

63.8. (DPS: Hours of Service Rest Requirements) Of the funds directed to the Department of Public Safety, the department shall expend the necessary funds to establish a policy to allow drivers of commercial motor vehicles engaged in intrastate commerce to use time waiting in their trucks while on the job to satisfy any hours of service thirty minute rest requirements. The policy shall then be printed and distributed to the Senate Transportation Committee and the House of Representatives Education and Public Works Committee. In addition, the policy shall be provided to any motor carrier who requests a copy. The department is further instructed to allow the Motor Carrier Advisory Committee to review options that may facilitate adoption of allowable variances from

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state and federal statutes, rules, and regulations, as well as specific relief for interstate border-zone operations.

**SECTION 64 - N20-LAW ENFORCEMENT TRAINING
COUNCIL**

64.1. (LETC: CJA-Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Law Enforcement Training Council, Criminal Justice Academy is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior fiscal year.

64.2. (LETC: CJA-Retention of Emergency Expenditure Refunds) The Law Enforcement Training Council, Criminal Justice Academy is authorized to collect, expend, retain, and carry forward all funds received from other state or federal agencies in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year when personnel and equipment are mobilized and expenses incurred due to an emergency.

SECTION 65 - N04-DEPARTMENT OF CORRECTIONS

65.1. (CORR: Canteen Operations) Revenue derived wholly from the canteen operations within the Department of Corrections on behalf of the inmate population, may be retained and expended by the department for the continuation of the operation of said canteens and the welfare of the inmate population or, at the discretion of the Director, used to supplement costs of operations. The canteen operation is to be treated as an enterprise fund within the Department of Corrections and is not to be subsidized by state appropriated funds.

65.2. (CORR: E.H. Cooper Trust Fund) Any unclaimed funds remaining in any inmate account, after appropriate and necessary steps are taken to determine and contact a rightful owner of such funds, shall be deposited into the Inmate Welfare Fund.

65.3. (CORR: Instructional Salaries) The certified instructional personnel of the Department of Corrections shall receive a percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel throughout the State.

65.4. (CORR: Funding Through State Criminal Assistance Program) All funds received by the State from the United States Department of Justice, State Criminal Alien Assistance Program, for

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care and custody of illegal aliens housed in the state correctional facilities shall be retained by the South Carolina Department of Corrections to offset incurred expenses.

65.5. (CORR: Remedial Education Funding) A criminal offender committed to the custody of the Department of Corrections, who has been evaluated to function at less than an eighth grade educational level, or less than the equivalent of an eighth grade educational level, may be required by department officials to enroll and actively participate in academic education programs. Funds appropriated to the Department of Corrections for educational programs shall be prioritized to assure such remedial services are provided.

65.6. (CORR: Tire Retreading Program Restriction) The tire retreading program at the Lieber Correctional Institution shall be limited to the marketing and sale of retreads to state governmental entities.

65.7. (CORR: Social Security Administration Funding) All funds received by the South Carolina Department of Corrections from the Social Security Administration under Section 1611 (e)(1)(I) of the Social Security Act, which provides payment for information regarding incarcerated Social Security Insurance recipients, shall be retained by the South Carolina Department of Corrections and credited to a fund entitled "Special Social Security" for the care and custody of inmates housed in the state correctional facilities.

65.8. (CORR: Medical Expenses) The Department of Corrections shall be authorized to charge inmates a nominal fee for any medical treatment or consultation provided at the request of or initiated by the inmate. A nominal co-pay shall be charged for prescribed medications. Inmates shall not be charged for psychological or mental health visits.

65.9. (CORR: Prison Industry Funds) The Director of the Department of Corrections, at his discretion, is hereby authorized to utilize prison industry funds for projects or services benefiting the general welfare of the inmate population or to supplement costs of operations. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

65.10. (CORR: Reimbursement for Expenditures) The Department of Corrections may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.

65.11. (CORR: Sale of Real Property) Funds generated from the sale of real property owned by the Department of Corrections shall be retained by the department to offset renovation and maintenance capital expenditures.

SECTION 65 - N04-DEPARTMENT OF CORRECTIONS

65.12. (CORR: Funds From Vehicle Cleaning) Monies generated by inmates engaged in the cleaning and waxing of private vehicles, or any other adult work activity center, shall be placed in a special account and utilized for the welfare of the inmate population.

65.13. (CORR: Release of Inmates) The Director of the Department of Corrections and other persons having charge of prisoners who are required to serve a period of six months or more, may release all such prisoners, including prisoners to whom Section 24-13-150(A) of the 1976 Code applies, on the first day of the month in which their sentences expire, and if the first day of the month falls on a Saturday, Sunday, or a legal holiday, such prisoners may be released on the last weekday prior to the first of the month which is not a holiday.

65.14. (CORR: Western Union Funding) All funds received by the South Carolina Department of Corrections from the Western Union Quick Collect Revenue Sharing Program or similar private sector entities, which provides payment for processing electronic transfers into the E.H. Cooper Trust Fund, shall be retained by the South Carolina Department of Corrections and credited to a fund entitled "Inmate Welfare Fund" to be expended for the benefit of the inmate population.

65.15. (CORR: Monitoring Fees) The Department of Corrections is authorized to charge an inmate who participates in community programs a reasonable fee for the cost of supplying electronic and telephonic monitoring. The fees charged may not exceed the actual cost of the monitoring.

65.16. (CORR: Inmate Insurance Policies) The Department of Corrections may collect and record private health insurance information from incarcerated individuals. The department may file against any private insurance policy covering an inmate to recoup any health care expenditures covered by the policy. Health care will be provided in accordance with law and standards regardless of whether or not an inmate is covered by insurance.

65.17. (CORR: Work Release Transportation Fee) The South Carolina Department of Corrections is authorized to charge a \$4.00 per day transportation fee to participants in the work release program only when such transportation is provided by the department. Monies collected shall be credited to the South Carolina Department of Corrections, and utilized solely to fund transportation of work release participants and vehicle replacement for the work release program.

65.18. (CORR: Special Assignment Pay Level 2 & 3 Facilities) Funds appropriated for special assignment pay at the Department of

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Corrections are for the purpose of addressing vacancies and turnover of staff by providing a pay differential for certain employees assigned to institutions with a Level II or Level III security designation. The funds are to be used for special assignment pay only and may not be transferred to any other program. If the employee leaves one of the qualifying job classes or leaves a Level II or Level III institution for a non-Level II or non-Level III facility, they shall no longer be eligible for this special assignment pay. Only employees in full-time equivalent positions are eligible for this special assignment pay.

The special assignment pay is not a part of the employee's base salary, but is a percentage thereof, and is to be paid as follows:

(A) At Level II institutions:

(1) four percent for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;

(2) two percent for Sergeants and Lieutenants;

(3) one percent for Captains and Majors;

(4) two percent for Nursing staff; and

(5) two percent for Food Service staff.

(B) At Level III institutions:

(1) eight percent for Correctional Officers including Class Code JD-30 (cadets and Officer I and II positions) and Corporals I and II;

(2) three percent for Sergeants and Lieutenants;

(3) one percent for Captains and Majors;

(4) three percent for Nursing staff; and

(5) three percent for Food Service staff.

65.19. (CORR: Quota Elimination) Pursuant to Section 24-3-60 of the 1976 Code, upon notification by the county, the Department of Corrections shall accept newly sentenced inmates from each local jail and detention center.

For sentenced inmates who the county is willing to transport, the department may limit the acceptance at the Kirkland Correctional Institution to the hours of 8:00 a.m. to 1:00 p.m., Monday through Friday, excluding holidays, and at the Perry and Lieber Correctional Institutions to the hours of 8:00 a.m. to 10:30 a.m., Monday through Friday, excluding holidays.

By mutual agreement between the Department of Corrections and a local jail or detention center, the department may establish an alternate

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admissions schedule for receiving inmates at the Reception and Evaluation Center.

At the time of transfer of the inmate to the department, the county shall provide the sentencing order, and if available copies of medical screening records, booking reports, and other documents to assist the department in its intake processing. Counties that have not completed medical screenings at the time of transfer shall not be required to do so.

In the event there are inadequate beds within the Reception and Evaluation Center, the Department of Corrections may create a "jail" within the Kirkland Correctional Institution using one or more of the available 192-bed housing units to accept newly sentenced state inmates who are awaiting R & E processing. The department may operate such "jail," to the extent feasible, in accordance with standards applicable to the local jails.

The department shall use the funds appropriated in this act for "Quota Elimination" to accomplish this initiative and to open a 96-bed unit at the MacDougall Correctional Institution and the 192-bed housing units at Kirkland Correctional Institution. The funds may not be transferred to any other program or used for any other purpose.

65.20. (CORR: Public/Private Partnerships for Construction) Funds appropriated in Act 407 of 2006, item 23, shall be used to construct as many multi-purpose buildings at Department of Corrections institutions as possible. For such facilities at Lieber, McCormick, Leath, Perry, or Allendale Correctional Institution, at least \$150,000 in matching funds and/or construction materials or services must be donated before construction of the facility may begin. At other Department of Corrections locations, the Director may require that donated funds and/or materials or services equal one-half of the cost of construction, including design and engineering costs.

65.21. (CORR: Inmate Barbering Program) Inmate barbers in the Inmate Barbering Program at the Department of Corrections, shall not be subject to the licensing requirement of Section 40-7-30 of the 1976 Code.

65.22. (CORR: Executed Inmate Autopsy) For the current fiscal year, the autopsy requirements of Section 17-7-10 of the 1976 Code are suspended when an inmate is executed by the Department of Corrections pursuant to a valid order of the Supreme Court of South Carolina.

65.23. (CORR: Recoupment of Expenses Associated with Inmate Cremation) If the Department of Corrections incurs expenses for cremating and disposing of an unclaimed deceased inmate, the

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department may recoup all associated costs of cremation, including transportation, through the deceased inmate's E.H. Cooper account, providing funds are available.

65.24. (CORR: Credited Jail Time; DNA Sample Collection) Inmates committed to the Department of Corrections for sentences greater than ninety days, but who have credit for jail time in excess of their sentence to incarceration are not required to be transported to the Reception and Evaluation Center of the Department of Corrections. Cities and counties housing inmates who have credit for jail time in excess of their sentence may, through written agreement with the Department of Corrections, transfer required commitment records to the department electronically or by other means. The Department of Corrections must establish reasonable documentation requirements to facilitate the implementation of this cost savings measure. Employees of the Department of Probation, Parole and Pardon Services assigned to the court or employees of the Department of Corrections, as applicable, shall obtain DNA samples from the offenders who are required to submit DNA samples. This provision does not exempt the above referenced inmates from the \$250 DNA fee as required by Section 23-3-670 of the 1976 Code. The \$250 fee shall be collected in the same manner as other fines and fees and submitted to the State Treasurer for remittance to SLED.

65.25. (CORR: Cell Phone Interdiction) The Director of the Department of Corrections is granted the right to add a surcharge to all inmate pay phone calls to offset the cost of equipment and operations of cell phone interdiction measures. The surcharge will be added to the cost per call, collected by chosen telephone vendor and paid to the department on a monthly basis. The department is authorized to retain the funds to pay, either directly or through the State lease program, for equipment required to enact cell phone interdiction or retrieval. When the equipment has been paid in full, the surcharge amount will be reviewed and adjusted to cover the cost of ongoing operational expenses of the interdiction equipment. Any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose.

65.26. (CORR: Correctional Institution Maintenance and Construction) For maintenance and construction activities funded in the current fiscal year, the Department of Corrections may utilize inmate labor to perform any portion of the work on its own grounds and

SECTION 65 - N04-DEPARTMENT OF CORRECTIONS

facilities. The provisions of Section 40-11-360(A)(9) of the 1976 Code shall apply to any such project, including new construction.

65.27. (CORR: Meals in Emergency Operations) The Department of Corrections may provide meals to public employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency simulation exercises, or when the Governor declares a state of emergency.

65.28. (CORR: Prohibition on Funding Certain Surgery) (A) The Department of Corrections is prohibited from using state funds or state resources to provide a prisoner in the state prison system sexual reassignment surgery; however, if a person is taking hormonal therapy at the time the person is committed to the Department of Corrections, the department shall continue to provide this therapy to the person as long as medically necessary for the health of the person.

(B) As used in this provision:

(1) 'Hormonal therapy' means the use of hormones to stimulate the development or alteration of a person's sexual characteristics in order to alter the person's physical appearance so that the person appears more like the opposite gender;

(2) 'Sexual reassignment surgery' means a surgical procedure to alter a person's physical appearance so that the person appears more like the opposite gender.

**SECTION 66 - N08-DEPARTMENT OF PROBATION, PAROLE
AND PARDON SERVICES**

66.1. (DPPP: Sale of Equipment) All revenue generated by the Department of Probation, Parole and Pardon Services from the sale of various equipment in excess of \$575, less the cost of disposition incurred by the Department of Administration, may be retained and carried forward into the current fiscal year and expended for the purpose of purchasing like items.

66.2. (DPPP: Interstate Compact Application Fee) The department may charge offenders an application fee set by the department, not to exceed the department's actual costs, to offenders applying for transfers out of or into the state under the Interstate Compact Act. The application fee shall be retained by the department to offset the cost of the Interstate Compact Act. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

**SECTION 66 - N08-DEPARTMENT OF PROBATION, PAROLE
AND PARDON SERVICES**

66.3. (DPPP: GED Learn and Earn Program) From the funds appropriated in Part IA, the department may enter into agreements with statewide colleges, technical colleges, and school districts for the purpose of providing GED and GED Prep education to offenders. Offenders of the department enrolled in the program must repay the department the cost of the course and materials within six months of obtaining their GED.

66.4. (DPPP: Sex Offender Monitoring Carry Forward) The Department of Probation, Parole and Pardon Services is authorized to carry forward any unexpended funds in the Sex Offender Monitoring program. These funds must be used for the sex offender monitoring program. For the purpose of calculating the amount of funds which may be carried forward by the department, Sex Offender Monitoring program funds carried forward by this provision shall be excluded from the calculation of the carry forward authorized by provision elsewhere in this act.

66.5. (DPPP: Offender Drug Testing Fee) The department may charge offenders a fee set by the department, not to exceed \$50, for the purpose of drug testing. If it is determined that the offender is indigent, this fee must be waived. The fee shall be retained by the department to offset the cost of drug testing. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

66.6. (DPPP: Public Service Employment Set-Up Fee) In addition to any other fee, the department may charge an adult offender placed under the jurisdiction of the department, who is ordered to public service employment by the court, a twenty-five dollar Public Service Employment set-up fee. The fee must be retained by the department and applied to the department's supervision process. The department shall submit a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the number of offenders who were assessed the set-up fee and the amount of funds collected.

SECTION 67 - N12-DEPARTMENT OF JUVENILE JUSTICE

67.1. (DJJ: Meal Ticket Revenue) The revenue generated from sale of meal tickets by the Department of Juvenile Justice shall be retained and carried forward into the current fiscal year by the agency and

SECTION 67 - N12-DEPARTMENT OF JUVENILE JUSTICE

expended for the operation of the agency's cafeterias and food service programs.

67.2. (DJJ: Interstate Compact Revenue) The revenue returned to the Interstate Compact Program shall be retained and carried forward into the current fiscal year by the agency and expended for the operation of the program.

67.3. (DJJ: Children's Projects Revenue) Funds generated from the projects undertaken by children under the supervision of the Department of Juvenile Justice may be retained by the department and utilized for the benefit of those children. Such funds may be carried forward into the following fiscal year.

67.4. (DJJ: Instructional Salaries) The certified instructional personnel of the Department of Juvenile Justice shall receive a percentage increase in their annual salary for the current fiscal year equal to the percentage allocated to the instructional personnel throughout the State.

67.5. (DJJ: Reimbursements for Expenditures) The Department of Juvenile Justice may retain for general operating purposes any reimbursement of funds for expenses incurred in a prior fiscal year.

67.6. (DJJ: Juvenile Arbitration/Community Advocacy Program) The amount appropriated and authorized in this section for the Juvenile Arbitration Program shall be retained and expended by the Department of Juvenile Justice for the purpose of providing juvenile arbitration services through the sixteen Judicial Circuit Solicitors' offices in the state and used to fund necessary administrative and personnel costs for the programs.

The Department of Juvenile Justice shall contract with Solicitors to administer the Juvenile Arbitration Program and disburse up to \$60,000 per Judicial Circuit based on services rendered. The amount payable to Solicitors may vary based on consistent adherence to established statewide program guidelines to assess program performance.

The \$250,000 appropriated for the Community Advocacy Program in the first Judicial Circuit, will be used to fund necessary administrative and personnel costs for this status offender diversion program. The Department of Juvenile Justice shall monitor and provide support to this program.

All unexpended funds may be retained and carried forward from the prior fiscal year to be used for the same purposes.

67.7. (DJJ: Sale of Real Property) After receiving approval from the Department of Administration or State Fiscal Accountability Authority,

SECTION 67 - N12-DEPARTMENT OF JUVENILE JUSTICE

for the sale of property, the department is authorized to retain revenues associated with the sale of department-owned real property and may expend these funds on capital improvements reviewed by the Joint Bond Review Committee and approved by the State Fiscal Accountability Authority.

67.8. (DJJ: Sale of Timber) The Department of Juvenile Justice is hereby authorized to sell mature trees and other timber suitable for commercial purposes from lands owned by the department. Prior to such sales, the director shall consult with the State Forester to determine economic and environmental feasibility and to obtain approval for such sales. Funds derived from timber sales shall be retained and utilized for family support services after setting aside a reasonable amount, as determined by the State Forester, for reforestation of the lands from which the trees and timber are sold.

67.9. (DJJ: Drug Free Workplace) The critical mission of the Department of Juvenile Justice requires a safe and drug free work environment. In order to accomplish this, the department may conduct and pay for the cost of pre-employment drug testing and random employee drug testing. The department is authorized to expend funds in order to provide or procure these services.

67.10. (DJJ: Definition of Juveniles) The Department of Juvenile Justice is authorized to place juveniles in marine and wilderness programs or other community residence programs operated by nongovernmental entities. Juveniles receiving services in these community residence programs must either be referred to such a program by the Family Court as a condition of probation, released to such a program by the Board of Juvenile Parole, or voluntarily agree to be assigned and released to such a program by the Department of Juvenile Justice.

67.11. (DJJ: Adult Education - GED) Juveniles committed to the Department of Juvenile Justice who have been enrolled in, but not yet completed, a GED educational program while at the department, at the discretion of the local school district, upon release from the department shall be allowed to enroll in either the juvenile's local school district's regular education program, in their appropriate grade placement, or allowed to enroll in that district's or county's adult education program. If enrolled in an adult education program, the juvenile's eligibility for taking the GED shall be based upon the regulations promulgated by the Department of Education for youth who are confined in, or under the custody of, the Department of Juvenile Justice.

SECTION 67 - N12-DEPARTMENT OF JUVENILE JUSTICE

67.12. (DJJ: Local District Effort) Upon commitment or confinement to a Department of Juvenile Justice facility, the school district in which that child resides shall pay an amount equivalent to the statewide average of the local base student cost (thirty percent), multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students to the Department of Juvenile Justice for the time period in which the child is committed or confined to a department facility. EFA funding for school districts is provided for a one hundred eighty day school year. The billing provided by the department shall be calculated by dividing the local base student cost by two hundred twenty-five days to determine the daily rate. The department shall notify the school district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to this provision. The notice shall also contain the student's name, date of birth, disabling condition if available, and dates of service.

The invoice shall be paid within sixty days of billing, provided the department has provided a copy of the invoice to both the superintendent and the finance office of the school district being invoiced. Should the school district fail to pay the invoice within sixty days, the department can seek relief from the Department of Education. The Department of Education shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the department. If adequate funding is not received, the department shall have the flexibility to use funds from other programmatic areas to maintain an appropriate level of service.

67.13. (DJJ: Early Release Authorization) In order to avoid unconstitutional levels of overcrowding and other unconstitutional conditions from occurring in facilities operated by the department and in residential programs operated for the department, the number of children housed in residential placements (either committed to the custody of the Department of Juvenile Justice or who are under the department's supervision) shall not exceed the number of beds available to the department to house them. Should appropriation reductions necessitate that the department close any additional facility, program, or housing unit it operates, or to be unable to fund any additional residential program operated for its benefit, the department is authorized and empowered to release from its residential placements sufficient numbers of children committed to its custody or supervision for a status offense, a misdemeanor offense, other than Assault and Battery of a High and

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Aggravated Nature and Assault with Intent to Kill, or for violation of probation/contempt of a status offense or a misdemeanor offense, other than Assault and Battery of a High and Aggravated Nature and Assault with Intent to Kill, so that the number of children in its custody or under its supervision and placed in these residential placements does not exceed the number of housing units/beds available to properly house those children. No child adjudicated delinquent for a violent crime as defined in Section 16-1-60 of the 1976 Code, a felony offense as defined in Section 16-1-90 of the 1976 Code, or a sexual offense shall be released pursuant to this proviso.

SECTION 70 - L36-HUMAN AFFAIRS COMMISSION

70.1. (HAC: Human Affairs Forum Carry Forward) All revenue derived from donations and registration fees received for attendance at Human Affairs Forums shall be retained and carried forward and expended for the purpose of general operations of the Human Affairs Commission.

70.2. (HAC: Training Revenue) All revenue derived from fees received from training and technical assistance provided by the Human Affairs Commission to entities other than state agencies shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.

70.3. (HAC: Revenue from Copying Fees) All revenue derived from providing requested copies of commission files, final opinions, orders, and determinations shall be retained, carried forward, and expended for the purpose of general operations of the Human Affairs Commission.

SECTION 71 - L46-COMMISSION FOR MINORITY AFFAIRS

71.1. (CMA: Private Contributions and Sponsorship) Monies derived from private sources for agency research, forums, training, and institutes may be retained and expended by the commission for the said purpose. Any remaining balance may be carried forward and expended for the same purpose.

71.2. (CMA: Carry Forward Registration Fees) Revenue derived from registration fees received from training and institutes may be retained and carried forward for the purpose of conducting future training and institutes.

SECTION 71 - L46-COMMISSION FOR MINORITY AFFAIRS

71.3. (CMA: Carry Forward Grant Awards) Revenues pooled from public and private sources for the purpose of awarding grants to address problems in the minority community may be retained and carried forward by the commission.

71.4. (CMA: Carry Forward Bingo Revenues) Bingo revenues received by the commission in the prior fiscal year pursuant to Section 12-21-4200(3) of the 1976 Code which are not expended during that fiscal year may be carried forward to be expended in the current fiscal year.

71.5. (CMA: Retention of Photocopy Fees) Revenue derived from photocopy fees and other fees related to Freedom of Information Act requests from the general public may be retained and carried forward by the Commission.

SECTION 73 - R06-OFFICE OF REGULATORY STAFF

73.1. (ORS: Transportation Fee Refund) The Transportation Department of the Office of Regulatory Staff is hereby authorized to make refunds of fees which were erroneously collected.

73.2. (ORS: Assessment Certification) Office of Regulatory Staff shall certify to the Department of Revenue the amounts to be assessed to cover appropriations in this section as follows: (1) the amount applicable to the assessment on public utility, telephone utility, radio common carrier and electric utility companies as provided for by Section 58-4-60, Code of Laws of 1976, (2) the amount to be assessed against gas utility companies as provided for in Section 58-5-940, Code of Laws of 1976, (3) the amount to be assessed against electric light and power companies as provided for in Sections 58-4-60 and 58-27-50, Code of Laws of 1976, and (4) the amount to be covered by revenue from motor transport fees as provided for by Section 58-23-630, and other fees as set forth in Section 58-4-60, Code of Laws of 1976. The amount to be assessed against railroad companies shall consist of all expenses related to the operations of the Railway subprogram of the Agency's Transportation Division, to include the related distribution of salary increments and employer contributions not reflected in the related subprogram of this act as set forth in Section 58-4-60, Code of Laws of 1976.

73.3. (ORS: Assessment Adjustments) If the Office of Regulatory Staff determines that a person or entity subject to Title 58 of the 1976 Code has been assessed an amount greater than that authorized by

SECTION 73 - R06-OFFICE OF REGULATORY STAFF

Sections 58-4-60, 58-3-100 and 58-3-540, the Office of Regulatory Staff shall, at its discretion:

- (a) refund the person or entity the amount of over collection using funds from the current fiscal year;
- (b) refund the person or entity the amount of over collection using any unexpended funds from the prior fiscal year;
- (c) credit the amount the person or entity will be assessed in the next fiscal year for the amount of over collection; or
- (d) any combination of these.

The Office of Regulatory Staff, when determining the amount to be assessed in the next fiscal year, may take into consideration any underpayment or overpayment by a person or entity during a given year. Any unexpended funds from revenue generated pursuant to this section may be retained and carried forward and expended for the same purposes.

**SECTION 74 - R08-WORKERS' COMPENSATION
COMMISSION**

74.1. (WCC: Medical Services Provider Manual Revenue) All revenue earned from the sale of the commission's publication Medical Services Provider Manual shall be retained by the agency to be used for the printing and distribution of subsequent revised editions of the schedule.

74.2. (WCC: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be used for the printing of educational materials and other expenses related to conducting the seminar.

74.3. (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues received as a result of a \$25.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is indigent, this filing fee must be waived.

SECTION 75 - R12-STATE ACCIDENT FUND

75.1. (SAF: Educational Seminar Revenue) The State Accident Fund is authorized to set and collect fees for educational seminars. All revenue earned from educational seminars shall be retained by the

SECTION 75 - R12-STATE ACCIDENT FUND

agency and used for supplies, materials, and other expenses relating to the seminars.

SECTION 78 - R20-DEPARTMENT OF INSURANCE

78.1. (INS: Examiners Travel/Subsistence Reimbursement) Notwithstanding the limitations in this act as to amounts payable or reimbursable for lodging, meals, and travel, the Department of Insurance is authorized to reimburse department examiners in accordance with guidelines established by the National Association of Insurance Commissioners only when the State is reimbursed by an insurance company for the travel and subsistence expenses of Insurance Department examiners pursuant to Section 38-13-10 of the 1976 Code.

78.2. (INS: Reimbursement Carry Forward) Reimbursements received for Data Processing Services, Revenue, Miscellaneous Revenue and Sale of Listings and Labels shall be retained for use by the department. These funds may be carried forward in the current fiscal year.

78.3. (INS: Fees for Licenses) The Department of Insurance shall be authorized to charge a twenty-five dollar initial producer license fee; a twenty-five dollar biennial producer license renewal fee; and a two hundred-fifty dollar penalty fee for late appointment renewals. The director shall specify the time and manner of payment of these fees. These fees shall be retained by the department for the administration of Title 38.

SECTION 79 - R23-BOARD OF FINANCIAL INSTITUTIONS

79.1. (FI: Supervisory Fees) The Board of Financial Institutions shall fix supervisory fees of banks, savings and loan associations and credit unions on a scale which, together with fees collected by the Consumer Finance Division will fully cover the total funds expended under this section.

79.2. (FI: National Mortgage Settlement Carry Forward) Funds received by the Consumer Finance Division pursuant to the State-Federal National Mortgage Settlement for enforcement and regulation may be retained, expended, and carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.

SECTION 80 - R28-DEPARTMENT OF CONSUMER AFFAIRS

80.1. (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in settlement of cases involving violations of the South Carolina Consumer Protection Code and other statutes enforced by the department be retained and expended within the agency's budget to help offset the costs of investigating, prosecuting, and the administrative costs associated with these violations, may be carried forward and expended for the same purposes in the current fiscal year.

80.2. (CA: Student Athlete/Agents Registration) Funds received by the department of Consumer Affairs pursuant to registrations under Chapter 102, Title 59 of the 1976 Code may be retained by the department for its enforcement duties relating to athlete agents and student athletes under that chapter.

80.3. (CA: Expert Witness/Assistance Carry Forward) Unexpended encumbered appropriated funds for the Consumer Advocacy expert witness/assistance program (under Section 37-6-603) may be carried forward into the next fiscal year to meet contractual obligations existing at June thirtieth and not paid by July thirty-first.

80.4. (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all Consumer Credit Grantor Notification filing fees collected under Section 37-6-203 and all Maximum Rate Schedules filing fees collected under Section 37-2-305 and Section 37-3-305. These fees shall be used to offset the cost of administering and enforcing Chapters 2 and 3, Title 37 of the 1976 Code and may be applied to the cost of operations. Unexpended balances may be carried forward for the prior fiscal year into the current fiscal year and be utilized for the same purposes.

80.5. (CA: Retention of Fees) For the current fiscal year, the department may retain all fees collected pursuant to Sections 39-61-80, 39-61-120, 40-39-120, and 44-79-80 of the 1976 Code. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.

**SECTION 81 - R36-DEPARTMENT OF LABOR, LICENSING
AND REGULATION**

81.1. (LLR: Fire Marshal - Authorization to Charge Fees for Training) The Fire Academy may charge participants a fee to cover the cost of education, training programs, and operations. The revenue generated may be applied to the cost of operations, and any unexpended

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balance may be carried forward to the current fiscal year and utilized for the same purposes.

81.2. (LLR: Real Estate - Special Account) Revenue in the Real Estate Appraisal Registry account shall not be subject to fiscal year limitations and shall carry forward each fiscal year for the designated purpose.

81.3. (LLR: POLA - Ten Percent, Other Funds) The Professional and Occupational Offices in Program I.F. Professional and Occupational Licensing must remit annually an amount equal to ten percent of the expenditures to the general fund. The Contractor's Licensing Board must remit all revenues above their expenditures to the general fund. The revenue remitted by the Contractor's Licensing Board to the general fund includes the ten percent.

81.4. (LLR: Fire Marshal Fallen Firefighters Memorial) The Department of Labor, Licensing and Regulation - Division of the State Fire Marshal is authorized to accept gifts or grants of services, properties, or monies from individuals or public and private organizations to honor South Carolina firefighters who have died in the line of duty. All excess monies collected to erect a memorial are to be placed in a fund for upkeep and maintenance. Any later contributions are to be used for upkeep and maintenance.

81.5. (LLR: Firefighter Mobilization Project) The department is directed to utilize \$165,000 of the funds derived under Section 2 of Act 1377 of 1968, as amended by Act 60 of 2001 from the tax of thirty-five one-hundredths percent imposed annually on the gross premium receipts less premiums returned on canceled policy contracts and less dividends and returns of unabsorbed premium deposits of all fire insurance companies doing business in the State to fund the Firefighter Mobilization Project.

81.6. (LLR: Match for Federal Funds) State appropriations to the Department of Labor, Licensing, and Regulation that are required to provide match for federal grant programs in the prior fiscal year may be carried forward into the current fiscal year and expended for the same purpose as originally appropriated.

81.7. (LLR: Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions to the OSHA and OSHA Voluntary Programs, the Department of Labor, Licensing, and Regulation shall be authorized to spend agency earmarked and restricted accounts to maintain these critical programs previously funded with

**SECTION 81 - R36-DEPARTMENT OF LABOR, LICENSING
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general fund appropriations. Any increase in spending authorization for these purposes must receive the prior approval of the Executive Budget Office.

81.8. (LLR: Immigration Bill Funding Report) Prior to any funds carried forward from the prior fiscal year in Subfund 3135 being transferred to fund any other purpose, \$250,000 must be retained by the Department of Labor, Licensing, and Regulation to fund the department's responsibilities under the South Carolina Illegal Immigration Reform Act. The department shall compile an accountability report outlining expenditures of the Immigration Bill funding to be issued to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Chairman of the Senate Finance Natural Resources and Economic Development Subcommittee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the House Ways and Means Transportation and Regulatory Subcommittee. Said report must be issued on the first Tuesday of February in the current fiscal year.

81.9. (LLR: Authorized Reimbursement) The Director of the Department of Labor, Licensing, and Regulation cannot authorize reimbursement under Section 40-1-50(A) of the 1976 Code to members of any board listed in Section 40-1-40(B) for meetings held at any location other than the offices of the department unless there has been a determination that the department is unable to provide space for the meeting in a state-owned or leased facility in Richland or Lexington County.

81.10. (LLR: Illegal Immigration Hotline Assistance) Upon the request of the Commission on Minority Affairs, the Department of Labor, Licensing, and Regulation shall provide assistance to establish and maintain a twenty-four hour toll free telephone number and electronic website to receive, record, collect, and report allegations of violations of federal immigration laws or related provisions of South Carolina law by any non-United States citizen or immigrant, and allegations of violations of any federal immigration laws or related provisions in South Carolina law against any non-United States citizen or immigrant.

Such violations shall include, but are not limited to, E-Verify or other federal work authorization program violations, violations of Chapter 83, Title 40 of the 1976 Code relating to immigration assistance services, or any regulations enacted governing the operation of immigration

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assistance services, false or fraudulent statements made or documents filed in relation to an immigration matter, as defined by Section 40-83-20, violation of human trafficking laws, as defined in Section 16-3-930, landlord tenant law violations, or violations of any law pertaining to the provision or receipt of public assistance benefits or public services.

81.11. (LLR: Board of Pharmacy) The Board of Pharmacy must accept affidavits of practical experience from interns whose practical experience internships occurred in this State. The affidavit must provide that the supervising pharmacist and the site of experience is licensed and in good standing with the board and that the internship falls within the criteria for internships set by the board. The affidavit must be accompanied by a ten dollar fee to cover administrative costs associated with compliance with this proviso.

81.12. (LLR: Office of State Fire Marshal - Clothing) The Department of Labor, Licensing, and Regulation is authorized to purchase and issue clothing to the non-administrative staff of the Office of the State Fire Marshal that are field personnel working in a regulatory aspect and/or certified to be a resident state fire marshal.

81.13. DELETED

****81.14.** *(LLR: Wind and Structural Engineering Research Lab) The Department of Labor, Licensing, and Regulation is directed to utilize \$40,000 of the funds appropriated to the department to contract with the Citadel to establish a research project to determine the validity of wind and seismic residential building requirements for South Carolina, as prescribed in the 2015 International Residential Code (IRC). A preliminary report on the findings must be submitted to the SC Building Codes Council by June 30, 2016.*

SECTION 82 - R40-DEPARTMENT OF MOTOR VEHICLES

82.1. (DMV: Miscellaneous Revenue) Miscellaneous revenue shall be retained by the department and expended in budgeted operations and other related services or programs as the Director of the Department of Motor Vehicles may deem necessary. The Department of Motor Vehicles shall report annually to the General Assembly the amount of miscellaneous revenue retained and carried forward.

** See note at end of Act.

SECTION 82 - R40-DEPARTMENT OF MOTOR VEHICLES

82.2. (DMV: Federal, Other Flow Through Funds) In order to complete projects begun in a prior fiscal year, the Department of Motor Vehicles is authorized to expend federal and earmarked funds in the current fiscal year for expenditures incurred in the prior fiscal year.

82.3. (DMV: Publish Headquarters Call Center Telephone Number) From the funds appropriated in Part IA, Section 82 to the Department of Motor Vehicles, it is the intent of the General Assembly that the Department of Motor Vehicles in each county should have the Headquarters Call Center telephone number published.

82.4. (DMV: Cost Recovery Fee/Sale of Photos or Digitized Images) The Department of Motor Vehicles may collect processing fees and fees to recover the costs of the production, purchase, handling and mailing of documents, publications, records and data sets. The amount charged by the Department of Motor Vehicles for any fees collected pursuant to this proviso may not exceed the rates that the department charged as of February 1, 2001. The Department of Motor Vehicles may not sell, provide or otherwise furnish to private parties, copies of photographs, whether digitized or not, taken for the purpose of a driver's license or personal identification card. Photographs and digitized images from a driver's license or personal identification card are not considered public records. Funds derived from these sources shall be retained by the department.

82.5. (DMV: DPPA Compliance Audit) The Department of Motor Vehicles may charge fees to defray the costs associated with auditing and enforcing compliance of all Federal or State statutes and regulations pertaining to personal information for customers receiving information disseminated by the department as allowed by law. This provision does not pertain to state agencies. The Comptroller General shall place the funds into a special restricted account to be used by the department.

82.6. (DMV: Underutilized Offices) The Director of the Department of Motor Vehicles is authorized to develop and implement a plan to reduce the hours of operation in underutilized DMV field offices; however the legislative delegation of the county in which the affected field office is located must be notified prior to implementation of the plan. In addition, the director shall review field offices which have a high volume of traffic to determine whether it would be beneficial to expand the hours of operation.

82.7. (DMV: Facial Recognition Program) The Department of Motor Vehicles is directed to utilize the funds authorized for the agency to continue the Facial Recognition Program.

SECTION 82 - R40-DEPARTMENT OF MOTOR VEHICLES

82.8. (DMV: Five Year Eye Exam Suspension) For the current fiscal year, Section 56-1-220(B), relating to the requirement for a vision screening certificate during the fifth year of a ten-year driver's license, is suspended. The department may use the savings recognized from the suspension of this requirement to support necessary technology upgrades.

82.9. (DMV: Activities Allowed on Special Restricted Driver's License) In the current fiscal year, employing funds authorized or appropriated to the Department of Motor Vehicles pursuant to Section 82, Part IA of this act, the department must include employment, school, church-related or sponsored activities, and parentally approved sports activities in the categories for which it may waive or modify restrictions in the special restricted driver's license for certain minors. The licensee must provide the department a statement of the purpose of the waiver or modification of restrictions executed by the parents or legal guardian of the licensee and documents executed by church representatives and/or representatives of the sports entity for which the waiver is being requested.

82.10. (DMV: Study of Motorcycle Usage and Safety) From the funds appropriated to the Department of Motor Vehicles, a committee shall be established to study motorcycle usage and safety in South Carolina.

The composition of the study committee shall be as follows: one member appointed by the governor; two members appointed by the Chairman of the Senate Transportation Committee, one of whom must be a member of A Brotherhood Against Totalitarian Enactments (ABATE) of South Carolina; two members appointed by the Chairman of the House Education and Public Works Committee, one of whom must be a member of ABATE of South Carolina; the Secretary of Transportation or his designee who shall have expertise in motorcycle safety issues; the Director of the Department of Public Safety or his designee who shall have expertise in motorcycle safety issues; and the Director of the Department of Motor Vehicles or his designee who shall have expertise in motorcycle safety issues.

The committee shall study available data related to motorcycle usage and applicable laws and regulations. Before December 15, 2015, the committee shall issue its findings and recommendations to the Governor and to the members of the General Assembly.

**SECTION 83 - R60-DEPARTMENT OF EMPLOYMENT
AND WORKFORCE**

83.1. (DEW: SCOICC User Fee Carry Forward) All user fees collected by the South Carolina Occupational Information Coordinating Committee through the Department of Employment and Workforce may be retained by the SCOICC to be used for the exclusive purpose of operating the South Carolina Occupational Information System. All user fees not expended in the prior fiscal year may be carried forward for use in the current fiscal year.

83.2. (DEW: Consortium Contracts: Training-Development Sessions and Media Services) All earmarked funds collected for the LMI - Training-Development Sessions; Media Services and Program Contracts through the Department of Employment and Workforce may be retained by the agency to be used for the exclusive purpose of operating these programs. All funds not expended in the prior fiscal year may be carried forward for use in the current fiscal year.

83.3. (DEW: Federal and Earmarked Prior Year Payments) The Department of Employment and Workforce shall be allowed to pay federal and earmarked prior year obligations with current year funds.

83.4. (DEW: Transparency of Funding Appropriation) In order to promote accountability and transparency, the Department of Employment and Workforce must provide and release to the public via the agency's website, a report of all aggregate amounts of taxes, fees and payments that were charged, collected and paid by that state agency in the prior fiscal year. For the purpose of efficiency and conservation of resources, this report shall be incorporated into the Trust Fund Report due by October first as required by Section 41-33-45 of the 1976 Code. In addition to the requirements of Section 41-33-45, the Trust Fund Report shall include, but not be limited to: (1) SUTA taxes collected per Tier; (2) unemployment benefit claims paid; (3) how many unemployment claims were made in error; (4) loan repayments made to the federal government; and (5) the amount of funds left in the agency's account at the end of the fiscal year. The report must be posted online by October first of the current fiscal year. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October first. Funds appropriated to and/or authorized for use by the department shall be used to accomplish this directive.

83.5. (DEW: SUTA Contingency Assessment Funds) Thirty percent of the funds appropriated through the contingency assessment funds collected on taxable wages paid by employers shall be spent on

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AND WORKFORCE**

enforcement of Section 41-35-110(3) and Section 41-35-120(5) of the 1976 Code, via Eligibility Reviews, Random Verification of Job Contacts and Wage Cross Matches during those weeks covered by the South Carolina State Unemployment Tax Authority (SUTA), and to ensure seated meetings with Unemployment Insurance claimants and requiring that one of the four job search contacts required per week be conducted through SC Works Online System (SCWOS), so that it can be electronically verified. The agency must also inform claimants in advance that Eligibility Reviews and Random Verification of Job Contacts will be used by the department to verify compliance with laws administered by the agency.

83.6. (DEW: Negotiation of Interest) By October 1, 2015, the Department of Employment and Workforce must develop and implement a plan to seek a waiver of interest on the state's FUA loan debt in order to mitigate the impact of the interest payments on South Carolina employers. For the current fiscal year and upon final repayment of all Title XII advances from the Federal Unemployment Account received by the state beginning in December of 2008, any funds remaining in the Department of Employment and Workforce Interest Assessment Fund authorized by Section 41-33-810 of the 1976 Code shall be transferred to the Unemployment Compensation Fund.

83.7. DELETED

83.8. (DEW: UI Tax System Modernization) The Department of Employment and Workforce is authorized to expend up to \$300,000 of funds made available to the State under Section 903 of the United States Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of acquiring software, equipment, and necessary services to replace the agency's unemployment tax information system with a modern technology solution. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, 2015. The amount obligated pursuant to this provision shall not at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.

83.9. DELETED

SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

84.1. (DOT: Expenditure Authority Limitation) The Department of Transportation is hereby authorized to expend all cash balances brought forward from the previous year and all income including all federal funds, unexpended general funds and proceeds from bond sales accruing to the Department of Transportation, but in no case shall the expenditures of the Department of Transportation exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including federal funds, general funds and proceeds from bond sales.

84.2. (DOT: Special Fund Authorization) The Department of Transportation with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of the Department of Transportation funds as may be deemed advisable for proper accounting purposes.

84.3. (DOT: Secure Bonds & Insurance) The Department of Transportation is hereby authorized to secure bonds and insurance covering such activities of the department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

84.4. (DOT: Benefits) Employees of the Department of Transportation shall receive equal compensation increases, health insurance benefits and employee bonuses provided in this act for employees of the State generally. The amount will be funded from Department of Transportation funding sources.

84.5. (DOT: Document Fees) The Department of Transportation is hereby authorized to establish an appropriate schedule of fees to be charged for copies of records, lists, bidder's proposals, plans, maps, etc. based upon approximate actual costs and handling costs of producing such copies, lists, bidder's proposals, plans, maps, etc.

84.6. (DOT: Meals in Emergency Operations) The Department of Transportation may provide meals to employees of the department who are not permitted to leave assigned duty stations and are required to work during deployment, emergency simulation exercises, and when the Governor declares a state of emergency.

84.7. (DOT: Rest Area Water Rates) For the current fiscal year, rest areas of the Department of Transportation shall be charged in-district water rates by providers of water and sewer services, unless the rate currently charged by the provider is less than in-district rates.

SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

84.8. (DOT: Shop Road Farmers Market Bypass Carry Forward) Unexpended funds appropriated for the Shop Road Farmers Market Bypass may be carried forward into the current fiscal year and expended for the matching requirement for the widening and expansion of Leesburg Road from Fairmont to Wildcat Road (Lower Richland roads-Phase I).

84.9. (DOT: Tree Removal) The Department of Transportation is prohibited from using funds authorized by this act for clear cutting, or other similar activities, in the median of Interstate 26 from approximately mile marker 170 to approximately mile marker 199 between Summerville and Interstate 95, except for the following mile marker locations: 170 to 171, 175 to 176, 182 to 183, 187 to 191, and 193 to 199.

84.10. (DOT: Hanahan Permit Application) With the funds authorized for the Department of Transportation, the department shall coordinate and facilitate negotiations between the City of Hanahan, the United States Army Corps of Engineers, CSX Railroad, and other applicable entities for the necessary permit required to complete the Railroad Avenue Extension project in the City of Hanahan. The department shall submit any and all necessary applications for the required permit on behalf of the applicable entities no later than June 30, 2016.

84.11. (DOT: Horry-Georgetown Evacuation Route) *Of the funds authorized for the Department of Transportation, \$500,000 shall be made available for the routing, planning and construction of the Horry-Georgetown Evacuation Route.

84.12. DELETED

84.13. DELETED

84.14. (DOT: Bridge Replacement in McCormick County) Planning and construction on a new U.S. 378 bridge crossing Lake J. Strom Thurmond must provide for and allow McCormick County to affix water lines to the new bridge just as the water lines are affixed to the existing bridge. McCormick County shall bear the cost of affixing the water lines to the new bridge.

84.15. DELETED

84.16. (DOT: Project Priority List) From the funds appropriated to the department, the Department of Transportation Commission project priority lists, as required under Act 114 of 2007, shall be published in a conspicuous place on the department's website in a manner easily

* See note at end of Act.

SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

accessible to the public. The priority lists shall be accompanied by the associated engineering directives explaining the ranking process and methodology for applying the commission approved criteria.

84.17. DELETED

84.18. (DOT: Sunset Suspended) The provisions of Section 6 of Act 114 of 2007 are suspended for the current fiscal year.

SECTION 86 - U20 - COUNTY TRANSPORTATION FUND

86.1. DELETED

SECTION 87 - U30 - DIVISION OF AERONAUTICS

87.1. (AERO: Reimbursement for Services Carry Forward) The Division of Aeronautics may retain and expend reimbursements derived from charges to other government agencies for service and supplies for operating purposes and that a reserve not to exceed \$300,000 may be carried forward to the current fiscal year for the replacement of time limit aircraft components.

87.2. (AERO: Office Space Rental) Revenue received from rental of Division of Aeronautics office space may be retained and expended to cover the cost of building operations.

87.3. (AERO: Funding Sequence) All General Aviation Airports will receive funding prior to the four air carrier airports (i.e. Columbia, Charleston, Greenville-Spartanburg, Myrtle Beach Jetport) as these qualify for special funding under the DOT/FAA appropriations based on enplanements in South Carolina. This policy may be waived to provide matching state funds for critical FAA safety or capacity projects at air carrier airports.

87.4. (AERO: Hangar/Parking Facilities) The Division of Aeronautics will provide hangar/parking facilities for government owned and/or operated aircraft on a first come basis. Funds shall be retained by the division for the purpose of hangar and parking facility maintenance. The Hangar Fee Schedule shall be determined by the division and shall not exceed local average market rates.

Personnel from the agencies owning and/or operating aircraft will be responsible for ground movement of their aircraft.

87.5. (AERO: Aviation Grants) The funds appropriated for Aviation Grants, in this bill or any bill supplemental thereto, shall be

SECTION 87 - U30 - DIVISION OF AERONAUTICS

credited to the State Aviation Fund within the Division of Aeronautics for the following purposes:

- (1) to allow the maximization of grant funds available through the Federal Aviation Administration for capital improvement projects;
- (2) for maintenance projects of general aviation airports; and or
- (3) for aviation education related programs including, but not limited to, educating young people about careers in the aviation industry and/or the promotion of aviation in general.

Sponsors of publicly owned airports for public use are eligible to receive grants pursuant to this provision, but the airport must have a current development plan that meets the planning requirements of the National Plan of Integrated Airports Systems.

The Aeronautics Commission shall promulgate regulations establishing the grants program that, at a minimum, address: (1) priorities among improvements qualifying for grants; (2) an airport selection process to ensure an equitable distribution of funds among eligible airports; and (3) the criteria for distribution of funds among eligible airports.

Enabling airport sponsors to meet basic Federal Aviation Administration safety guidelines for obstruction clearance must be a major factor in the priority guidelines established by the Aeronautics Commission pursuant to this provision. The Commission also shall have discretion consistent with Section 55-5-170 of the 1976 Code to establish a program to grant Aviation Fund dollars for these purposes at the ratio of eighty percent from the fund to twenty percent from the local airport sponsor, or any ratio with a smaller relative contribution from the fund.

A report on the expenditure of these funds shall be submitted to the Senate Finance Committee and the House Ways and Means Committee.

Unspent funds from the prior fiscal year may be carried forward to the current fiscal year and spent for like purposes.

87.6. DELETED

87.7. DELETED

SECTION 88 - Y14-STATE PORTS AUTHORITY

88.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, 2015, pay to the State Transportation

SECTION 88 - Y14-STATE PORTS AUTHORITY

Infrastructure Bank one million dollars before June 30, 2016, to continue the Charleston Cooper River Bridge Project.

88.2. (SPA: Georgetown Port Marketing) The State Ports Authority will continue its cargo diversification strategy which enhances the marketing of all terminal capabilities in Charleston and Georgetown highlighting cruise, breakbulk, bulk, and roll on/roll-off.

88.3. (SPA: Harbor Deepening Reserve Fund) The State Ports Authority shall maintain the Harbor Deepening Reserve Fund. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the South Carolina Ports Authority for the activities associated with deepening the state's harbors. Prior to expending any amount from the fund, the State Ports Authority must present a comprehensive plan for the use of the fund for harbor deepening to the Joint Bond Review Committee for review and comment. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

88.4. DELETED

88.5. (SPA: Georgetown Port Maintenance Dredging Fund) The State Ports Authority shall maintain the Georgetown Port Maintenance Dredging Fund and any funds appropriated in this act for this purpose shall be deposited into this account. This fund shall be separate and distinct from the General Fund and the Harbor Deepening Reserve Fund and interest accrued by the fund must remain in the fund. This fund must be used exclusively by the South Carolina Ports Authority for the activities associated with the maintenance dredging of the Port of Georgetown. Prior to expending any amount from the fund, the State Ports Authority must present a comprehensive plan for the use of the fund for maintenance dredging to the Joint Bond Review Committee for review and comment. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

88.6. DELETED

SECTION 91 - A99-LEGISLATIVE DEPARTMENT

91.1. (LEG: Legislative Employee Designations) The positions included in this section designated (P) shall denote a permanent employee and the salary is an annual rate. The positions designated (T) shall denote a temporary employee and the salary is for a period of six

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months to be paid at that rate only while the General Assembly is in session. The positions designated as (Interim) shall denote a temporary employee and the salary is for a period of six months to be paid at that rate while the General Assembly is not in session. The positions designated (PTT) shall denote part-time temporary employees on a twelve-months basis. The positions designated (PPT) shall denote permanent part-time employees retained for full-time work for a period of months or the duration of the legislative session.

91.2. (LEG: Legislative Employee BPI/Merit) Legislative employees designated (P) or (PPT) shall receive base pay and average merit pay in the same manner as such pay is granted to classified state employees, but for purposes of this paragraph, the term “legislative employees” does not include employees of the House of Representatives. From the funds appropriated for Employee Pay Increases, the Speaker of the House and the President Pro Tempore of the Senate shall determine the amount necessary for compensation of the employees of the House and Senate.

91.3. (LEG: Interim Expenses Allowance) The Chairman of the Standing House and Senate Committees shall each be allowed the sum of six hundred and fifty dollars for expenses during the interim, between sessions of the General Assembly, to be paid from the House or Senate approved accounts, with each body paying the expense allowance of the chairman in its membership. The Speaker of the House is authorized to approve not more than six hundred and fifty dollars for expenses during the interim for Chairmen of the Standing Committees of the House.

91.4. (LEG: Subsistence/Travel Regulations) (A) Members of the General Assembly shall receive subsistence for each legislative day that the respective body is in session and in any other instance in which a member is allowed subsistence expense. No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine die, excluding Friday, Saturday, Sunday, and Monday.

(B) Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the members of the General

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Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President Pro Tempore of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may be provided.

(C) Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work during the interim to secure such information and complete such investigations as may be assigned to the respective committees; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When certified by the appropriate authority, the members appointed to such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The allowances specified in this proviso shall be paid from funds appropriated to the respective committees for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated to such a committee for these purposes.

(D) Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a subsistence and transportation expenses as provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same allowance upon approval of the President Pro

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Tempore of the Senate or the Speaker of the House of Representatives. In either instance, the members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.

(E) Members of the House of Representatives shall not be reimbursed for per diem, subsistence, or travel in connection with any function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the House.

(F) Notwithstanding any other provision of law, subsistence and mileage reimbursement for members of the General Assembly shall be the level authorized by the Internal Revenue Service for the Columbia area. Provided, in calculating the subsistence reimbursement for members of the General Assembly the reimbursement rate for the lodging component shall be the average daily rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding fiscal year .

91.5. (LEG: Senate Voucher Approval) All payroll vouchers, disbursement vouchers, and interdepartmental transfers of the Senate shall only require the approval of the Clerk of the Senate.

91.6. (LEG: Supplies Approval) All supplies for the Senate shall be purchased only upon the authority of the Clerk of the Senate and all supplies for the House of Representatives shall be purchased only upon the authority of the Clerk of the House.

91.7. (LEG: House Pages) Up to one hundred forty-four Pages may be appointed pursuant to House policies and procedures and they shall be available for any necessary service to the House of Representatives.

91.8. (LEG: Senate Research Personnel Compensation) Senate Research personnel other than Directors of Research and the committee research staff shall be paid from funds appropriated for Senate Research at the direction of the Clerk of the Senate.

91.9. (LEG: Contract for Services) The Standing Committees of the Senate may, upon approval of the President Pro Tempore, contract with state agencies and other entities for such projects, programs, and services as may be necessary to the work of the respective committees. Any such projects, programs, or services shall be paid from funds appropriated for contractual services.

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91.10. (LEG: Jt. Leg. Committee Operational Authorization) Only the Joint Legislative Committees for which funding is provided herein are authorized to continue operating during the current fiscal year under the same laws, resolutions, rules or regulations which provided for their operations during the prior fiscal year.

91.11. (LEG: Legislative Carry Forward) In addition to the funds appropriated in this section, the funds appropriated under Part IA, Sections 91A, 91B, 91C, 91D, and 91E for the prior fiscal year which are not expended during that fiscal year may be carried forward to be expended for the same purposes in the current fiscal year.

91.12. (LEG: Senate Expenditures/O&M Committee) Notwithstanding any limitation or other provisions of law to the contrary, funds expended by the Senate for salary adjustments, professional fees and dues, and necessary expenses, supplies, and equipment for Senate employees, must be paid from funds appropriated to the Senate Operations and Management Committee and funds available in approved accounts of the Senate, and shall be authorized and allocated in such manner as determined by the Senate Operations and Management Committee. From the funds annually allocated to each Senator and Representative for postage and telephone, \$250 may be used to purchase American and State flags.

91.13. (LEG: In-District Compensation) All members of the General Assembly shall receive an in-district compensation of \$1,000 per month.

91.14. (LEG: Additional House Support Personnel) The House Operations and Management Committee shall determine procedures and policies for the administration and operation of the Legislative Aide program and the House Operations and Management Committee shall manage the program. Appropriations to the House of Representatives in Part IA shall fund the program.

91.15. (LEG: House Postage) The Speaker of the House is authorized to approve no more than \$700 per member per fiscal year for postage.

91.16. (LEG: Legislative Dual Employment) Each committee and joint legislative committee provide a list to the members of the General Assembly of all employees who hold dual positions of state employment.

91.17. (LEG: Code of Law Reimbursement) The Legislative Council may require reimbursement from public sector recipients except for the General Assembly of its cost of acquiring codes of law, supplements, or replacement volumes distributed to them.

91.18. (LEG: Statewide Acts Availability) From the funds appropriated in Part IA, Section 91D of this act, for the current fiscal

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year the clerks of the House of Representatives and the Senate are to make all statewide Acts available to the public electronically. The provisions of this section are in lieu of the House and Senate Clerks' duties related to the printing and mailing of acts as set forth in Sections 2-13-190, 2-13-210, and 11-25-640 through 11-25-680 of the 1976 Code.

91.19. (LEG: LAC Matching Federal Funds) The Legislative Audit Council is authorized to use funds appropriated in this act as state matching funds for federal funds available for audits and reviews. The council is also authorized to charge state agencies for federal funds, if available, for the costs associated with audits and reviews. Agencies shall remit the federal funds to the Legislative Audit Council as reimbursement for the costs of audits and reviews.

91.20. (LEG: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.

The Executive Budget Office must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.

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Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

For purposes of the proviso, 'other funds' means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in the appropriations act.

91.21. DELETED

91.22. (LEG: DMV Audit Review) For Fiscal Year 2015-16, the provisions of Section 56-1-5(F) are suspended. Any savings generated by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

91.23. (LEG: Electronic Correspondence) For Fiscal Year 2015-16, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.

91.24. (LEG: Technology Panel) Of the funds appropriated in XII.E.2. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state's efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, 2016.

91.25. (LEG: Legislative Department Applicability) For purposes of this act and any other provision of law that would have any effect on the expenditure of state revenue through the applicability of the particular provision or through compliance with a mandate or requirement of the provision, the terms "state agency" or "agency" do not include any

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component of the Legislative Department unless the provision of law specifically includes these entities and the inclusion only applies for purposes of the particular provision.

91.26. DELETED

91.27. (LEG: Act 388 Study Committee) Of the funds appropriated to the Senate, a study committee shall be established to review and study the effects of Act 388 of 2006 on the various classes of property.

Membership of the committee shall be comprised of five members as follows:

- (1) one member of the Senate appointed by the President Pro Tempore of the Senate;
- (2) one member of the Senate appointed by the Chairman of the Senate Finance Committee;
- (3) one member of the Senate appointed by the Chairman of the Senate Judiciary Committee;
- (4) one member of the Senate appointed by the Senate Majority Leader; and
- (5) one member of the Senate appointed by the Senate Minority Leader.

The study committee shall provide a report with findings and recommendations to the General Assembly by June 30, 2016, at which time the study committee shall be dissolved.

91.28. DELETED

91.29. (LEG: Requested Information) The departments, bureaus, officers, commissions, institutions, and other agencies or undertakings of the State, upon request, shall immediately furnish to President Pro Tempore of the Senate or the Speaker of the House of Representatives in such form as he may require, any information requested in relation to their respective affairs or activities.

91.30. (LEG: Voting System Research Committee) There is created a joint legislative committee, entitled the "Joint Voting System Research Committee." This committee shall be comprised of ten members of the General Assembly, as follows:

- (1) the President Pro Tempore of the Senate, or his designee;
- (2) the Speaker of the House of Representatives, or his designee;
- (3) the Chairman of the Senate Finance Committee, or his designee;
- (4) the Chairman of the House Ways and Means Committee, or his designee;

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- (5) the Chairman of the Senate Judiciary Committee, or his designee;
- (6) the Chairman of the House Judiciary Committee, or his designee;
- (7) the Majority Leader of the Senate, or his designee;
- (8) the Majority Leader of the House of Representatives or his designee;
- (9) the Minority Leader of the Senate, or his designee; and
- (10) the Minority Leader of the House of Representatives or his designee.

In the event a designee is appointed they must be selected from the membership of the General Assembly.

The committee shall identify and evaluate current voting system technologies that meet the standards established by Title 7 of the 1976 Code. The committee shall issue a report which shall include, but is not limited to, the following:

- (1) an evaluation of each form of voting system technology considered by the committee, including costs, usability, reliability, accessibility, ability to conduct random audits of election results, and security matters related to each, as well as any possible solutions to address any concerns raised;
- (2) consideration of best practices established by the United States Election Assistance Commission; and
- (3) an analysis as to which technology should be implemented in South Carolina. This analysis shall include costs to acquire and fully implement the recommended technology for a statewide uniform voting system. The analysis must include proposed milestones and success measures for implementation.

The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee no later than January 30, 2016, after which the committee shall be dissolved.

Staff for the joint committee shall be provided by the Senate Finance Committee, the House Ways and Means Committee, the Senate Judiciary Committee, and the House Judiciary Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.

SECTION 92 - D21-OFFICE OF THE GOVERNOR

92.1. (GOV: Governor's Office Budget) All other provisions of law notwithstanding, the Executive Control of State section and Mansion and Grounds section shall be treated as a single budget section for the purpose of transfers and budget reconciliation.

92.2. (GOV: Mansion and Grounds Budget) The Governor's Office of Mansion and Grounds shall not exceed ten percent of its quarterly allocation of funds so as to provide for agency operations on a uniform basis throughout the fiscal year.

92.3. (GOV: Mansion and Grounds Maintenance and Complex Facilities) Revenue collected from rental of Mansion Complex facilities and grounds must be retained and expended by the Governor's Office, Mansion and Grounds to support its operations. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

92.4. (GOV: Use of Funds Report) In order to ensure transparency and accountability, the Governor's Office of Executive Control of State shall report quarterly to the Senate Finance Committee and House Ways and Means Committee on financial transactions that have taken place between Executive Control of State and Mansion and Grounds. These transactions shall include, but are not limited to, any transfer of funds or payments or reimbursements for services rendered. For each transfer, payment, or reimbursement the report must specify the amount, the reason for, or circumstance that necessitated the transaction, and the source of funds used. In the event federal or other funds were utilized, the source from which the revenue was generated must also be included. The report must be submitted as soon after the end of each quarter as practicable.

SECTION 93 - D50-DEPARTMENT OF ADMINISTRATION

93.1. (DOA: Development Disabilities Case Coordination System) Of the funds appropriated to the Department of Administration, Office of Executive Policy and Programs, \$50,000 must be used as state match for the Developmental Disabilities Council federal grant. These funds shall be excluded from the Department of Administration's base budget calculation of any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

93.2. (DOA: CCRS Evaluations & Placements) The amount appropriated in this section under Special Items Children's Case

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Resolution System for Private Placement of Handicapped School-Age Children must be used for expenses incurred in the evaluation of children referred to the CCRS to facilitate appropriate placement and to pay up to forty percent when placement is made in-state and up to thirty percent when placement must be made out-of-state of the excess cost of private placement over and above one-per-pupil share of state and local funds generated by the Education Finance Act, and the one-per-pupil share of applicable federal funds; provided it has been established that all other possible public placements are exhausted or inappropriate. The balance of funding responsibility necessary to provide the child with services must be determined by the Children's Case Resolution System (CCRS) and apportioned among the appropriate public agencies on the basis of the reasons for the private placement. When the amount appropriated in this section is exhausted, the funding responsibility must be apportioned according to the procedures of the CCRS.

93.3. (DOA: CCRS Significant Fiscal Impact) In accordance with Section 20-7-5240(e) of the 1976 Code, "significant fiscal impact" in the current fiscal year shall be defined for each designated agency as the greater of (1) funds appropriated by the General Assembly for the current fiscal year on cases referred to, decided or placed through the Children's Case Resolution System or (2) that agency's assigned shares in the current fiscal year of five cases decided by the Children's Case Resolution System.

93.4. (DOA: Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims' Compensation Fund exceed the amount required to operate the State Office of Victims Assistance and pay claims of crime victims the first \$650,000 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria developed by the policy committee, and otherwise subject to requirements of Section 60.8.

93.5. (DOA: Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to \$120,000 may be expended for physical abuse examinations.

93.6. (DOA: Foster Care-Private Foster Care Reviews) The Department of Administration, Office of Executive Policy and Programs, Division of Foster Care is authorized to restructure its programs, including but not limited to, suspending reviews of children privately placed in private foster care and/or changing the location of reviews of children in public foster care, to maintain continuous operations within existing resources as dictated by recent budget

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reductions. These decisions must be based upon the availability of existing funds. This provision supersedes any previous statutory or regulatory mandate.

93.7. (DOA: Guardian Ad Litem Program) Both the program and the funds appropriated to the Department of Administration, Office of Executive Policy and Programs, Division of Children's Services, Guardian ad Litem Program must be administered separately from other programs within the Division of Children's Services and must be expended for the exclusive use of the Guardian ad Litem Program.

For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by two percentage points. The revenue resulting from this reduction must be used exclusively for operations of the Guardian ad Litem program and be deposited in the State Treasury in a separate and distinct fund known as the "South Carolina Guardian ad Litem Trust Fund." Unexpended revenues in this fund carry forward to succeeding fiscal years, and earnings in this fund must be credited to it. The Guardian ad Litem program may carry forward the other funds authorized herein for its operations from the prior fiscal year into the current fiscal year.

93.8. (DOA: Continuum of Care Carry Forward) The Department of Administration, Office of Executive Policy and Programs, Division of Continuum of Care may carry forward funds appropriated herein to continue services.

93.9. (DOA: Procuring Services) In order to maximize services for victims of crime, if the fulfilling of requirements pursuant to Section 16-3-1410 of the 1976 Code, necessitates hiring any outside entities, the State Office of Victims' Assistance must follow procedures established by the SC Consolidated Procurement Code. Any entity contracting with the agency will submit an annual report by August first to the Governor's Office and to the Chairmen of the Senate Finance Committee and House Ways and Means Committee detailing expenditures from the prior fiscal year in accordance with the State Office of Victims' Assistance. The Governor's Office of Executive Policy and Programs is directed to transfer \$122,032 of the funds carried forward from the prior fiscal year in the Victims' Compensation Fund, and up to \$41,892 from general funds from Program III.C.1 to pay for any contracts or services procured.

93.10. (DOA: M.J. "Dolly" Cooper Veterans Cemetery Carry Forward) The Department of Administration, Office of Executive Policy and Programs, Veterans' Affairs Program may carry forward unexpended funds appropriated and/or authorized for the M.J. "Dolly"

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Cooper Veterans Cemetery from the prior fiscal year and shall use such funds for the same purpose. In addition, any unexpended funds in the Veterans' Affairs Program, including Special Line Items, shall be carried forward from the prior fiscal year into the current fiscal year and used for operation of the M.J. "Dolly" Cooper Veterans Cemetery. Funds carried forward in excess of the amount needed for the operation of the Cemetery may be used for other expenses of the Veterans' Affairs Program. Funds carried forward may not be transferred to any other Department of Administration programs.

93.11. (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer \$85,000 to the Crime Victims Ombudsman's Office to be used for administrative and operational support.

93.12. (DOA: Veterans' Affairs Budget Reduction Exemption) Funds appropriated for the Department of Administration, Office of Executive Policy and Program, Veterans' Affairs Program shall be excluded from the Department of Administration's base budget in the calculation of any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

93.13. (DOA: Outside Legal Counsel) In the event circumstances necessitate that the Department of Administration, Office of Executive Policy and Programs acquire the services of outside legal counsel, the Department of Administration must follow procedures established by the SC Consolidated Procurement Code.

***93.14.** (DOA: *Inspector General Support Services*) *For the current fiscal year, the Department of Administration, Office of Executive Policy and Programs shall be prohibited from providing support services to the Office of Inspector General.*

93.15. (DOA: Carillon Tower) The Department of Administration, Office of Executive Policy and Programs, Veterans' Affairs Program shall use any carry forward funds authorized for the M.J. "Dolly" Cooper Veterans Cemetery to construct the Carillon Tower to house the sound system used to provide bell tower music for the cemetery.

93.16. (DOA: State House Operation & Maintenance Account) Funds appropriated to the Department of Administration - for State House Maintenance & Operations & Renovations must be set aside in a separate account for the operation and maintenance of the State House. The department shall report annually to the State House Committee on the amount expended from this fund.

* See note at end of Act.

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93.17. (DOA: Wireless Communications Tower) The Department of Administration is directed to coordinate tower and antenna operations within South Carolina state government. The department shall (1) approve all leases regarding antenna placement on state-owned towers and buildings, (2) coordinate all new tower construction on state-owned property, (3) promote and market excess capacity on the State's wireless communications infrastructure, (4) generate revenue by leasing, licensing, or selling excess capacity on the State's wireless communications infrastructure, and (5) construct new communications assets on appropriate state-owned property for the purpose of generating revenue pursuant to this proviso. All revenue from tower and antenna leases and contracts after July 1, 2001 must be remitted to a separate fund established by the department and shall be transferred to the Educational Television Commission which shall retain and expend such funds for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. Agencies owning tower and antenna assets will be allowed to recover expenses associated with implementing this proviso from this fund. The department shall annually report to the Chairmen of the Senate Finance and House Ways and Means Committees by October first of each year all revenue collected and disbursed. This report shall also include a summary of each agency's overall revenues, whether retained by the agency or remitted to the separate fund.

93.18. (DOA: Compensation - Reporting of Supplemental Salaries) No supplement shall be paid to an agency's employee unless the agency head or designated official of the employing agency, or in the case of supplements paid to college and university presidents, their board of trustees, has approved the conditions and amount of salary supplement. Any compensation, excluding travel reimbursement, from an affiliated public charity, foundation, clinical faculty practice plan, or other public source or any supplement from a private source to the salary appropriated for a state employee and fixed by the State must be reported by the employing agency to the Department of Administration. The report must include the employee's base salary, amount of the supplement, source of the supplement, and any condition of the supplement. The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the salary supplement received by the employee during the preceding fiscal year (July first through June thirtieth). The Department of Administration shall formulate policies and procedures to ensure

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compliance with the reporting provisions of this proviso. Copies of the reports shall be made available to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, upon request.

93.19. (DOA: Compensation Increase - Appropriated Funds Ratio) Appropriated funds may be used for compensation increases for classified and unclassified employees and agency heads only in the same ratio that the employee's base salary is paid from appropriated sources.

93.20. (DOA: Local Provider Health Insurance) The local health care providers of the Department of Disabilities and Special Needs shall be awarded funding increases as prescribed for state agencies to cover the employer's share for the cost of providing health and dental insurance to their employees.

93.21. (DOA: Military Service) Notwithstanding the provisions of Section 8-11-610 of the 1976 Code, a permanent full-time state employee who serves on active duty as a result of an emergency or conflict declared by the President of the United States, and performs such duty, may use up to forty-five days of accumulated annual leave and may use up to ninety days of accumulated sick leave in a calendar year as if it were annual leave.

93.22. (DOA: Antenna and Tower Placement) All leases for antenna and tower operations within institutions of higher learning campuses must conform to master plans for such property, as determined solely by the institution of higher learning.

93.23. (DOA: First Responder Interoperability) The Department of Administration is directed to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 radio system to better coordinate public safety disaster responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this act. The cost-proportional funds shall be utilized for radio user fees of state agencies and public safety first responders (Fire, EMS and Law Enforcement) that participate in the statewide Palmetto 800 radio system (Palmetto 800 participants). The Department of Administration, in consultation with the State Law Enforcement Division, the Department of Public Safety, and the State Emergency Management Division, and a representative of the South Carolina Sheriff's Association, shall set a baseline number of radios used by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 radio system and the jurisdictional requirements of the participant. If a Palmetto 800

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participant reduces the baseline number of radios in use, the amount of funds allocated for the participant's radio user fees shall be reduced in a proportional amount. The funds shall also be utilized to provide private county and city radio systems with grant funds to be used for purchases of equipment that support interoperability with the statewide Palmetto 800 radio system and its users. Grant funds shall be allocated to private county and city radio systems based on the criteria used for Palmetto 800 Participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city radio system in order to qualify for receipt of funds pursuant to this proviso. Each fiscal year the Department of Administration shall establish the level of match required based upon funding provided by this act. These entities shall be required to furnish such documentation as may be required by the department to verify that the matching funds requirement is met. Upon funding state agency and public safety first responder user fees and private county and city equipment purchases, any remaining funds may be used to enhance and expand the statewide Palmetto 800 radio system. All funds shall be held in a separate account established by the department for the purposes set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or General Assembly, the amount appropriated to the Department of Administration for First Responder Interoperability must be excluded from the department's base budget.

The Department of Administration shall provide a report on the status of the integration of the statewide Palmetto 800 radio system which shall include, but not be limited to, a list of entities who are not integrated into the system as of the end of the immediately preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October first, of the current fiscal year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

93.24. DELETED

93.25. (DOA: Sale of Surplus Real Property) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus real properties shall be retained by the Department of Administration and used for the deferred maintenance of state-owned buildings. The remaining fifty percent of the net proceeds shall be returned to the

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agency that the property is owned by, under the control of, or assigned to and shall be used by that agency for nonrecurring purposes. This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Columbia State Farmers Market; the Department of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident Technical College Enterprise Campus Authority; the Commissioners residence at the Department of Corrections and the Educational Television Commission's Key Road property.

The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road, and such proceeds may be used for the renovation of the ETV Telecommunications Center and other maintenance and operating expenses. If it is determined that sufficient net proceeds are not to be derived from the sale of its property on Key Road to cover the cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder shall, prior to said sale, be submitted to the Department of Administration for approval as being in compliance with the requirements of this subsection.

The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of Corrections.

The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting operations and replacement of firefighting equipment.

The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation, and/or establishment of regional offices and related facilities.

The Department of Vocational Rehabilitation shall be authorized to retain the net proceeds from the sale of 3.205 acres located at 22861 Highway 76 East in Clinton, South Carolina to be used for capital projects and deferred maintenance.

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The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, the Forestry Commission, and the Department of Vocational Rehabilitation shall annually submit a report, within sixty days after the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state-owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

93.26. (DOA: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The Department of Administration shall contract every four years for a study of agency head and technical college president compensation. The cost of the study must be shared by the participating agencies. The staff of the State Fiscal Accountability Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president shall be paid less than the minimum

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of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range.

93.27. (DOA: Cyber Security) All state agencies must adopt and implement cyber security policies, guidelines and standards developed by the Department of Administration. The department may conduct audits on state agencies except public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies as necessary to monitor compliance with established cyber security policies, guidelines and standards. Upon request, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies shall submit sufficient evidence that their cyber security policies, guidelines and standards meet or exceed those adopted and implemented by the department. In addition, while agencies retain the primary responsibility and accountability for ensuring responses to breach incidents comply with federal and state laws, the department shall be informed of all agency cyber security breaches, and is authorized to oversee incident responses in a manner determined by the department to be the most prudent. Upon request of the Department of Administration for information or data, all agencies must fully cooperate with and furnish the department with all documents, reports, assessments, and any other data and documentary information needed by the department to perform its mission and to exercise its functions, powers and duties. The Judicial and Legislative Branches are specifically exempt from the requirements set forth herein.

93.28. DELETED

93.29. DELETED

93.30. DELETED

93.31. (DOA: Holidays) When a legal holiday specified in Section 53-5-10 of the 1976 Code falls on Sunday, the following Monday and when a holiday specified in that section falls on Saturday, the preceding Friday next preceding is deemed a public holiday for all of the purposes. If either the following Monday or the preceding Friday is also a legal holiday, then the State Human Resources Director will designate the day upon which the legal holiday will be observed by state employees. To insure that no more than the legal holidays specified in Section 53-5-10 are observed in the calendar year, a New Year's Day that falls on Saturday must be observed on the following Monday. All bills of exchange, checks, and promissory notes which would otherwise be presentable for acceptance or payment on a Monday or Friday observed as a holiday pursuant to this section are deemed presentable for

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acceptance or payment on the secular or business day succeeding the holiday.

93.32. (DOA: Nuclear Advisory Council) The Office of Regulatory Staff shall reimburse the Department of Administration for travel expenses associated with the Governor's Nuclear Advisory Council from the SC Energy Office's radioactive waste funds.

****93.33.** (DOA: Classification and Compensation System Study) (A) *The Department of Administration, Human Resources Division shall enter into a contract to conduct an in-depth study of the state's classification and compensation system. For purposes of the study, compensation shall include comprehensive employee benefits. The vendor must have experience with a state's compensation system. The study shall include, but not be limited to:*

(1) methods used to develop and determine position classifications;

(2) methods used to set pay grade minimum, midpoint, and maximum;

(3) appropriate market comparisons including, but not limited to, the private sector and local governments;

(4) methods to minimize salary disparities within an agency and within state government;

(5) methods of developing and sustaining a consistent long-term salary increase administrative policy for state government;

(6) recruitment and retention tools including, but not limited to, the impact of the Teacher and Employee Retirement Incentive program;

(7) a process to address longevity pay deficits that currently exist;

(8) a state compensation philosophy statement;

(9) an analysis of merit-based compensation for employees and

(10) an analysis of unnecessary, underutilized, and duplicative positions in order to use that pay to increase salaries of existing employees.

The study should also include interviews with agency heads and human resource staff from state agencies of various sizes. The cost of the study shall not exceed \$300,000.

The findings of the study along with an implementation plan outlining the steps, sequences, and costs for implementing study

** See note at end of Act.

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recommendations and findings shall be submitted by January 4, 2016 to the Classification and Compensation System Study Committee as defined herein.

(B) There is created the Classification and Compensation System Study Committee which shall examine the findings and recommendations submitted by the Department of Administration, Human Resources Division on the state's classification and compensation system.

The committee shall be composed of eleven members, which shall be appointed as follows: two members appointed by the Governor; two members appointed by the President Pro Temporary of the Senate; two members appointed by the Speaker of the House of Representatives; two members appointed by the Chairman of the Senate Finance Committee; two members appointed by the Chairman of the House Ways and Means Committee; and one member appointed by the SC State Employees Association. The members shall elect a chairman at the first meeting of the committee.

No later than six months after the date from which a vendor contract has been signed, the committee shall prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

Staff for the committee shall be provided by the Senate Finance Committee and the House Ways and Means Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.

93.34. (DOA: Office of Victim Assistance) For the current fiscal year, The State Office of Victim Assistance may enter into memoranda of agreement with third-party victim service providers to secure emergency medical, transportation, or other crisis stabilization services on a reimbursable basis. Such agreements shall not allow for more than eight percent of the total reimbursement to cover a provider's administrative, marketing, and advocacy costs. Annually, and no later than October first of each year, the State Office of Victim Assistance shall report to the Governor, the Chairman of Senate Finance Committee, and the Chairman of House Ways and Means Committee on the performance of third-party providers and the use of funds authorized pursuant to this provision in the prior fiscal year.

93.35. (DOA: Emerging Leaders Program) (A) With the funds appropriated to the Office of Human Resources, the Department of Administration shall establish an Emerging Leaders Program (ELP) that

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is designed to identify and develop the next generation of South Carolina state government's leaders by attracting and/or retaining imminent or recent graduates of relevant post-baccalaureate programs to careers in public service. In order to cultivate effective and innovative leaders with demonstrated problem-solving capabilities, the program shall be cohort-based and require participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery, and other appropriate/elective fields. These rotations shall be augmented by and interspersed with classroom-based modules on organizational behavior, decision-making processes, principles of leadership, and other appropriate topics. The program's ultimate design shall reflect the department's assessment of best practices in both public-sector and private-sector management and/or leadership development programs.

(B) Plans for the program shall be completed in time for the first cohort of participants to be selected by June 30, 2016.

93.36. (DOA: Union County Bus Shop) Notwithstanding any other provision of this act, the Division of General Services, Department of Administration, must distribute the proceeds from the sale of the Union County Bus Shop equally to Union County School District and Union County.

93.37. (DOA: Sale of Port Royal) (A) Within thirty days of the transfer of the real and personal property at Port Royal to the Department of Administration pursuant to Section 54-3-700 of the 1976 Code, from the funds appropriated to the department, the department must order a new appraisal for the property, which shall be the appraisal to which Section 54-3-700(C)(3) applies. The appraisal must be conducted in strict accordance with Section 54-3-700(D), and the department, or the appraisal itself, must demonstrate that the appraisal was conducted accordingly. Upon the completion of the appraisal, the department must publish the appraisal, in its entirety, on the website maintained by the department. Also, the department shall make the appraisal available to any interested party.

(B) Beginning on the first day of the first month beginning thirty days after the completion of the appraisal, the department shall list the property for sale at public auction. The auction shall close ninety days thereafter. If the department is unable to close the sale of the property to the highest qualifying bidder, the department must sell the property to the second highest qualifying bidder if the bidder is willing to close at the same bid amount. If the department is unable to close the sale of the

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property to the second highest qualifying bidder, the department shall continue this process until it has exhausted all qualifying bidders. For purposes of this section, a qualifying bid is a bid that meets the requirements of Section 54-3-700(C)(3).

(C) Upon the transfer of the real and personal property at Port Royal to the Department of Administration pursuant to Section 54-3-700, the State Ports Authority, and any of its representatives, are divested of any authority, control, jurisdiction, or legal standing in regards to the property.

SECTION 94 - D25-OFFICE OF INSPECTOR GENERAL

94.1. (SIG: Coordination with State Auditor) The State Inspector General will prepare an annual report to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee and the Governor detailing all written referrals of fraud, waste, and abuse from the State Auditor and all corresponding actions taken by the State Inspector General.

SECTION 95 - E04-OFFICE OF THE LIEUTENANT GOVERNOR

95.1. (LTG: State Matching Funds Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year of the required state matching funds appropriated in Part IA, Section 95, Distribution to Subdivisions, shall be carried forward into the current fiscal year to be used as required state match for federal funds awarded to subdivisions on or before September thirtieth of the current fiscal year.

95.2. (LTG: State Match Funding Formula) Of the state funds appropriated under "Distribution to Subdivisions", the first allocation by the Office on Aging shall be for the provision of required State matching funds according to the Office on Aging formula for distributing Older Americans Act funds. The balance of this item shall be distributed to the planning and service areas of the State. In the event state appropriations are reduced, reductions to the planning and service areas shall be based on amounts distributed in accordance with the previous requirements.

95.3. (LTG: Registration Fees) The Office on Aging is authorized to receive and expend registration fees for educational, training and certification programs.

SECTION 95 - E04-OFFICE OF THE LIEUTENANT GOVERNOR

95.4. (LTG: Council Meeting Requirements) The duties and responsibilities, including the statutory requirement to hold meetings of the Coordinating Council established pursuant to Section 43-21-120 and of the Long Term Care Council established pursuant to Section 43-21-130, both under the Office on Aging in the Office of the Lieutenant Governor, are suspended for the current fiscal year.

95.5. (LTG: Home and Community-Based Services Carry Forward) Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for Home and Community-Based Services shall be carried forward from the prior fiscal year and used for the same purpose.

95.6. (LTG: Geriatric Loan Forgiveness Program) In lieu of quarterly payments to a recipient of the Geriatric Loan Forgiveness Program, the Lieutenant Governor's Office on Aging is authorized to make a single lump sum payment to the lending institution of up to \$35,000 or the loan balance, whichever is less.

Any unexpended balance on June thirtieth of the prior fiscal year of funds appropriated in Part IA, Section 95, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

95.7. (LTG: Referring Agency) The Lieutenant Governor's Office on Aging shall serve as a "referring agency" to the fourteen Community Action Agencies (CAAs) in South Carolina and to the Governor's Office of Executive Policy and Programs, Office of Economic Opportunity for services for the elderly population. The Governor's Office of Executive Policy and Programs shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first on all referrals received from the Lieutenant Governor's Office on Aging in the prior fiscal year and on the status of the referrals.

95.8. DELETED

95.9. (LTG: Caregivers Carry Forward) Unexpended funds from appropriations to the Lieutenant Governor's Office on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

SECTION 96 - E08-OFFICE OF SECRETARY OF STATE

96.1. (SS: UCC Filing Fees) Revenues from the fees raised pursuant to Section 36-9-525(a), not to exceed \$180,000, may be retained by the Secretary of State for purposes of UCC administration.

SECTION 96 - E08-OFFICE OF SECRETARY OF STATE

96.2. (SS: Charitable Funds Act Disclosure Violations) The Secretary of State shall refer to the Attorney General for investigation under Section 33-56-145 of the Solicitation of Charitable Funds Act any person who is alleged to have violated the mandatory disclosure requirements of Section 33-56-90 of the Act, and who has been fined \$10,000 or more for those violations.

96.3. (SS: Charitable Funds Act Misrepresentation Violations) The Secretary of State shall refer to the Attorney General for investigation under Section 33-56-145 of the Solicitation of Charitable Funds Act any person who is alleged to have violated the misrepresentation provisions of Section 33-56-120 of the Act, and who has been fined \$10,000 or more for those violations.

SECTION 97 - E12-OFFICE OF COMPTROLLER GENERAL

97.1. (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to sign, in his stead, warrants drawn against the State Treasurer and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General. This provision shall in no way relieve the Comptroller General of responsibility.

97.2. (CG: GAAP Implementation & Refinement) It is the intent of the General Assembly that the State of South Carolina issue financial statements in conformance with Generally Accepted Accounting Principles (GAAP). To this end, the Comptroller General is directed, as the State Accounting Officer, to maintain an Enterprise Information System for State Government (SCEIS) that will result in proper authorization and control of agency expenditures, including payroll transactions, and in the preparation and issuance of the official financial reports for the State of South Carolina. Under the oversight of the General Assembly, the Comptroller General is given full power and authority to issue accounting policy directives to state agencies in order to comply with GAAP. The Comptroller General is also given full authority to conduct surveys, acquire consulting services, and implement new procedures required to implement fully changes required by GAAP.

97.3. (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed twenty cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. The revenues generated

SECTION 97 - E12-OFFICE OF COMPTROLLER GENERAL

from these fees and those provided for child support deductions in accordance with Section 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

97.4. (CG: Unemployment Compensation Fund Administration) The lesser of two percent or \$200,000 of the fund balance of the Unemployment Compensation Fund shall be paid out annually to the Office of Comptroller General to be used by that agency to recover the costs of administering the fund. The Unemployment Compensation Fund is provided for in Section 41-31-820, South Carolina Code of Laws, 1976, as amended. Any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and used for the same purposes.

97.5. (CG: Purchasing Card Rebate Program) The Office of Comptroller General is authorized to retain the first \$100,000 of rebate associated with the Purchasing Card Program and \$200,000 of agency incentive rebates.

The funds retained may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purposes.

SECTION 98 - E16-OFFICE OF STATE TREASURER

98.1. (TREAS: Nat'l. Forest Fund - Local Govt. Compliance) In order to conform to federal requirements local governments receiving distributions of National Forest Fund revenues are required to report annually to the State Treasurer indicating compliance with authorized purposes.

98.2. (TREAS: STARS Approval) Decisions relating to the Statewide Accounting and Reporting System (STARS) and the South Carolina Enterprise Information System (SCEIS) which involve the State Treasurer's Banking Operations and other functions of the State Treasurer's Office shall require the approval of the State Treasurer.

98.3. (TREAS: Investments) The State Treasurer may pool funds from accounts for investment purposes and may invest all monies in the same types of investments as set forth in Section 11-9-660.

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98.4. (TREAS: Management Fees) The State Treasurer is authorized to charge a fee for the operating and management costs associated with the Local Government Investment Pool, the Deferred Compensation Program, the Tuition Prepayment Program, and the College Investment Program and is further authorized to retain and expend the fees to provide these services. The fees assessed may not exceed the cost of the provision of such services.

98.5. (TREAS: Investment Management Fees) Unless otherwise prohibited by law, the State Treasurer may charge a fee for the operating and management costs associated with the investment management and support operations of various state funds and programs, and further, may retain and expend the fees to provide these services. The fees assessed may not exceed the actual cost of the provision of these services or the earnings on these investments.

98.6. (TREAS: Debt Management Cost Allocation) Unless otherwise prohibited by law, the State Treasurer may charge actual costs associated with the administration and management of the indebtedness of the State, its agencies and institutions, and further, may retain and expend any amounts so allocated to provide these services. Costs associated with the original issuance of bonds and other indebtedness must be assessed on an hourly basis, must be taken from the costs of issuance of any bond issue or other indebtedness, and must not exceed the actual cost of providing these services. Ongoing costs of administration and maintenance must be assessed against expenses of debt service, and must not exceed the actual costs of providing these services.

98.7. (TREAS: Withheld Accommodations Tax Revenues) Before noncompliant expenditures and penalties withheld pursuant to Sections 6-4-35(B)(1)(a) and (b) are reallocated, the Tourism Expenditure Review Committee must certify to the Office of State Treasurer that the time period for an appeal of the committee's action to the Administrative Law Court has expired or that the action of the committee has been upheld or overturned by the Administrative Law Court. Noncompliant expenditures and penalties withheld must be reallocated annually after August first. Allocations withheld must be reallocated proportionately based on the most recent completed fiscal year's total statewide collections of the accommodations tax revenue according to the Office of State Treasurer records. Each annual reallocation of withheld funds to non-offending counties and municipalities must be calculated separately then combined if necessary. Each reallocation to a county or

SECTION 98 - E16-OFFICE OF STATE TREASURER

municipality calculated less than a dollar must be transferred to the General Fund of the State.

98.8. (TREAS: Tuition Prepayment Program) The South Carolina Tuition Prepayment Program shall not accept any new enrollment in the current fiscal year. The annual increase in tuition for the purposes of the Tuition Prepayment Program, for an institution cannot exceed seven percent per year from the 2006-07 level. To the extent that actual tuition for an institution exceeds an annual growth of seven percent per year since Fiscal Year 2006-07, colleges and universities must grant a waiver of the difference to the designated beneficiary and shall not pass along this difference to any student.

98.9. (TREAS: Penalties for Non-reporting) If a municipality fails to submit the audited financial statements required under Section 14-1-208 of the 1976 Code to the State Treasurer within thirteen months of the end of their fiscal year, the State Treasurer must withhold all state payments to that municipality until the required audited financial statement is received.

If the State Treasurer receives an audit report from either a county or municipality that contains a significant finding related to court fine reports or remittances to the Office of State Treasurer, the requirements of Proviso 117.51 shall be followed if an amount due is specified, otherwise the State Treasurer shall withhold twenty-five percent of all state payments to the county or municipality until the estimated deficiency has been satisfied.

If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall withhold twenty-five percent of state funding for that county or municipality until all monthly reports are current.

After ninety days, any funds held by the Office of State Treasurer will be made available to the State Auditor to conduct an audit of the entity for the purpose of determining an amount due to the Office of State Treasurer, if any.

98.10. (TREAS: Signature Authorization) The State Treasurer is hereby authorized to designate certain employees to sign payments for the current fiscal year in accordance with Section 11-5-140 of the 1976 Code to meet the ordinary expenses of the State. This provision shall in no way relieve the State Treasurer of responsibility.

98.11. (TREAS: Unclaimed Property) The State Treasurer may not expend funds to retain a third party, private sector auditor, or auditing firms to fulfill his duties pursuant to the South Carolina Uniform

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Unclaimed Property Act on a contingency basis or any basis other than an hourly basis, with the exception that the State Treasurer may join other state(s) in multi-state contingent fee auditors' examinations, not to include companies whose parent company is headquartered or incorporated in South Carolina, when there is a reason to believe that those companies being audited are holding funds belonging to South Carolina citizens. The Office of State Treasurer shall retain \$200,000 from the Unclaimed Property Program for the sole purpose of employing internal compliance auditors to enforce the Unclaimed Property Act.

98.12. (TREAS: Identity Theft Reimbursement Fund) (A) There is established in the State Treasury the Department of Revenue Identity Theft Reimbursement Fund which must be maintained separately from the general fund of the State and all other funds. The proceeds of the fund must be utilized to reimburse eligible expenses incurred by an eligible person. The obligation to reimburse claims pursuant to this section does not arise until monies are credited to the fund, and only to the extent that monies are credited to the fund. Any monies remaining in the fund at the end of the fiscal year shall be retained, carried forward, and expended for the same purpose.

(B) A person seeking reimbursement from the fund must file with the Treasurer a claim on a form prescribed by him and verified by the claimant. The Treasurer shall consider each claim within ninety days after it is filed and give written notice to the claimant if the claim is denied in whole or in part. If a claim is allowed, the Treasurer shall reimburse the eligible person in an amount equal to his eligible expenses subject to availability of monies in the fund. The decision by the Treasurer regarding a claim is a final agency decision that may be appealed to the Administrative Law Court pursuant to the Administrative Procedures Act naming the Treasurer as the defendant. The action must be brought within ninety days after the Treasurer's decision or within one hundred eighty days after the filing of the claim if he has failed to act on it.

(C) The State Treasurer shall set forth policies and make the necessary determinations to implement the provisions of this section, including the disbursement of proceeds of the fund.

(D) For the purposes of this provision:

(1) 'Eligible person' shall mean a person whose personally identifiable information was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission.

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(2) 'Eligible expenses' shall mean financial losses incurred by an eligible person directly related to the misappropriation of the eligible person's personally identifiable information that was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission. Expenses for services provided by private entities to assist eligible persons with financial losses are not eligible expenses to the extent such services are offered through the State or a state-supported program free of charge.

(3) 'Financial losses' shall mean actual losses, including, but not limited to, lost wages, costs incurred by an eligible person related to correcting his credit history or credit rating, or costs or judgments related to any criminal, civil, or administrative proceeding brought against the eligible person resulting from the misappropriation of the victim's personally identifiable information not recovered from any other source. Costs associated with the purchase of identity theft protection and identity theft resolution services are not financial losses.

(4) 'Identity theft protection' means identity fraud and protection products and services that attempt to proactively detect, notify, or prevent unauthorized access or misuse of a person's identifying information or financial information to fraudulently obtain resources, credit, government documents or benefits, phone or other utility services, bank or savings accounts, loans, or other benefits in the person's name.

(5) 'Identity theft resolution services' means products and services that attempt to mitigate the effects of identity fraud after personally identifiable information has been fraudulently obtained by a third party, including, but not limited to, identity theft insurance and other identity theft resolution services that are designed to resolve actual and potential identity theft and related matters.

(6) 'Person' shall mean an individual, corporation, firm, association, joint venture, partnership, limited liability corporation, or any other business entity.

(7) 'Personally identifiable information' means information that can be used to uniquely identify, contact, or locate a single person or can be used with other sources to uniquely identify a single individual, including, but not limited to, social security numbers, debit card numbers, and credit card numbers.

98.13. (TREAS: Municipality Accommodations Tax Withholdings)
If the State Treasurer is withholding accommodations tax revenue distributions to a municipality due to an expenditure the Tourism

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Expenditure Review Committee determined to be in noncompliance, then the municipality may refund an amount equivalent to the amount determined to be in noncompliance to the municipality's accommodations tax fund from the municipality's general fund. If the municipality certifies to the Tourism Expenditure Review Committee that the amount has been refunded, the State Treasurer shall refund the withheld funds to the municipality's general fund. The expenditure of funds refunded to the municipality's accommodations tax fund and any subsequent expenditures are subject to review by the Tourism Expenditure Review Committee. Prior to notification to the State Treasurer of noncompliance by a municipality, the Tourism Expenditure Review Committee must notify the municipality if an expenditure is found to be in noncompliance. If the committee informs the municipality of an expenditure determined to be in noncompliance and the municipality does not refund the noncompliant amount, the committee shall certify the noncompliance to the State Treasurer. If the committee determines an expenditure of any refunded amount to be in noncompliance, the municipality may not refund an equivalent amount in order to avoid future withholdings.

98.14. (TREAS: Early Literacy Partnership) The State Treasurer's Office is directed to transfer all the funds from Subfund 4019 Governor's Teaching School Loan Program to Save the Children for the statewide partnership with local public schools to serve children ages 3 - 12 in areas of persistent rural poverty through early childhood literacy development. Services, directly or indirectly, are intended to support each school's efforts in supporting pre-kindergarten and kindergarten readiness, accelerating the literacy achievement of children currently reading below grade level and in increasing reading proficiency of struggling readers to ensure all children have the literacy skills they need to succeed. Measured success of the partnerships must be provided to the General Assembly no later than June thirtieth of the current fiscal year. Funds transferred to Save the Children may be carried forward.

**SECTION 99 - E19-RETIREMENT SYSTEM
INVESTMENT COMMISSION**

99.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year 2015-16, the provisions of Section 9-16-380 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission as required by Section

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9-16-380 of the 1976 Code shall be suspended. Any savings generated by not conducting the audit shall be used to conduct audits required by Section 9-4-40 of the 1976 Code.

99.2. (RSIC: Semi-Annual Meetings) The Retirement System Investment Commission shall be required to appear before the House Ways and Means Committee's, Legislative, Executive and Local Government Subcommittee on a semi-annual basis at the request of the subcommittee. The purpose of the meeting shall include, but not be limited to, the review of quarterly investment reports and agency operations.

99.3. (RSIC: Administrator Retention) The Retirement System Investment Commission shall retain twenty-five percent of the annual amount invoiced for its third-party administrator system for the purpose of ensuring the performance of the third-party administrator. The funds must be held in a retainage account and may only be distributed after verification of satisfactory performance by the Investment Commission and Procurement Services pursuant to the service agreement with the third-party administrator. All undistributed funds in the retainage account may be carried forward from the prior fiscal year and used for the same purpose.

SECTION 100 - E24-OFFICE OF ADJUTANT GENERAL

100.1. (ADJ: Unit Maintenance Funds) The funds appropriated as unit maintenance funds shall be distributed to the various National Guard units at the direction of the Adjutant General.

100.2. (ADJ: Revenue Collections) All revenues collected by National Guard units from county and city appropriations, vending machines, rental of armories, court martial fines, federal reimbursements to armories for utility expenses, and other collections may be retained and expended in its budgeted operations.

100.3. (ADJ: Rental Fee for Election Purposes) The maximum fee that an armory may charge for the use of its premises for election purposes shall be the cost of providing custodial services, utilities and maintenance.

100.4. (ADJ: Parking Lot Revenues) Notwithstanding other provisions of this act, as a security measure for the State Military Department's headquarters building and grounds, the Adjutant General may control and contractually lease the headquarters building parking

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facilities, during events at the University of South Carolina's Williams-Brice Stadium, to a state chartered and federally recognized 501(c)(4) tax exempt agency employees' association who may then sub-lease individual parking spaces. Such a contract must require the employees association to obtain liability insurance against wrongful death or injury. The contract must clearly hold the Adjutant General's Office, its officers, and the State of South Carolina harmless from any liability resulting from the use of the parking lot when rented by the employees association. In addition, the contract must specify that the State of South Carolina's Military Department shall receive no less than thirty-three percent of the gross profits from the sub-leasing of the parking spaces. The contract must allow the State to audit the employees association's funds. Funds at the Adjutant General's Office derived wholly from the rental of Adjutant General's headquarters' parking lot may be retained at the Adjutant General's Office, but may not be used for employee perquisites.

100.5. (ADJ: Armory Rental Program) The Adjutant General is authorized to develop and implement an armory rental program to recoup costs associated with the use of armories by state agencies or other non-Guard organizations. The rental program must be uniform in its application to the maximum extent possible. Funds generated by this program may be retained and expended for armory maintenance and operations.

100.6. (ADJ: Meals in Emergency Operations Centers) The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees who are required to work at the State Emergency Operations Centers during actual emergencies and emergency simulation exercises when they are not permitted to leave their stations.

100.7. (ADJ: Educational Seminar Revenue) All revenue earned from educational seminars shall be retained by the agency to be used for the printing of materials and other expenses related to conducting the seminars. The balance of funds shall be reported annually to the General Assembly.

100.8. (ADJ: Retention of Lease Property Revenue) The Adjutant General is authorized to lease all real property under the control of SCMD. All revenue generated by the lease program may be retained for SCMD armory operations and maintenance as authorized by the Adjutant General or Deputy Adjutant General.

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100.9. (ADJ: Billeting and Dining Facility Operations) All revenues collected by the Billeting and Dining Facility operations at the R.L. McCrady Training Center shall be retained and expended in their budgeted operations or be expended in support of SCMD operations, including use for matching federal funds, and armory maintenance and operations. Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations and the Deputy Adjutant General for state operations for the Dining Facility operation.

100.10. (ADJ: EMD Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Emergency Management Division may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Agency Director, and providing funds are available.

100.11. (ADJ: Civil Air Patrol) The funds appropriated in this section for the Civil Air Patrol shall be expended by the Civil Air Patrol so as to discharge the state's obligations in conjunction with the Civil Air Patrol as outlined in the SARDA Plan, the South Carolina Operational Radiological Emergency Response Plan, and to assist county and local authorities and other state agencies as permitted by the regulations governing the Civil Air Patrol. All expenditures for equipment and services shall be in accordance with state fiscal policies.

100.12. (ADJ: Parking Lot Revenues-Columbia Armory, Buildings and Grounds) The Adjutant General may control and contractually lease the Columbia Armory, and its buildings and grounds parking facilities during events at the University of South Carolina's Williams-Brice Stadium. Funds derived wholly from the rental of the Columbia Armory, and its buildings and grounds parking facilities may be retained by the Adjutant General's Office and used for the Funeral Caisson and for SCMD operations, including matching federal funds and armory maintenance and operations. These funds may not be used for any other purpose.

100.13. (ADJ: Emergency Commodities) The Emergency Management Division shall be allowed to rotate and replace water, Meals Ready to Eat (MREs), and other essential emergency commodities housed in the state's Logistic Center through the provision of said commodities to neighboring states, counties, municipalities and other state agencies, and shall be allowed to accept compensation for said commodities not to exceed replacement costs. Revenues from this exchange shall be utilized solely for the replacement of state emergency commodities.

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100.14. (ADJ: Funeral Caisson) In the event of a mandated general fund budget reduction, the Adjutant General's Office is prohibited from reducing the funds appropriated for the Funeral Caisson. In addition, these funds shall not be transferred to any other program or be used for any other purpose by the Office of Adjutant General.

100.15. (ADJ: Behavioral Health Care Facilitator/Coordinator) The funds appropriated and or authorized to the Office of the Adjutant General may be utilized to hire a Behavioral Health Care Facilitator/Coordinator who shall act as a liaison to provide mental health care coordination for mental health services to all members of the South Carolina National Guard. The responsibilities of the position shall include, but are not limited to, focusing on individuals without health insurance or without adequate health insurance; facilitating Memorandum of Understanding with mental health facilities across the state to provide assistance to National Guard Service Members; assisting in coordinating Yellow Ribbon and Beyond and other post deployment and mental health events; coordinating treatment for Service Members for conditions that may or may not result in their being medically non deployable; and participating in staff meetings to discuss care of Service Members. The individual hired must be knowledgeable of state and federal privacy laws, including the HIPAA privacy regulations. In addition, it is preferred that the individual have a previous background in Social Work. A national security background check must be performed on the individual prior to a job offer being tendered.

100.16. (ADJ: National Guard State Active Duty) In the event of the activation of the South Carolina National Guard to State Active Duty by the Governor in a Declaration of State Emergency (including Emergency Management Assistance Compact (EMAC)), the State Treasurer and the Comptroller General are hereby authorized and directed to pay from the general fund of the State such funds as necessary, not to exceed \$500,000, to cover the actual costs incurred for personnel, travel, and per diem costs, and the Operational Tempo costs for equipment from the U.S. Property and Fiscal Office. EMAC and any Federal monies from a Declared Federal Emergency reimbursed to the state shall be deposited in the state general fund, up to the amount of funds advanced to the South Carolina National Guard for the Declared State of Emergency.

100.17. (ADJ: National Guard Association and Foundation Support) From the funds authorized or appropriated for State Military Department operations, the Adjutant General may authorize National Guard

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personnel to support and assist the National Guard Association of South Carolina and the South Carolina National Guard Foundation in their missions to promote the health, safety, education, and welfare of South Carolina National Guard personnel and their families.

SECTION 101 - E28-ELECTION COMMISSION

101.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County Boards of Voter Registration and Elections Commissioners," shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$12,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Commissioners. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections Commissioners shall be excluded from the agency's base budget.

101.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$60.00; but managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$60.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of \$60.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

101.3. (ELECT: Board of State Canvassers Compensation) \$100.00 additional compensation per day may be paid to each member of the Board of State Canvassers up to a total of fifteen days that may be

SECTION 101 - E28-ELECTION COMMISSION

required for hearings held by the members of the Board of State Canvassers.

101.4. (ELECT: Sale of Lists Revenue Carry Forward) Any revenue generated from the sale of election lists may be retained and expended by the South Carolina Election Commission to reimburse the Department of Administration, for the printing of such lists and to pay expenses of postage and shipment of these lists to electors who purchase them. After such reimbursement has been made an amount, not to exceed \$400,000, shall be used for nonrecurring expenses in conjunction with extraordinary special election and legal costs and costs for upgrading the Statewide Voter Registration System. Any balance in the Sale of Lists Account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year.

101.5. (ELECT: Budget Reduction Exemption) Funds appropriated for recurring and nonrecurring general and primary election expenses are exempted from mandated across the board reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for recurring and nonrecurring primary and general election expenses shall be excluded from the agency's base budget.

101.6. (ELECT: Primary and General Election Carry Forward) Filing fees received from candidates filing to run in statewide or special primary elections may be retained and expended by the State Election Commission to pay for the conduct of primary elections. Any balance in the filing fee accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, any balance in the Primary and General Election Accounts on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purposes during the current fiscal year. In addition, the aforementioned funds may also be utilized to conduct the Presidential Preference Primary elections.

101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration and elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by

SECTION 101 - E28-ELECTION COMMISSION

charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board or commission member completes the training and certification program, but fails to complete at least one training course per year. The board or commission member and members of that county's legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board or commission member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board or commission member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board or commission member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county's legislative delegation must replace that person on the board or commission.

101.8. (ELECT: Penalty for Late Submission of Reimbursable Expenses) In the event that a county submits reimbursable election expenses to the Commission for payment more than thirty days after the election is held, the Commission may deduct a penalty of ten percent of the late-submitted amount. The county is responsible for payment of this amount. If the Commission finds good reason for such late submission, the penalty may be waived. The Election Commission shall be authorized to expend funds appropriated/ authorized in the current fiscal year to pay election expenses incurred by a county in the prior fiscal year. If a county submits a request for reimbursement of election expenses through any means other than the Voter Registration and Election Management System (VREMS), the Commission may deduct a penalty of ten percent of the amount submitted.

101.9. (ELECT: Help America Vote Act) Of funds appropriated to the commission for primary and general elections, the commission shall utilize any excess funds to match the Help America Vote Act program to the greatest extent possible, and also ensure compliance with the Uniformed and Overseas Citizens Absentee Voting Act of 1986.

SECTION 101 - E28-ELECTION COMMISSION

101.10. (ELECT: HAVA Carry Forward) The Election Commission shall be authorized to carry forward unexpended Help America Vote Act funds into the current fiscal year and to use these funds for the same purpose.

101.11. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act.

101.12. (ELECT: Use of Election Funds) Funds appropriated to the Election Commission for the purpose of conducting elections shall not be used for any other purpose unless specifically authorized in this act. However, up to \$200,000 may be transferred to other operating accounts from General Election accounts upon approval from the Executive Budget Office, which shall then notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of such transfer of funds.

101.13. DELETED

101.14. DELETED

**SECTION 102 - E50-REVENUE AND FISCAL AFFAIRS
OFFICE**

102.1. (RFAO: Geodetic Mapping Program) Funds appropriated or authorized to the Revenue and Fiscal Affairs Office for Mapping, shall be used to clarify county boundary determinations as directed by Section 27-2-105, of the 1976 Code and resolution of the boundary between the states of South Carolina and North Carolina.

An affected party disagreeing with a county boundary certified by the Revenue and Fiscal Affairs Office may appeal the certification to the South Carolina Administrative Law Court, which is vested with jurisdiction to hear and decide the case subject to the provisions of Section 1-23-380 of the 1976 Code, except that the case must be heard 'de novo.' Additionally, for purposes of determining the timelines of an appeal, notice is deemed to have been provided on the date of the written notice to affected parties. An affected party has sixty calendar days from the date of a written notice sent to the affected party to file an appeal with the Administrative Law Court.

102.2. (RFAO: Election File Merge) In order to assist the County Registration and Election Commissions to ensure that registered voters

**SECTION 102 - E50-REVENUE AND FISCAL AFFAIRS
OFFICE**

are assigned to proper election districts, the Revenue and Fiscal Affairs Office, in conjunction with the South Carolina Election Commission, shall merge the voter registration file with the office's Geocoded Address List and the district boundaries of the Congress, South Carolina Senate, South Carolina House of Representatives, county councils, and such other districts as the office possesses official district boundary records in electronic format. The merged systems will allow the Revenue and Fiscal Affairs Office to provide the respective county officials with a list of potential voters who are possibly assigned to the wrong election district. File merger is required only for those districts in which elections are scheduled. Counties and municipalities shall release GIS to the Revenue and Fiscal Affairs Office upon the office's written request. Written request must be sent to the chief administrative officer of the county or municipality and advise the county or municipality that failure to comply within thirty days of request may result in the withholding of ten percent of the county's or municipality's state aid. The Executive Director of the Revenue and Fiscal Affairs Office may grant additional time for good cause and must waive release if the county or municipality does not possess GIS data. For counties and municipalities that possess GIS data but do not release it, the Executive Director of the Revenue and Fiscal Affairs Office shall notify the State Treasurer of the failure to comply with this provision after the required notice. Notification shall result in the withholding of ten percent of subsequent payments of state aid to the entity until the GIS data is provided. Municipal and county data acquired by the Revenue and Fiscal Affairs Office in the course of performing its responsibilities may be used for other functions of the office as well as shared with other state agencies. For this provision GIS data includes, but is not limited to, road centerlines; orthophotography; parcel boundaries; address points; political boundaries; and administrative boundaries.

102.3. (RFAO: SC Boundary Commission) There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Executive Director, or his designee, of the Revenue and Fiscal Affairs Office; the Director of the Department of Natural Resources, or his designee; and the technical

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advisor of the Geodetic and Mapping Survey Program appointed by the Executive Director of the Revenue and Fiscal Affairs Office who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina Boundary Commission to oversee and approve work re-establishing the boundary between South Carolina and North Carolina.

The Executive Director of the Revenue and Fiscal Affairs Office is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of re-establishing the South Carolina-North Carolina boundary within sixty days of the close of each fiscal year until such re-establishment is completed.

102.4. (RFAO: SC Health & Human Services Data Warehouse) There is hereby established within the Revenue and Fiscal Affairs Office, the South Carolina Health and Human Services Data Warehouse. The purpose of the Warehouse is to ensure that the operation of health and human services agencies may be enhanced by coordination and integration of client information. Client data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report client information to the Revenue and Fiscal Affairs Office under this provision. To integrate client information, client data from health and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Revenue and Fiscal Affairs Office in order to assist in the development and maintenance of this Warehouse. The following agencies shall report client information:

- Departments of:
 - (1) Health and Human Services;
 - (2) Health and Environmental Control;
 - (3) Mental Health;
 - (4) Alcohol and Other Drug Abuse Services;
 - (5) Disabilities and Special Needs;
 - (6) Social Services;
 - (7) Vocational Rehabilitation;
 - (8) Education;

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- (9) Juvenile Justice;
- (10) Corrections;
- (11) Probation, Parole and Pardon Services;

- Department of Administration:

- (1) Children's Foster Care Review Board;
 - (2) Continuum of Care;

- Office of the Lieutenant Governor, Division on Aging;
- South Carolina School for the Deaf and the Blind;
- Commission for the Blind; and
- Other entities as deemed necessary by the Revenue and Fiscal Affairs Office.

These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Revenue and Fiscal Affairs Office (Office). The Office shall establish a Memorandum of Agreement with each agency, department or division. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.

To ensure accountability and the coordinated, efficient delivery of health and human services, the Office shall implement, in consultation with state health and human services agencies and other entities as deemed necessary by the Office, an integrated data system that includes client data from all participating agencies.

In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Office shall have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. The

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confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. The Office shall have the power to promulgate regulations, policies and procedures, in consultation with the participating agencies, for the development, protection and operation of the Data Warehouse, other research and analytic-oriented applications, and their underlying processes.

The Office shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated client data from the Warehouse. All agencies shall cooperate with the Office in the development of these analytic tools. It is the intent of this provision that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their research staff members, state agencies, and researchers. To that end, the Office shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Health and Environmental Control shall be exempt from usage of the integrated client management system and the analytic query tools in the day-to-day operation of their Client Automated Record and Encounter System and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.

No state agency shall duplicate any of the responsibilities of this provision.

For purposes of this subsection, all state laws, regulations, or any rule of any state agency, department, board, or commission having the effect or force of law that prohibits or is inconsistent with any provision of this subsection is hereby declared inapplicable to this subsection.

102.5. (RFAO: E911 PSAPs) The Revenue and Fiscal Affairs Office, utilizing the funds appropriated and or authorized herein for the E911 program, must ensure that any new plans or proposed amendments to existing plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. No new plans or amendments may be considered by Revenue and Fiscal Affairs that do not include the written agreement of all jurisdictions

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affected by the new plan or proposed change as well as provide cost savings on the state and local level. Local Public Safety Answering Points are encouraged to cooperate to find ways to continue to improve cost effectiveness and efficiencies for all affected entities.

102.6. (RFAO: Revenue for Goods and Services) The respective sections of the Revenue and Fiscal Affairs Office are authorized to provide and receive from other governmental entities, including other divisions, state and local agencies and departments, and the private sector, goods and services, as will in its opinion promote efficient and economical operations. The sections may charge and pay the entities for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and expended only for the costs of providing the goods and services, and such funds may be retained and be expended for the same purposes.

102.7. (RFAO: 911 Advisory Committee) For the current fiscal year, the Executive Director of the Revenue and Fiscal Affairs Office shall appoint an individual with technical or operational knowledge of E-911 systems to the South Carolina 911 Advisory Committee, which formerly had an appointment of a director of a division of the State Budget and Control Board, ex officio. In addition to the members designated to serve on the advisory committee, the Executive Director of the Revenue and Fiscal Affairs Office may appoint a designee to serve on the advisory committee on his behalf.

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104.1. (SFAA: Procurement of Art Objects) Before any governmental body, with the exception of the South Carolina Museum Commission, the Confederate Relic Room and Military Museum Commission, and the South Carolina Hunley Commission as defined under the South Carolina Consolidated Procurement Code, procures any art objects such as paintings, antiques, sculptures, or similar objects above \$1,000, the head of the Purchasing Agency shall prepare a written determination specifying the need for such objects and benefits to the State. The South Carolina Arts Commission shall review such determination for approval prior to any acquisition.

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104.2. (SFAA: Vacant Positions) In the event that any permanent position in an agency remains vacant for more than twelve months the position may be deleted by the State Fiscal Accountability Authority.

104.3. (SFAA: Lawsuit Funding) The Executive Director shall pay from the Insurance Reserve Fund the defense costs of the State, which are incurred in the current fiscal year, in the Abbeville school funding litigation and the prisoner mental health care litigation. The appropriate official from the House of Representatives and the Senate must certify to the Executive Director on a monthly basis the costs incurred in defense of this litigation. Upon receipt of the certification, the Executive Director shall pay the provider of these services the amount certified.

104.4. (SFAA: Public Procurement Unit) For purposes of participation in the Minnesota Multi State Contracting Alliance for Pharmacy (MMCAP), a private, nonprofit corporation that provides only free medical care may be allowed to participate as a local public procurement unit in the MMCAP cooperative purchase. The participation of nonprofit corporations in the program is contingent upon approval of the Minnesota Multi-State Contracting Alliance for Pharmacy. Participating nonprofit corporations must comply with all applicable federal laws or regulations for participation in the MMCAP cooperative purchase. The state shall not be liable for any action or inaction of such a nonprofit corporation.

104.5. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year 2015-16, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

104.6. (SFAA: IRF Report) The State Fiscal Accountability Authority shall prepare a report on prior fiscal year utilization of the Insurance Reserve Fund to include for each transaction the amount, the recipient of the funds, the date of the transfer or payment, and the action or reason that necessitated the transfer. The report shall be submitted to the President Pro Tempore of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee by October fifteenth, of the current fiscal year.

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104.7. (SFAA: Second Injury Fund Closure Plan) The State Fiscal Accountability Authority is authorized and empowered to take all necessary actions to administer the closure plan for the Second Injury Fund, as adopted pursuant to Section 42-7-320(A) of the 1976 Code, as amended, and to use the separate and distinct trust and administrative accounts established for this purpose.

104.8. (SFAA: IT Planning Transfer) The State Fiscal Accountability Authority shall transfer \$400,000 from revenue generated from contract administration fees on information technology contracts to the Department of Administration to support the state's information technology planning program.

***104.9.** (SFAA: Aeronautics Support Function) *From the funds appropriated to the State Fiscal Accountability Authority, the agency must provide administrative support function, including but not limited to, accounting, human resources, and procurement for the Division of Aeronautics.*

104.10. (SFAA: Attorneys) For the current fiscal year, during the transition of the Insurance Reserve Fund from the Budget and Control Board to the State Fiscal Accountability Authority, the Insurance Reserve Fund shall continue to approve the attorneys-at-law retained to defend those it insures.

SECTION 105 - F27-SFAA, STATE AUDITOR'S OFFICE

105.1. (SFAA-AUD: Annual Audit of Federal Programs) Each state agency receiving federal funds subject to the audit requirements of the Single Audit Act Amendments of 1996 and OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations shall remit to the State Auditor an amount representing an equitable portion of the expense of contracting with a nationally recognized CPA firm to conduct a portion of the audit of the State's federal financial assistance.

Each state agency's equitable portion of the expense will be determined by a schedule developed by the State Auditor. Such remittance will be based upon invoices provided by the State Auditor. The audit shall be re-bid every five years. The State Auditor shall retain and expend the funds received and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

* See note at end of Act.

SECTION 105 - F27-SFAA, STATE AUDITOR'S OFFICE

105.2. (SFAA-AUD: Medical Assistance Audit Carry Forward) The State Auditor's Office shall retain and expend the funds received from the Department of Health and Human Services for the Medical Assistance Audit Program pursuant to Proviso 33.3 of this act and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

105.3. (SFAA-AUD: Coordination with Inspector General) In the event the State Auditor's Office identifies instances of fraud, waste, and abuse during any state agency audit, the State Auditor shall refer such instances to the State Inspector General for examination. The State Auditor shall prepare and submit an annual report to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee and the Governor detailing all written referrals of fraud, waste, and abuse submitted to the State Inspector General.

105.4. (SFAA-AUD: Annual Audit of Court Fees and Fines Reports) The State Auditor shall conduct a minimum of fifteen audits annually of county treasurers, municipal treasurers, county clerks of court, magistrates and/or municipal courts as required by Section 14-1-210 of the 1976 Code and allowed by Proviso 118.4 of this act; however, the State Auditor shall not be required to spend more than the annual amount of \$250,000, received from the State Treasurer to conduct the said audits pursuant to Section 14-1-210 of the 1976 Code. The State Auditor may contract with one or more CPA/accounting firms to conduct the required audits. The State Auditor shall consult with the State Treasurer to determine the jurisdictions to be audited in the current fiscal year. Jurisdictions may be selected randomly or based on an instance in the current or previous fiscal year of failing to report, incorrectly reporting or under remitting amounts owed. The funds transferred to the State Auditor by the State Treasurer shall not be used for any purpose other than to conduct the described audits and report whether or not the assessments, surcharges, fees, fines, forfeitures, escheatments, or other monetary penalties imposed and/or mandated are properly collected and remitted to the State. Any unexpended balance on June thirtieth of the prior fiscal year shall be carried forward and must be expended for the same purpose during the current fiscal year. The State Auditor shall annually report by October first, its findings of the jurisdictions audited to the Senate Finance Committee and the House Ways and Means Committee.

**SECTION 108 - F50-PUBLIC EMPLOYEE BENEFIT
AUTHORITY**

108.1. (PEBA: Lottery, Infrastructure Bank, and Magistrates Health Insurance) South Carolina Lottery Commissioners and South Carolina Transportation Infrastructure Bank Board members and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon paying the full premium costs as determined by the Public Employee Benefit Authority. If a county is participating in the State Health and Dental Insurance Plan, magistrates and their eligible dependents are eligible to participate in the State Health and Dental Insurance Plan, upon the magistrate paying the full premium costs as determined by the Public Employee Benefit Authority.

108.2. (PEBA: Adoption Assistance Program) The Employee Adoption Assistance Program is established to provide grants to eligible employees to assist them with the direct costs of adoption. The program shall be an employee benefit through the Public Employee Benefit Authority (PEBA) and shall be funded from the appropriation for the State Health Plan as provided in this act. Total funding for the Adoption Program shall not exceed the amount authorized by the General Assembly in the annual appropriations act. Employees are eligible for the Adoption Program if they participate in PEBA insurance benefits, have adopted a child during the prior fiscal year, apply for the grant during the annual application period, and meet any other Adoption Program criteria. The application period shall be July first through September thirtieth of the current fiscal year for an adoption in the prior fiscal year. The maximum grant amounts shall be \$10,000 in the case of the adoption of a special needs child and \$5,000 for all other child adoptions. Should the total amount needed to fund grants at the maximum level exceed the amount authorized, the amount of a grant to an eligible employee shall be determined by dividing the authorized amount evenly among qualified program applicants, with the adoption of a special needs child qualifying for two times the benefit of a non-special needs child.

108.3. (PEBA: Health Plan Tobacco User Differential) For health plans adopted under the authority of Section 1-11-710 of the 1976 Code by the Public Employee Benefit Authority during the current fiscal year, the board is authorized to differentiate between tobacco users and nonusers regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee rates based upon tobacco use. The

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surcharge for tobacco use may not exceed \$40 per month per subscriber or \$60 per month per subscriber and dependent(s).

108.4. (PEBA: Funding Abortions Prohibited) No funds appropriated for employer contributions to the State Health Insurance Plan may be expended to reimburse the expenses of an abortion, except in cases of rape, incest or where the mother's medical condition is one which, on the basis of the physician's good faith judgment, so complicates the pregnancy as to necessitate an immediate abortion to avert the risk of her death or for which a delay will create serious risk of substantial and irreversible impairment of major bodily function, and the State Health Plan may not offer coverage for abortion services, including ancillary services provided contemporaneously with abortion services. The Public Employee Benefit Authority must determine the amount of the total premium paid for health coverage necessary to cover the risks associated with reimbursing participants in the plan for obtaining an abortion in the circumstances covered by this provision. The determination must be based on actuarial data and empirical study in the same manner and by the same method that other risks are adjusted for in similar circumstances. The plan must report this determination annually to the respective Chairmen of the Senate Finance Committee and the House Ways and Means Committee.

108.5. (PEBA: TRICARE Supplement Policy) The Public Employee Benefit Authority (PEBA) shall offer a group TRICARE Supplement policy or policies to its TRICARE-eligible subscribers through its flexible benefits program to provide that subscribers may pay premiums for such policies on a pretax basis, in accordance with federal law and regulations. PEBA may charge TRICARE Supplement subscribers an amount not to exceed \$2 per subscriber per month for any associated administrative costs.

108.6. (PEBA: FY 2016 State Health Plan) Of the funds authorized for the State Health Plan in Plan Year 2016 pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of 4.5 percent and a subscriber premium increase of zero percent for each tier (subscriber, subscriber/spouse, subscriber/children, full family) will result for the standard State Health Plan in Plan Year 2016. Copayments for participants of the State Health Plan in Plan Year 2016 shall not be increased. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may

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AUTHORITY**

adjust the plan, benefits, or contributions of the State Health Plan during Plan Year 2016 to ensure the fiscal stability of the Plan.

108.7. (PEBA: Exempt National Guard Pension Fund) In the calculation of any across-the-board cut mandated by the Executive Budget Office or General Assembly, the amount of the appropriation for the National Guard Pension Fund shall be excluded.

108.8. (PEBA: Inactive SCRS Account Transfer) A current employee or teacher who is an active participant in the State Optional Retirement Program but who has an inactive account in the South Carolina Retirement Program due to previous service in that system, shall be allowed to transfer previous contributions to the employee's or teacher's active State Optional Retirement Program account.

108.9. (PEBA: Network Pharmacy Publications) All pharmacy publications or lists must include independent retail pharmacies. Abridged pharmacy lists are prohibited.

108.10. DELETED

108.11. DELETED

108.12. DELETED

108.13. (PEBA: Covered Contraceptives) In its Plan of Benefits effective January 1, 2016, the State Health Plan shall not apply patient cost sharing provisions to covered contraceptives. This provision does not alter the current approved list of contraceptives and complies with the requirements of proviso 108.4.

108.14. DELETED

SECTION 109 - R44-DEPARTMENT OF REVENUE

109.1. (DOR: Subpoenaed Employee Expense Reimbursement) If any employee of the Department of Revenue is subpoenaed to testify during litigation not involving the Department of Revenue, the party subpoenaing the employee(s) to testify shall reimburse the State for expenses incurred by the employee(s) requested to testify. Expenses shall include but are not limited to the cost of materials and the average daily salary of the employee or employees.

109.2. (DOR: Court Order Funds Carry Forward) Funds awarded to the Department of Revenue by court order shall be retained in a special account and shall be carried forward from year to year, and expended as needed to accomplish the purposes and conditions of said order if

SECTION 109 - R44-DEPARTMENT OF REVENUE

specified, and if not specified, as may be directed by the Director of the Department of Revenue.

109.3. (DOR: Rural Infrastructure Fund Transfer) Notwithstanding Section 12-10-85, the Department of Revenue is authorized to deposit revenues from the Rural Infrastructure Fund in excess of \$12 million dollars to the Rural Infrastructure Fund under the Rural Infrastructure Authority. Any revenues in excess of \$17 million shall be deposited in the Rural Infrastructure Fund under the Department of Commerce, Coordinating Council.

109.4. (DOR: SCBOS Funds) The Department of Revenue shall share equally the collection assistance fees imposed on overdue tax debt with the South Carolina Business One Stop program. The funds received by the department from this fee shall be used for continued administration of the revenue laws in a fair and impartial manner. Any unexpended funds generated by the fee shall be carried forward from the prior fiscal year into the current fiscal year and shall also be shared equally between the Department of Revenue and the South Carolina Business One Stop program.

109.5. (DOR: Across the Board Cut Exemption) Whenever the Executive Budget Office or General Assembly implements an across the board budget reduction, the funds appropriated to the Department of Revenue shall be exempt from any such mandated budget reduction.

109.6. (DOR: Candidate Tax Return Programs) (A) From the funds appropriated in this act, the department must develop a program to process inquiries from a candidate for an office of this State or its political subdivisions or any gubernatorial appointee concerning whether that candidate or appointee has filed annual state income tax returns that he was required to file during the past ten years, regardless of the source of income, has paid all income taxes due during that time period, and has satisfied all judgments, liens, or other penalties for failure to pay income taxes when due. The department may only respond to an inquiry if the inquiry is made by a candidate or appointee concerning that candidate's or appointee's own income tax returns.

(B) Unless a candidate or appointee requests otherwise, the department must post the results of all inquiries from candidates or appointees in a prominent place on its internet website. The information must be organized in the following manner: (1) the candidates name as it will appear on the ballot or the appointee's name as it appears on his income tax returns; (2) identify the years that the candidate or appointee was required to file income tax returns and identify the years, if any, that

SECTION 109 - R44-DEPARTMENT OF REVENUE

the candidate or appointee was not required to file income tax returns; (3) state whether the candidate or appointee filed income tax returns in each year that the candidate or appointee was required to file income tax returns; (4) state whether the candidate or appointee paid income taxes due each year that the candidate or appointee was required to file income tax returns; and (5) state whether the candidate or appointee had a judgment, lien, or other penalty levied against him for failure to pay income taxes when due, the year of the levy, and whether that judgment, lien, or other penalty has been satisfied. The department may not post a candidate's complete income tax return when fulfilling its obligations under this proviso.

(C) (1) Participation in this program by a candidate or appointee is voluntary.

(2) A candidate's or appointee's inquiry constitutes a waiver of confidentiality with the department concerning the information posted.

109.7. (DOR: Admissions Tax Exemption) Any amount that an accredited college or university requires a season ticket holder to pay to a nonprofit athletic booster organization that is exempt from federal income taxation in order to receive the right to purchase athletic event tickets is exempt from admissions tax.

109.8. (DOR: Fraudulent Tax Return Program) The Department of Revenue may establish a Fraudulent Tax Return Detection Program to prevent payment of fraudulent tax refunds. To implement the program the department may contract with information and technology entities to provide the necessary detection capabilities. The department shall pay for the program from the savings realized by implementation.

109.9. (DOR: Treasury Offset Program) The Department of Revenue is authorized to retain up to \$140,000 of mailing and associated administrative costs incurred as a result of the State's participation in and the notice requirements of the Federal Treasury Offset Program. Retained expenses shall be from tax offset revenue received from the federal government. Remaining revenue shall be deposited in the General Fund.

109.10. (DOR: May Events) Of the accommodation tax returned to Horry County or the municipalities therein, up to one third of the total allocation may be set aside and used for direct policing activities during events held in May within Horry County. By October thirty-first, the local government must inform the Department of Revenue the percentage of accommodation tax to withhold, not to exceed one third of the estimated yearly return, that will be dedicated to direct policing

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activities. These funds shall be sent by the Department of Revenue to the local governing entity upon request of the local entity. A report on the expenditure of these funds, which must include the amount and purpose for which the funds were expended shall be submitted by the county or municipalities to the Governor, the Chairman of Senate Finance Committee and the Chairman of House Ways and Means Committee no later than ninety days after the end of any event in which these funds are expended.

109.11. (DOR: Governmental Debt Offset Program) The Department of Revenue is authorized to contract with technology entities to provide the necessary capabilities to establish a debt offset program to allow non-tax payments to be used to offset governmental debt. Out of the proceeds received, the department shall retain its administrative costs and shall pay for the contractual costs to establish and operate the program. Remaining revenue shall be deposited into the General Fund of the State.

109.12. (DOR: Carry Forward - Identity Theft and Protection Services) The funds appropriated in Act 298 of 2014, Section 1, Item (2) R44 Department of Revenue Identity and Credit Protection Services shall be carried from the prior fiscal year into the current fiscal year and used for the same purpose.

109.13. (DOR: Angel Investors) The Department of Revenue shall use funds authorized by this act to establish a schedule for investors pursuing credits provided for in Chapter 44, Title 11, of the 1976 Code, that includes the ability to submit applications until July 31, 2015, or the date the credit cap is reached as determined by the department, whichever is earlier.

SECTION 110 - R52-STATE ETHICS COMMISSION

110.1. (ETHICS: Ethics Commission Website Changes) In the current fiscal year, prior to approving or adopting any changes to the State Ethics Commission Public Disclosure and Accountability Reporting System, the State Ethics Commission shall submit the proposed changes to the Senate Ethics Committee and House of Representatives Ethics Committee for their review and approval. As third party beneficiaries to any agreement between the State Ethics Commission and a vendor relating to the State Ethics Commission Public Disclosure and Accountability Reporting System, the General Assembly through its respective Ethics Committees can submit

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suggested changes to any proposed agreement or contract relating to the State Ethics Commission Public Disclosure and Accountability Reporting System and the State Ethics Commission shall be required to incorporate those suggestions into any contractual negotiation.

SECTION 111 - S60-PROCUREMENT REVIEW PANEL

111.1. (PRP: Filing Fee) Requests for administrative review before the South Carolina Procurement Review Panel shall be accompanied by a filing fee of two hundred and fifty dollars (\$250.00), payable to the SC Procurement Review Panel. The panel is authorized to charge the party requesting an administrative review under the S.C. Code Sections 11-35-4210(6), 11-35-4220(5), 11-35-4230(6), 11-35-4330, and/or 11-35-4410. The funds generated by the filing fee shall be retained by the panel and carried forward to be used for the operation of the panel. Withdrawal of an appeal will result in the filing fee being forfeited to the panel. If a party desiring to file an appeal is unable to pay the filing fee because of financial hardship, the party shall submit a completed Request for Filing Fee Waiver form at the same time the request for review is filed. The panel shall make the Request for Filing Fee Waiver forms available to the Chief Procurement Officers to provide to parties along with notice of right to appeal to the panel. If the filing fee is not waived, the party must pay the filing fee within fifteen days of the date of receipt of the order denying waiver of the filing fee. Requests for administrative review will not be accepted unless accompanied by the filing fee or a completed Request for Filing Fee Waiver form at the time of filing.

SECTION 112 - V04-DEBT SERVICE

112.1. DELETED

**SECTION 113 - X22-AID TO SUBDIVISIONS,
STATE TREASURER**

113.1. (AS-TREAS: Veterans' Affairs-Aid to Counties) In the allocation of the appropriation in Part IA, Section 113, as adjusted for "Aid to County Veteran Offices," each county shall receive an effective annual amount equal to one hundred percent of the amount allocated to it for the prior fiscal year plus an amount equivalent to base pay increases for state employees, less any adjustments made for budget reductions.

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STATE TREASURER

This allocation shall be distributed on a quarterly basis to the County Treasurer who will handle and distribute these monies for the sole benefit and use of the County Veterans' Affairs Offices.

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year 2015-16, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year 2015-16 Part IA appropriation for the Local Government Fund.

113.3. (AS-TREAS: Salary Supplements) The amounts appropriated in Part IA, Section 113, for Aid Cnty-Clerks of Court, Aid Cnty-Probate Judges, Aid Cnty-Coroners, and Aid Cnty-Sheriffs shall be distributed by the State Treasurer to each county treasurer equally on a quarterly basis, and shall be used as a salary supplement for each clerk of court, probate judge, county coroner, and county sheriff. The amounts appropriated in Part IA, Section 113 for Aid Cnty-Register of Deeds, shall be equally distributed by the State Treasurer to the appropriate county treasurer on a quarterly basis, and shall be used as a salary supplement for registers of deeds.

The amount appropriated in Part IA, Section 113, for Aid Cnty-Auditors and Aid Cnty-Treasurers, shall be equally distributed to each county auditor and county treasurer as a salary supplement in addition to any amounts presently being provided by the county for these positions. It is the intent of the General Assembly that the amount appropriated by the county as salaries for these positions shall not be reduced as a result of the appropriation and that such appropriation shall not disqualify each county auditor and each county treasurer for salary increases that they might otherwise receive from county funds in the future. The salary supplement for each county auditor and county treasurer shall be paid in accordance with the schedule and method of payment established for state employees.

The amounts appropriated in Part IA, Section 113 for Clerks of Court, Probate Judges, Sheriffs, Register of Deeds, Coroners, Auditors, and Treasurers shall be exempt from any across the board cut mandated by the Executive Budget Office or General Assembly. However, the governing body of a county may reduce the expenditures in the operation of the offices of these officials without any required corresponding reduction in the county's state aid to subdivisions distribution. However,

**SECTION 113 - X22-AID TO SUBDIVISIONS,
STATE TREASURER**

any reduction in these officials' budgets must be made in consultation with the affected official.

113.4. (AS-TREAS: Legislative Delegations) In the current fiscal year, a county government must fund its legislative delegation budget pursuant to Section 3, Act No. 283 of 1975. If a county council does not meet that funding level, the amount of the shortfall must be deducted from the responsible county's Aid to Subdivisions allocation and forwarded to the legislative delegation of the county. Additionally, the responsible county's remaining Aid to Subdivisions allotment must be reduced by twenty-five percent of the shortfall amount, which sum must be forwarded to the legislative delegation to be used for its administrative costs.

113.5. (AS-TREAS: LGF) For Fiscal Year 2015-16, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

113.6. (AS-TREAS: Transparency-Political Subdivision Appropriation of Funds) (A) A political subdivision receiving aid from the Local Government Fund may not:

(1) appropriate money to any entity unless that appropriation appears as a separate and distinct line item in the political subdivision's budget or in an amendment to the political subdivision's budget;

(2) except in cases of emergency or unforeseen circumstances, donate funds to a nonprofit organization unless the amounts donated are appropriated on a separate and distinct line item in the political subdivision's budget or an amendment to the political subdivision's budget that includes the names of the entities to which the donations are being made. In the case of an emergency or unforeseen circumstances, a political subdivision may donate funds to a nonprofit organization if the amount and purpose of the proposed donation and the nature of the emergency or unforeseen circumstances necessitating the donation are announced in open session at a public meeting held by the governing body of the political subdivision and the funds are not delivered to the organization for five days following the announced intent to make the donation; or

(3) accept any funds from nongovernmental and inter-governmental organizations as defined in Agenda 21, adopted by the United Nations in 1992 at its Conference on Environment and Development, accredited and enlisted by the United Nations to assist in the implementation of its policies relative to Agenda 21 around the world

**SECTION 113 - X22-AID TO SUBDIVISIONS,
STATE TREASURER**

without posting the following on the political subdivision's website for ten days:

- (a) a full and detailed list of the funding program, including a designation that the funding program is associated with Agenda 21,
- (b) the amount of funds involved,
- (c) every mandate or requirement or action that will result from the grant or funding program's implementation,
- (d) any and all projected costs to the political subdivision, business, or individual associated with the grant or funding program, and
- (e) the stated goals and expected results of the grant or funding program.

(B) A political subdivision receiving aid from the Local Government Fund may not appropriate money to any entity without the requirement that the entity provides at the end of the fiscal year a detailed description of the purposes for which the money was used.

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year 2015-16, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

113.8. DELETED

SECTION 117 - X90-GENERAL PROVISIONS

117.1. (GP: Revenues, Deposits Credited to General Fund) For the current fiscal year, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source of activity, must be remitted to the State Treasurer at least once each week, when practical, and must be

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credited, unless otherwise directed by law, to the General Fund of the State. Each institution, department or agency, in remitting such income to the State Treasurer, shall attach with each such remittance a report or statement, showing in detail the sources itemized according to standard budget classification from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the Executive Budget Office. In order to facilitate the immediate deposit of collections, refunds of such collections by state institutions where properly approved by the authorities of same, may be made in accordance with directions from the State Comptroller General and State Treasurer. General fund appropriations herein made for the support of the public school system of the State must be greater than or equal to the revenues derived from the General Retail Sales Tax, the Soft Drinks Tax, and the state's portion of the Alcoholic Liquors Tax and Cable Television Fees as forecasted in the general fund revenue estimate of the Board of Economic Advisors as accounted for in Section 116 of this act. Appropriations in this act for the support of the public school system shall include the following:

- Department of Education;
- State Board for Technical and Comprehensive Education;
- Educational Television Commission;
- Wil Lou Gray Opportunity School;
- School for the Deaf and the Blind;
- John de la Howe School;
- Debt Service on Capital Improvement Bonds Applicable to Above Agencies;
- Debt Service on School Bonds;
- Other School Purposes.

Nothing contained herein shall be construed as diminishing the educational funding requirements of this section.

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year 2015-16, and for other purposes specifically designated.

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, "current fiscal year" means the fiscal year beginning July 1, 2015, and ending June 30, 2016, and "prior fiscal

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year” means the fiscal year beginning July 1, 2014, and ending June 30, 2015.

117.4. (GP: Descriptive Proviso Titles) Descriptive proviso titles listed in this act are for purposes of identification only and are not to be considered part of the official text.

117.5. (GP: Judicial & Involuntary Commitment, Defense of Indigents) It is the responsibility of all agencies, departments and institutions of state government, to provide at no cost and as a part of the regular services of the agency, department or institutions such services as are necessary to carry out the provisions of Chapter 52, Title 44 (Involuntary Commitment), Article 7, Chapter 17, Title 44 of the 1976 Code (Judicial Commitment), Chapter 3, Title 17 of the 1976 Code (Defense of Indigents), and Article 1, Chapter 3, Title 16 of the 1976 Code (Death Penalty), as amended, upon request of the Judicial Department and/or the appropriate court. To this end, state agencies are directed to furnish to the Judicial Department a list of their employees who are competent to serve as court examiners. The Judicial Department shall forward a copy of this list to the appropriate courts, and the courts shall utilize the services of such state employees whenever feasible. State employees shall receive no additional compensation for performing such services. For the purpose of interpreting this section, employees of the Medical University of South Carolina and individuals serving an internship or residency as an academic requirement or employees who are not full-time state employees and who are not performing duties as state employees are not considered state employees.

117.6. (GP: Case Service Billing Payments Prior Year) Agencies appropriated case services funds who routinely receive prior year case service billings after the old fiscal year has been officially closed are authorized to pay these case service obligations with current funds. This authorization does not apply to billings on hand that have been through a timely agency payment approval process when the old fiscal year closes.

117.7. (GP: Fee Increases) (A) No state agency, department, board, committee, commission, or authority, may increase an existing fee for performing any duty, responsibility, or function unless the fee for performing the particular duty, responsibility, or function is authorized by statutory law and set by regulation except as provided in this paragraph.

(B) This paragraph does not apply to:

- (1) state-supported governmental health care facilities;

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- (2) state-supported schools, colleges, and universities;
- (3) educational, entertainment, recreational, cultural, and training programs;
- (4) the State Board of Financial Institutions;
- (5) sales by state agencies of goods or tangible products produced for or by these agencies;
- (6) charges by state agencies for room and board provided on state-owned property;
- (7) application fees for recreational activities sponsored by state agencies and conducted on a draw or lottery basis;
- (8) court fees or fines levied in a judicial or adjudicatory proceeding;
- (9) the South Carolina Public Service Authority or the South Carolina Ports Authority.

(C) This paragraph does not prohibit a state agency, department, board, committee, or commission from increasing fees for services provided to other state agencies, departments, boards, committees, commissions, political subdivisions, or fees for health care and laboratory services regardless of whether the fee is set by statute.

(D) Statutory law for purposes of this paragraph does not include regulations promulgated pursuant to the State Administrative Procedures Act.

117.8. (GP: State Institutions - Revenues & Income) The University of South Carolina, Clemson University, the Medical University of South Carolina (including the Medical University Hospital), The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Lander University, Coastal Carolina University, and the Wil Lou Gray Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 117.1 of this act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 11-3-185 of the 1976 Code, and expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent improvements without the express written approval of the State Fiscal Accountability Authority and the Joint Legislative Capital Bond Review Committee; and it is further required that no such fee or income shall be

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charged in excess of the amount that is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. Notwithstanding other provisions of this act, funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operations of canteens and bookstores, and from approved Private Practice plans at institutions and affiliated agencies may be retained at the institution and expended by the respective institutions only in accord with policies established by the institution's Board of Trustees. Such funds shall be audited annually by the State but the provisions of this act concerning unclassified personnel compensation, travel, equipment purchases and other purchasing regulations shall not apply to the use of these funds.

117.9. (GP: Transfers of Appropriations) Agencies and institutions shall be authorized to transfer appropriations within programs and within the agency with notification to the Executive Budget Office and Comptroller General. No such transfer may exceed twenty percent of the program budget. Upon request, details of such transfers may be provided to members of the General Assembly on an agency by agency basis. Transfers of appropriations from personal service accounts to other operating accounts or from other operating accounts to personal service accounts may be restricted to any established standard level set by the State Fiscal Accountability Authority upon formal approval by a majority of the members of the State Fiscal Accountability Authority.

117.10. (GP: Federal Funds - DHEC, DSS, DHHS - Disallowances) Amounts appropriated to the Department of Health and Environmental Control, Department of Social Services and Department of Health and Human Services may be expended to cover program operations of prior fiscal years where adjustment of such prior years are necessary under federal regulations or audit exceptions. All disallowances or notices of disallowances by any federal agency of any costs claimed by these agencies shall be submitted to the State Auditor, the Senate Finance Committee and the House Ways and Means Committee, within five days of receipt of such actions.

117.11. (GP: Fixed Student Fees) During the current fiscal year, student fees at the state institutions of higher learning shall be fixed by the respective Boards of Trustees as follows:

(1) Fees applicable to student housing, dining halls, student health service, parking facility, laundries and all other personal subsistence expenses shall be sufficient to fully cover the total direct operating and capital expenses of providing such facilities and services over their

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expected useful life except those operating or capital expenses related to the removal of asbestos.

(2) Student activity fees may be fixed at such rates as the respective Boards shall deem reasonable and necessary.

117.12. (GP: Tech Educ. Colleges Student Activity Fees) Notwithstanding any other provisions of this act, funds at technical education colleges derived wholly from the activities of student organizations and from the operations of canteens and bookstores may be retained by the college and expended only in accord with policies established by the respective college's area commission and approved by the State Board for Technical and Comprehensive Education.

117.13. (GP: Discrimination Policy) It is the policy of the State of South Carolina to recruit, hire, train, and promote employees without discrimination because of race, color, sex, national origin, age, religion or physical disability. This policy is to apply to all levels and phases of personnel within state government, including but not limited to recruiting, hiring, compensation, benefits, promotions, transfers, layoffs, recalls from layoffs, and educational, social, or recreational programs. It is the policy of the State to take affirmative action to remove the disparate effects of past discrimination, if any, because of race, color, sex, national origin, age, religion or physical disability.

Each state agency shall submit to the State Human Affairs Commission employment and filled vacancy data by race and sex by October thirty-first, of each year.

In accordance with Section 1-13-110 of the 1976 Code, as amended, the Human Affairs Commission shall submit a report on the status of state agencies' Affirmative Action Plans and Programs to the General Assembly by February first each year. This report shall contain the total number of persons employed in each job group, by race and sex, at the end of the preceding reporting period, a breakdown by race and sex of those hired or promoted from within the agency during the reporting period, and an indication of whether affirmative action goals were achieved. For each job group referenced in the Human Affairs report, where the hiring of personnel does not reflect the percentage goals established in the agency's affirmative action plan for the year in question, the state agency shall submit a detailed explanation to the Human Affairs Commission by February fifteenth, explaining why goals were not achieved.

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The Human Affairs Commission shall review the explanations and notify the Department of Administration of any agency not in satisfactory compliance with meeting its stated goals.

The Department of Administration shall notify any agency not in compliance that their request for additional appropriations for the current appropriation cycle, may not be processed until such time as the Department of Administration, after consultation with the Human Affairs Commission, is satisfied that the agency is making a good faith effort to comply with its affirmative action plan, and that the compliance must be accomplished within a reasonable length of time to be determined by the mission and circumstances of the agency. This requirement shall not affect additional appropriation requests for public assistance payments or aid to entities. This section does not apply to those agencies that have been exempted from the reporting requirements of the Human Affairs Commission.

117.14. (GP: Personal Service Reconciliation, FTEs) In order to provide the necessary control over the number of employees, the Executive Budget Office is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

(1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the State Fiscal Accountability Authority.

(2) That the Executive Budget Office shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Executive Budget Office records all positions authorized in the Act. After that date, the office shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the office in excess of the total number of authorized full-time equivalent positions. Each agency may, upon notification to the Executive Budget Office, change the funding source of state FTE positions established on the Executive Budget Office records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal

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service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTE's between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the office shall prepare a personal service analysis, by agency, which shows the number of established positions for the fiscal year and the amount of funds required, by source of funds, to support the FTE's for the fiscal year at a funding level of one hundred percent. The office shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency's personal service funding level. The office shall provide a copy of each agency's personal service reconciliation to the Senate Finance and House Ways and Means Committees.

(c) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the State Fiscal Accountability Authority.

(3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine months.

The FTE method of accounting shall be utilized for all authorized positions.

(4) That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

(5) That the Executive Budget Office shall annually reconcile personal service funds with full-time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current

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fiscal year unless specifically exempted elsewhere in this act or by the Executive Budget Office. The Executive Budget Office must report the full-time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year.

(6) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

(7) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

117.15. (GP: Allowance for Residences & Compensation Restrictions) That salaries paid to officers and employees of the State, including its several boards, commissions, and institutions shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee. The charge for these items may be payroll deducted at the discretion of the Comptroller General or the chief financial officer at each agency maintaining its own payroll system. This shall not apply to the Governor's Mansion, nor to guards at any of the state's penal institutions and nurses and attendants at the Department of Disabilities and Special Needs, and registered nurses providing clinical care at the MUSC Medical Center, nor to the Superintendent and staff of John de la Howe School, nor to the cottage parents and staff of Wil Lou Gray Opportunity School, nor to full-time or part-time staff who work after regular working hours in the SLED Communications Center or Maintenance Area, nor to adult staff at the Governor's School for Science and Mathematics and the Governor's School for Arts and Humanities who are required to stay on campus by the institution because of job requirements or program participation. Any state institution of higher learning may provide complimentary membership privileges to employees who work at their wellness centers.

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The presidents of those state institutions of higher learning authorized to provide on-campus residential facilities for students may be permitted to occupy residences on the grounds of such institutions without charge.

Any state institution of higher learning may provide a housing allowance to the president in lieu of a residential facility, the amount to be approved by the State Fiscal Accountability Authority.

That the following may be permitted to occupy residences owned by the respective departments without charge: the Farm Director, Farm Managers, and Specialists employed at the Wateree River Correctional Institution; the South Carolina State Commission of Forestry fire tower operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Game Management Personnel, Fish Hatchery Personnel, and Fort Johnson Superintendent; the Department of Parks, Recreation and Tourism field personnel in the State Parks Division; Director of Wil Lou Gray Opportunity School; President of the School for the Deaf and the Blind; houseparents for the Commission for the Blind; South Carolina Department of Health and Environmental Control personnel at the State Park Health Facility and Camp Burnt Gin; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University; Farm Superintendent at Winthrop University; Residence Hall Directors at the College of Charleston; the Department of Disabilities and Special Needs' physicians and other professionals at Whitten Center, Clemson University Off-Campus Agricultural Staff and Housing Area Coordinators; and TriCounty Technical College's Bridge to Clemson Resident and Area Directors; and housing maintenance night supervisors, residence life directors, temporary and transition employees, and emergency medical personnel occupying residences owned by the University of South Carolina. Except in the case of elected officials, the fair market rental value of any residence furnished to a state employee shall be reported by the state agency furnishing the residence to the Agency Head Salary Commission, and the Department of Administration by October first of each fiscal year.

All salaries paid by departments and institutions shall be in accord with a uniform classification and compensation plan, approved by the Department of Administration, applicable to all personnel of the State Government whose compensation is not specifically fixed in this act. Such plan shall include all employees regardless of the source of funds from which payment for personal service is drawn. The Department of

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Administration is authorized to approve temporary salary adjustments for classified and unclassified employees who perform temporary duties which are limited by time and/or funds. When approved, a temporary salary adjustment shall not be added to an employee's base salary and shall end when the duties are completed and/or the funds expire. Academic personnel of the institutions of higher learning and other individual or group of positions that cannot practically be covered by the plan may be excluded therefrom but their compensations as approved by the Department of Administration shall, nevertheless, be subject to review by the State Fiscal Accountability Authority. Salary appropriations for employees fixed in this act shall be in full for all services rendered, and no supplements from other sources shall be permitted or approved by the State Fiscal Accountability Authority. With the exception of travel and subsistence, legislative study committees shall not compensate any person who is otherwise employed as a full-time state employee. Salaries of the heads of all agencies of the State Government shall be specifically fixed in this act and no salary shall be paid any agency head whose salary is not so fixed. As long as there is no impact on appropriated funds, state agencies and institutions shall be allowed to spend public funds and/or other funds for designated employee award programs which shall have written criteria approved by the agency governing board or commission. For purposes of this section, monetary awards, if any, shall not be considered a part of an employee's base salary, a salary supplement, or a perquisite of employment. The names of all employees receiving monetary awards and the amounts received shall be reported annually to the Department of Administration.

In the case of lodging furnished by certain higher education institutions to employees, the prevailing local rate does not apply if the institution meets the exceptions for inadequate rent described in the current Internal Revenue Code Section 119(d)(2). To meet the exception, rental rates must equal the lesser of five percent of the appraised value of the qualified campus lodging, or the average of the rentals paid by individuals (other than employees or students of the educational institution) during the calendar year for lodging provided by the educational institution which is comparable to the qualified campus lodging provided to the employee, over the rent paid by the employee for the qualified campus lodging during the calendar year. The appraised value shall be determined as of the close of the calendar year in which the taxable year begins, or, in the case of a rental period not greater than one year, at any time during the calendar year in which the period begins.

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117.16. (GP: Universities & Colleges - Allowance for Presidents) Presidents of the University of South Carolina, Clemson University, the Medical University of South Carolina, The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Coastal Carolina University and Lander University must not be paid a fixed allowance for personal expenses incurred in connection with the performance of their official duties. Reimbursements may be made to the presidents from funds available to their respective institutions for any personal expenses incurred provided that all requests for reimbursement are supported by properly documented vouchers processed through the normal accounting procedures of the institutions.

117.17. (GP: Replacement of Personal Property) The Department of Juvenile Justice, Department of Corrections, Department of Probation, Parole and Pardon Services, Department of Mental Health, Department of Disabilities and Special Needs, Continuum of Care, Department of Social Services and School for the Deaf and the Blind may replace the personal property of an employee which has been damaged or destroyed by a client while in custody of the agency. The replacement of personal property may be made only if the loss has resulted from actions by the employee deemed to be appropriate and in the line of duty by the agency head and if the damaged or destroyed item is found by the agency head to be reasonable in value, and necessary for the employee to carry out the functions and duties of his employment. Replacement of damaged or destroyed items shall not exceed \$250 per item, per incident. Each agency must have guidelines to insure the reasonableness of the replacement payments.

117.18. (GP: Business Expense Reimbursement) Agency heads and deputy commissioners or deputy directors designated by agency heads may receive reimbursements for business expenses incurred while performing their official duties, provided that receipts are presented when seeking reimbursement and justification is submitted to document the time, place, and purpose of the expense as well as the names of the individuals involved. The Department of Administration shall promulgate regulations governing these expenses.

117.19. (GP: Per Diem) The per diem allowance of all boards, commissions and committees shall be at the rate of \$35 per day. No full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

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117.20. (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds, shall be allowed in accordance with the following provisions:

(A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any agency thereof including employees and members of the governing bodies of each technical college while traveling on the business of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to exceed the current maximum lodging rates, excluding taxes, established by the U.S. General Services Administration. The lodging reimbursement for employees of a school district must also conform to these rates when that employee's travel reimbursement is paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of the agency's authority by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the obtaining of meals except that such costs shall not exceed \$25 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$32. Agencies may contract with food or dining facilities to pay for meals on behalf of employees in accordance with rules and regulations established by the Office of Comptroller General. It shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds.

(B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

(C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant

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General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

(D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are not employees of the State of South Carolina shall be allowed subsistence expenses of \$35 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

(E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while away from their places of residence on official business of the State. One person accompanying a handicapped member of a state board, commission, or committee on official business of the State shall be allowed the same reimbursement for actual expenses incurred at the rates provided in paragraph A through I of this section.

(F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence expenses in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of Appeals shall be allowed subsistence expenses in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. The Chief Justice, or such other person as the Chief Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial Judges shall be allowed actual subsistence and travel expenses.

Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court Judges shall

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be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate provided in paragraph A of this section.

(G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while holding court within the county in which he resides. While holding court or on other official business outside the county, within fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, a Circuit Court, Family Court or Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State.

(H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

(I) No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed except as provided in paragraph E, of this section. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities or sections of the State, expenses may be allowed for the necessary travel to his official headquarters. The members of the Workers' Compensation Commission may be reimbursed at the regular mileage rate of one round trip each week from their respective homes to Columbia. No subsistence reimbursement shall be allowed to a member of the Workers' Compensation Commission while traveling in the county of his official residence. When traveling on official business of the commission outside the county of his official residence, a member of the Workers' Compensation Commission shall be allowed subsistence expenses in the amount of \$35 per day. When traveling on official business of the commission fifty or more miles outside the county of his official residence, each member shall be allowed a subsistence allowance in the amount as provided in this act for members of the

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General Assembly. When out-of-state, members of the Workers' Compensation Commission and the members of the Appellate Panel of the Department of Employment and Workforce may claim the established amount of per diem, as stated in the General Appropriation Act, or actual expenses as deemed reasonable by the Comptroller General. The members of the Appellate Panel of the Department of Employment and Workforce may be reimbursed at the regular mileage rate when the member is on official business fifty miles or more outside of Columbia. The members of the Appellate Panel of the Department of Employment and Workforce shall be allowed subsistence allowance in the amount as provided in this act for members of the General Assembly when the member is on official business fifty miles or more outside of Columbia.

(J) When an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge to equal the standard business mileage rate as established by the Internal Revenue Service will be allowed for the use of such automobile and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. Whenever state provided motor pool vehicles are reasonably available and their use is practical and an employee of the State shall request for his own benefit to use his or her personal vehicle in traveling on necessary official business, a charge of four cents per mile less than the standard business mileage rate as established by the Internal Revenue Service will be allocated for the use of such vehicle and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof but no mileage will be allowed. Agencies and employees are directed to use state fueling facilities to the maximum extent possible, when such use is cost beneficial to the State. When using commercial fueling facilities, operators of State-owned vehicles are directed to use self-service pumps. In traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules and like factors.

Mileage between an employee's home and his/her place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from his/her home, and does

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not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at his/her residence.

(K) That a state agency may advance travel and subsistence expense monies to employees of that agency for the financing of ordinary and necessary travel required in the conducting of the business of the agency. The Office of Comptroller General is directed to develop and publish rules and regulations pertaining to the advancing of travel expenses and no state agency shall make such advances except under the rules and regulations as published. All advances for travel and subsistence monies shall be repaid to the agency within thirty days after the end of the trip or by July fifteenth, whichever comes first.

(L) That the state institutions of higher learning are authorized to reimburse reasonable relocation expenses for new employees when such reimbursements are considered by the agency head to be essential to successful recruitment of professionally competent staff members.

(M) The Office of Comptroller General is authorized to promulgate and publish rules and regulations governing travel and subsistence payments.

(N) No state funds may be used to purchase first class airline tickets.

117.21. (GP: Organizations Receiving State Appropriations Report) Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority.

117.22. (GP: State-Owned Aircraft - Flight Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government

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shall be used only for official business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, members of state boards, commissions, and agencies and their invitees for official business only; no member of the General Assembly, no member of a state board, commission, or committee, and no state official shall use any state-owned or operated aircraft unless the member or official files within twenty-four hours after the completion of the flight with the agency that provided the flight a sworn statement certifying and describing the official nature of his trip; and no member of the General Assembly, no member of a state board, commission or committee, and no state official shall be furnished air transportation by a state agency unless such agency prepares and maintains in its files a sworn statement from the highest ranking official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include routine transportation to and from meetings of the General Assembly or committee meetings for which mileage is authorized. Official business also does not include attending a press conference, bill signing, or political function.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to state-owned or operated aircraft when used by the Medical University of South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported

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institution of higher education, nor to law enforcement officers when flying on state-owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use.

117.23. (GP: Carry Forward) Each agency is authorized to carry forward unspent general fund appropriations from the prior fiscal year into the current fiscal year, up to a maximum of ten percent of its original general fund appropriations less any appropriation reductions for the current fiscal year. Agencies shall not withhold services in order to carry forward general funds.

This provision shall be suspended if necessary to avoid a fiscal year-end general fund deficit. For purposes of this proviso, the amount of the general fund deficit shall be determined after first applying the Capital Reserve Fund provisions in Section 11-11-320(D) of the 1976 Code, and before any transfers from the General Reserve. The amount of general funds needed to avoid a year-end deficit shall be reduced proportionately from each agency's carry forward amount.

Agencies which have separate general fund carry forward authority must exclude the amount carried forward by such separate authority from their base for purposes of calculating the ten percent carry forward authorized herein. Any funds that are carried forward as a result of this provision are not considered part of the base of appropriations for any succeeding years.

117.24. (GP: TEFRA-Tax Equity and Fiscal Responsibility Act) It is the intent of the General Assembly that the State Medicaid Plan be amended to provide benefits for disabled children as allowed by the Tax Equity and Fiscal Responsibility Act (TEFRA) option. State agencies, including but not limited to, the Department of Social Services - the Continuum of Care, the Department of Health and Environmental Control, the Department of Mental Health, the Department of Disabilities and Special Needs, and the Department of Health and Human Services shall collectively review and identify existing state appropriations within their respective budgets that can be used as state match to serve these children. Such funds shall be used effective January 1, 1995 to implement TEFRA option benefits. Agencies providing services under the provisions of this paragraph must not spend less in the current fiscal year than expended in the previous fiscal year.

117.25. (GP: Prison Industries) All agencies funded in this act, when procuring goods and services, shall first consider contracting for

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services or purchasing goods and services through the Department of Corrections' Prison Industries Program. The Department of Corrections shall furnish, upon request, to all agencies a catalogue of goods and services provided by Prison Industries. The department is hereby directed to develop and market a catalogue of Prison Industries products for nationwide circulation.

117.26. (GP: Travel Report) Annually on November first, the Comptroller General shall issue a report on travel expenditures for the prior fiscal year which shall be distributed to the Senate Finance Committee, the House Ways and Means Committee, and the Statehouse Press Room. The Comptroller General may use up to \$500 of general fund appropriations for the purpose of providing copies to the media or the public upon request. The report must contain a listing for every agency receiving an appropriation in the annual General Appropriations Act. The listing must show at a minimum the top ten percent of employees for whom travel expenses and registration fees were paid within each agency, not to exceed twenty-five employees per agency. Agencies should include position titles for each of the top twenty-five travelers for each agency. Expenditures must include state, federal and other sources of funds. Expenditures for in-state and out-of-state registration fees (fees to attend conferences, teleconferences, workshops, or seminars for training on a per person basis) must be shown as a separate subtotal within the grand total for the individual employees and the agency as a whole. The list for each agency must be in rank order with the largest expenditure first and the name of the employee must be shown with each amount. Agencies should include a brief summary of the type of travel the agency incurs. The Comptroller General may provide additional information as deemed appropriate. The Comptroller General shall provide no exceptions to this report in that the information contained is not considered confidential or restricted for economic development purposes. However, further disclosure of detailed information shall be restricted as provided for by law.

117.27. (GP: School Technology Initiative) From the funds appropriated/authorized for the K-12 technology initiative, the Department of Education, in consultation with the Department of Administration, the State Library, the Educational Television Commission, and a representative from the Education Oversight Committee, shall administer the K-12 technology initiative funds. These funds are intended to provide technology, encourage effective use of technology in K-12 public schools throughout the state, conduct

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cost/benefit analyses of the various technologies, and should, to the maximum extent possible, involve public-private sector collaborative efforts. Funds may also be used to establish pilot projects for new technologies with selected school districts as part of the evaluation process. K-12 technology initiative funds shall be retained and carried forward to be used for the same purpose.

117.28. (GP: State-Operated Day Care Facilities Fees) Any state agency receiving funding in this act and any higher education institution, including four-year institutions, two-year institutions, and technical colleges, that operates an early childhood development center or day care facility shall charge, at a minimum, fees that are comparable to those charged by private day care facilities in the local community. The institution or agency shall not restrict enrollment in the center solely to the children of faculty, staff, and students of the institution; nor shall fees be set at a lower level for faculty, staff, or students of the institution or agency.

117.29. (GP: Base Budget Analysis) Agencies' annual accountability reports for the prior fiscal year, as required in Section 1-1-810, must be accessible to the Governor, Senate Finance Committee, House Ways and Means Committee, and to the public on or before September fifteenth, for the purpose of a zero-base budget analysis and in order to ensure that the Agency Head Salary Commission has the accountability reports for use in a timely manner. Accountability Report guidelines shall require agencies to identify key program area descriptions and expenditures and link these to key financial and performance results measures. The Executive Budget Office is directed to develop a process for training agency leaders on the annual agency accountability report and its use in financial, organizational, and accountability improvement. Until performance-based funding is fully implemented and reported annually, the state supported colleges, universities and technical schools shall report in accordance with Section 59-101-350.

117.30. (GP: Collection on Dishonored Payments) In lieu of any other provision of law, any state agency may collect a service charge as provided in Section 34-11-70 to cover the costs associated with the processing and collection of dishonored instruments or electronic payments where any amount is not paid by the drawee due to insufficient funds on deposit with the bank or the person upon which it was drawn when presented, or the instrument has an incorrect or insufficient signature on it. Such funds shall be retained and expended by the agency

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in accordance with this purpose and any unused amount shall carry forward to the following fiscal year.

117.31. (GP: State DNA Database) Funds collected by the South Carolina Department of Corrections, the Department of Probation, Parole and Pardon, and Department of Juvenile Justice to process DNA samples must be remitted to the State Law Enforcement Division to offset the expenses incurred to operate the State DNA Database program. SLED may retain, expend, and carry forward these funds. Any carry forward funds resulting from the DNA Database program must be used solely to operate the DNA Database program.

117.32. (GP: Voluntary Separation Incentive Program) State agencies may implement, in consultation with the Department of Administration, a program to realign resources to include provisions for a separation incentive payment for employees which may include the employer portion of health and dental benefits not to exceed one year. Employees participating in such program shall not be eligible to participate in the Teacher and Employee Retention Incentive (TERI) program. Employees participating in such program shall be considered to have voluntarily quit their employment without good cause and be subject to the provisions of Section 41-35-120(1) of the South Carolina Employment Security Law. Any program developed under this provision will involve voluntary participation from employees and will be funded within existing appropriations. The program must be approved by the agency head and the Director of the Human Resources Division based on ability to demonstrate recurring cost savings for realignment and/or permanent downsizing. State agencies shall report the prior year's results to the Department of Administration by August fifteenth, of the current fiscal year. The Department of Administration, upon request, shall report to the Senate Finance Committee and the House Ways and Means Committee on these results.

117.33. (GP: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under S.C. Code Section 59-65-50 to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible

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assignment to alternative school for a non-attending child before petitioning the court.

117.34. (GP: Debt Collection Reports) Each state agency shall provide to the Chairmen of the Senate Finance and House of Representatives Ways and Means Committees and the Inspector General a report detailing the amount of its outstanding debt and all methods it has used to collect that debt. This report is due by the last day of February for the previous calendar year. For purposes of this provision, outstanding debt means a sum remaining due and owed to a state agency by a nongovernmental entity for more than sixty calendar days.

117.35. (GP: State-Funded Libraries - Web Filters) (A) A library receiving state funds, directly, indirectly, by grant, or otherwise, other than a library at an institution of higher learning, that has computers available for use by the public or students, or both, must equip these computers with software incorporating web-filtering technology designed to eliminate or reduce the ability of the computer to access sites displaying pornographic pictures or text. However, up to ten percent, and at least one, of the library's computers must be unfiltered. Each library's governing officials shall determine the physical location of any unfiltered computer(s). The library also must have a written policy providing sanctions against a person who instructs or demonstrates to another person how to bypass this web-filtering technology.

(B) State funds intended for a library not in compliance with subsection (A) must be reduced by fifty percent. Funds resulting from this reduction must be distributed among other libraries that are in compliance with subsection (A).

117.36. (GP: Tobacco Settlement Funds Carry Forward) State agencies are hereby authorized to retain and carry forward any unexpended Tobacco Settlement Agreement funds from the prior fiscal year into the current fiscal year and to expend such funds for the same purpose.

117.37. (GP: Use Tax Exemption) For the current fiscal year there is exempt from the use tax imposed pursuant to Chapter 36, Title 12 of the 1976 Code the sales price of tangible personal property purchased for use in private primary and secondary schools, including kindergartens and early childhood education programs, which are exempt from income taxes pursuant to Section 501(c)(3) of the Internal Revenue Code. For the purposes of this item, the Internal Revenue Code means Internal Revenue Code as described in Section 12-6-40 of the 1976 Code. This exemption applies for sales occurring after 1995. No

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refund is due any taxpayer of use tax paid on sales exempted by this paragraph.

117.38. (GP: Personal Property Tax Relief Fund) For the current fiscal year, Section 12-37-2735 of the 1976 Code is suspended. If the Personal Property Tax Exemption Sales Tax is imposed in a county and a sales tax rate of two percent of gross proceeds of sales is insufficient to offset the property tax not collected, sufficient amounts must be credited to the Trust Fund for Tax Relief established pursuant to Section 11-11-150 of the 1976 Code to provide the reimbursement to offset such a shortfall in the manner provided in Section 4-10-540(A) of the 1976 Code.

117.39. (GP: COG Annual Report) Each Council of Government shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how the funds which they received from the State in the prior fiscal year were expended.

117.40. (GP: Department of Administration, OEPP, Veterans Affairs) Of the funds appropriated for the Department of Administration, Office of Executive Policy and Programs, Division of Veterans Affairs, the Director of the Division shall appoint an additional claims representative within the Division of Veterans Affairs, who, in addition to being charged with the duty of assisting all ex-servicemen, regardless of the wars in which their service may have been rendered, in filing, presenting, and prosecuting to final determination all claims which they have for money compensation, hospitalization, training, and insurance benefits under the terms of federal legislation, shall also specialize in the specific needs and diseases associated with veterans of the Vietnam era. The person appointed as a claims representative under this section must be versed in federal legislation relating to these matters and the rules, regulations, and practice of the Veterans Administration as created by Congress and his appointment must be approved by the Governor.

Subject to the direction of the director, and in addition to other duties prescribed in this section, the claims representative appointed pursuant to this section may represent the Division of Veterans Affairs on the South Carolina Agent Orange Advisory Council and on the Hepatitis C Coalition established by the South Carolina Department of Health and Environmental Control, assist the Division of Veterans Affairs in carrying out its duties in connection with the Agent Orange Information and Assistance program, represent the director in connection with

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functions relating to Vietnam veterans, and perform other duties as may be assigned by the director.

117.41. (GP: South Carolina Recycling Initiative) To protect the public health and safety, protect and preserve the environment of this State, and to recover resources which have the potential for usefulness in the most environmentally safe, economically feasible and cost effective manner, state agencies shall purchase recycled steel unless the item cannot be acquired competitively at a reasonable price.

117.42. (GP: Life and Palmetto Fellows Scholarships Waiver Exemption) Any provision in permanent law or in Part IB, Section 117 of this act, except that which is specified for LIFE and Palmetto Fellows Scholarships, that would require general fund appropriations other than what is specified in Part IA of this act is waived for the current fiscal year.

117.43. (GP: Sole Source Procurements) The State Fiscal Accountability Authority shall evaluate and determine whether the written determinations, explanations, and basis for sole source procurements, pursuant to South Carolina Code Section 11-35-1560, and emergency procurements, pursuant to South Carolina Code Section 11-35-1570, are legitimate and valid reasons for awarding noncompetitive contracts.

117.44. (GP: DMV Data) The Department of Motor Vehicles shall provide access, in compliance with all state and federal privacy protection statutes, to the following data and reports without charge to the South Carolina Department of Transportation:

- (1) all collision data and collision reports;
- (2) registration information used for toll enforcement; and
- (3) driver records of employees or prospective employees.

117.45. (GP: Parking Fees) State agencies shall not impose additional parking fees or increases in current fees for state employees during the current fiscal year. This provision does not apply to any college or university.

117.46. (GP: Facility Rental Fee) The Governor's School for the Arts and Humanities, Governor's School for Science and Mathematics, Wil Lou Gray Opportunity School, and John de la Howe School are authorized to charge, collect, expend and carry forward fees charged for facility and equipment rental and registration.

117.47. (GP: Insurance Claims) Any insurance reimbursement to an agency may be used to offset expenses related to the claim. These funds may be retained, expended, and carried forward.

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117.48. (GP: Organizational Charts) All agencies, departments and institutions of state government shall furnish to the Human Resources Division (1) a current personnel organizational chart annually no later than September first of the current fiscal year, or upon the request of the division and (2) notification of any change to the agency's organizational structure which impacts an employee's grievance rights within thirty days of such change. The organizational chart shall be in a form prescribed by the Human Resources Division showing all authorized positions, class title, class code, position number and indications as to whether such positions are filled or vacant. In addition, the organizational chart shall clearly identify those employees who are exempt from the State Employee Grievance Procedure Act.

117.49. (GP: Agencies Affected by Restructuring) Upon restructuring of state agencies by the General Assembly the Department of Administration is directed to work with affected State agencies in order to phase-in operations of restructured organizations during the current fiscal year. Restructured organizations should be operating entirely under the revised structure no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The department is further directed to work with the affected agencies in order to identify and facilitate the transfer of any portion of their operations, including transfer of funds during the current fiscal year, which is affected by the restructured organization adopted by the General Assembly, but which has not already been accomplished herein. Until sufficient changes can be made to the State's accounting system and the appointment of appropriate agency heads, the Comptroller General and the State Treasurer shall allow those agencies affected by restructuring to continue processing documents within the account structure existing on June thirtieth, of the prior fiscal year. Restructured agencies shall make all the necessary accounting adjustments to complete the transition to the new account structure as soon as possible, but no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The Executive Budget Office is directed to prepare the subsequent detail budget to conform Part IA and corresponding provisos in this act to any restructuring changes that are ratified.

117.50. (GP: Agency Administrative Support Collaboration) It is the intent of the General Assembly that state agencies continue to actively pursue cost savings measures through collaborative efforts and where feasible may combine administrative support functions with other agencies in order to maximize efficiency and effectiveness.

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117.51. (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B)(D), 14-1-207(B)(D), 14-1-208(B)(D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance. The State Office of Victim Assistance is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or nonprofit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Office of Victim Assistance to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure. Any local entity or nonprofit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State Office of Victim Assistance within thirty days of the budget's approval by the governing body of the entity or nonprofit organization. Failure to comply with this provision shall cause the State Office of Victim Assistance to initiate a programmatic review and a financial audit of the entity's or nonprofit organization's expenditures of victim assistance funds. Additionally, the State Office of Victim Assistance will place the name of the noncompliant entity or nonprofit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or nonprofit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Office of Victim Assistance. If the State Office of Victim Assistance finds an error, the entity or nonprofit organization has ninety days to rectify the error. An error constitutes an entity or nonprofit organization spending victim assistance funding on unauthorized items as determined by the State Office of Victims Assistance. If the entity or nonprofit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty in the amount of the unauthorized expenditure plus

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\$1,500 against the entity or nonprofit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State Office of Victim Assistance to the entity or nonprofit organization that they are in noncompliance with the provisions of this proviso. All penalties received by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or nonprofit organization's subsequent fiscal year appropriation.

117.52. (GP: H.L. Hunley Museum Location) The General Assembly approves the City of North Charleston as the permanent site of the H.L. Hunley Museum. This approval is contingent upon the negotiation and execution of necessary contracts between the State of South Carolina and the City of North Charleston. The Hunley Commission is directed to expend funds from its account to negotiate and execute contracts on behalf of the State of South Carolina.

117.53. (GP: Secure Juvenile Confinement) The Attorney General shall review the interpretation of the current policies of the Department of Public Safety and the Department of Corrections regarding secure juvenile confinement that the departments indicate may jeopardize federal grant funds. The departments may not implement any changes to the current policies regarding secure juvenile confinement until the Attorney General considers the departments' interpretation of the federal Juvenile Justice and Delinquency Prevention Act in regard to the secure holding of juveniles for more than six hours in adult detention facilities that also serve as forty-eight-hour juvenile holdover facilities. The Attorney General will determine if the departments' interpretation is fair and equitable and how the local governments and the Department of Juvenile Justice would be impacted, to include any financial considerations.

117.54. (GP: ISCEDC Funding Transfer) The departments of Mental Health, Disabilities and Special Needs, and Juvenile Justice are directed to transfer a total of \$1,199,456 in funds to the Department of Social Services for the support of the Interagency System for Caring for Emotionally Disturbed Children. Funding transfers shall be in the following amounts: Department of Mental Health - \$595,000, Department of Disabilities and Special Needs - \$379,456, and Department of Juvenile Justice - \$225,000. The transfer of funds shall be accomplished by September thirtieth of the current fiscal year.

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117.55. (GP: Employee Bonuses) State agencies and institutions are allowed to spend state, federal, and other sources of revenue to provide selected employees lump sum bonuses, not to exceed three thousand dollars per year, based on objective guidelines established by the Department of Administration. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. Employees earning \$100,000 or more shall not be eligible to receive bonuses under this provision. The employing agency must report this information on or before August thirty-first of each year and must include the total amount and source of the bonus received by the employee during the preceding fiscal year (July first through June thirtieth). The Human Resources Division of the Department of Administration shall formulate policies and procedures to ensure compliance with the reporting provisions of this proviso. Copies of the reports shall be made available to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, upon request.

117.56. (GP: FEMA Flexibility) Any appropriation designated as the state share for a federally declared disaster may be carried forward and used for the same purpose by the Emergency Management Division of the Adjutant General's Office in the event of additional federally declared disasters. Unallocated funds from established state accounts may be used as the state share in any federally declared disaster. These funds may also be used during a Governor's state of emergency to augment existing state appropriations of the South Carolina Emergency Management Division (SCEMD). When these funds are used during a Governor's state of emergency, the allocation of those funds following the event will be determined by the Governor based on the recommendation of the Adjutant General and the Director of the South Carolina Emergency Management Division.

In the event there is a federally declared disaster and state match funds are unavailable, the State Fiscal Accountability Authority may borrow from any internal account or accounts necessary to maximize federal matching funds through the Emergency Management Division. Any such borrowing must be reported to the General Assembly within five days. Funds borrowed from accounts shall be replenished by the General Assembly as soon as practicable.

117.57. (GP: Respiratory Syncytial Virus Prescription Sales and Use Tax Exemption) The effective date of the exemption from sales and use

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tax of prescription medicines used to prevent respiratory syncytial virus shall be January 1, 1999. No refund of sales and use taxes may be claimed as a result of this provision.

117.58. (GP: Year-End Financial Statements - Penalties) Agencies and other reporting entities required to submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report must comply with the submission dates stipulated in the State Auditor's Office audit contract. If the audit was not contracted by the State Auditor's Office, the final audited financial statements are due not later than October tenth for the prior fiscal year. Each agency that does not comply with the provisions of this proviso shall appear before the Comptroller General, providing an explanation for the delay.

117.59. (GP: Purchase Card Incentive Rebates) In addition to the Purchase Card Rebate deposited in the general fund, any incentive rebate premium received by an agency from the Purchase Card Program may be retained and used by the agency to support its operations.

117.60. (GP: Sex Offender Monitoring and Supervision) The funds appropriated to the Department of Probation, Parole and Pardon Services in Part IA, Section 66, Program II.A.2. for the Sex Offender Monitoring Program and to the Department of Juvenile Justice in Part IA, Section 67, Program III.A., Special Item: Sex Offender Monitoring are to be used and expended only for GPS monitoring programs of the departments. In cases of limited funds, monitoring of "Jessie's Law" offenders shall take precedence over all other GPS programs of the departments. Funds appropriated for this program may not be used for any other purpose or transferred to any other program. Unexpended funds appropriated for Sex Offender Monitoring may be carried forward and used for the same purpose. The departments are directed to submit a report to the General Assembly by January fifteenth each year accounting for the expenditure of the funds including any carry-forward funding; the total costs and per-day costs for equipment, supervision, and monitoring; the total number of staff assigned to the activity and the average agent caseloads; the amount of funds collected from sex offenders for both intensive supervision and electronic monitoring; and the anticipated fiscal needs for the upcoming fiscal year. The report shall also include, but not be limited to, data regarding the number of offenders sentenced to electronic monitoring, including the number sentenced for life; the number of alert notifications received, investigated, and prosecuted; and the number of offenders returned to prison as a result of electronic monitoring violations.

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117.61. (GP: Viscosupplementation Therapies Sales and Use Tax Exemption) For the current fiscal year only, sales and use taxes on viscosupplementation therapies shall be suspended. No refund or forgiveness of tax may be claimed as a result of this provision.

117.62. DELETED

117.63. (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission on Indigent Defense and the Prosecution Coordination Commission shall be subject to all provisions related to agency heads covered by the Agency Head Salary Commission.

117.64. (GP: Prosecutors and Defenders Public Service Incentive Program) The Office of Attorney General, the Prosecution Coordination Commission, and the Commission on Indigent Defense, in consultation with the South Carolina Student Loan Corporation and the Commission on Higher Education, shall develop and implement a Prosecutors and Defenders Public Service Incentive Program for attorneys employed by the Office of Attorney General, the Prosecution Coordination Commission, the Commission on Indigent Defense, a Circuit Solicitor's Office or a county Public Defender's Office.

After more than three years of continuous service as a full-time attorney with any of these entities, qualifying attorneys may be reimbursed up to \$1,000 for payments made in the prior calendar year on outstanding law school loans. Reimbursements for law school loan payments may be increased by up to \$1,000 for each additional year of continuous service; however, such reimbursements shall not exceed \$5,000 in any year. The amount of law school loan payment reimbursement in any calendar year shall not exceed the amount of principal and interest paid on the loan in the prior calendar year. Reimbursements under the program may continue until all outstanding law school loans are satisfied; however, such reimbursements shall not exceed \$40,000 per qualifying attorney. Reimbursements shall be adjusted if necessary so as not to exceed appropriations for the program.

The Prosecutors and Defenders Public Service Incentive Program must be administered by the South Carolina Student Loan Corporation, which shall pay for the cost of administration within the funds appropriated.

The Office of Attorney General, the Prosecution Coordination Commission, and the Commission on Indigent Defense shall each compile a report that includes, but is not limited to, the number of applicants and the impact of the program on attracting and retaining

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attorneys. The Student Loan Corporation shall compile a report that includes, but is not limited to, the cost of administering the program as well as the amount of reimbursements per agency or entity. Such reports shall be submitted to the Senate Finance Committee and the House Ways and Means Committee by September first each fiscal year.

Unexpended program funds from the prior fiscal year may be carried forward into the current fiscal year to be used for the same purpose.

117.65. (GP: Attorney Dues) Agencies and offices of the State of South Carolina that employ attorneys are authorized, if they so decide, to use other appropriated funds, including General Fund carry forward funds, to pay the costs of mandatory dues owed to the South Carolina Bar Association.

117.66. (GP: Healthcare Employee Recruitment and Retention) The Department of Corrections, Department of Disabilities and Special Needs, Department of Health and Environmental Control, Department of Health and Human Services, Department of Juvenile Justice, Department of Mental Health, and Department of Vocational Rehabilitation are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining healthcare workers in critical needs healthcare jobs based on objective guidelines established by the Department of Administration. The employee bonus amount shall be approved by the State Human Resources Director and shall not exceed \$10,000 per year. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems.

These agencies may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in healthcare degree programs that are related to the agency's mission. All such leave is at the agency head's discretion.

These agencies may enter into an agreement with Psychiatrists, Psychologists, and Nurses employed in those positions to repay them for their outstanding student loans associated with completion of a healthcare degree. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion. Critical needs areas could include rural areas, areas with high turnover, or where the agency has experienced recruiting difficulties. Agencies may pay these employees up to twenty percent or \$7,500, whichever is less, of their outstanding student loan each year over a five-year period. Payments will be made directly to the employee at the end of each year

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of employment. The agency will be responsible for verifying the principle balance of the employee's student loan prior to issuing payments.

Employees of these agencies working on a practicum or required clinical experience towards completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.

These agencies are also authorized to allow tuition reimbursement from a maximum of ten credit hours per semester; allow probationary employees to participate in tuition programs; and provide tuition prepayment instead of tuition reimbursement for employees willing to pursue a degree in a healthcare program. An agency may pay up to fifty percent of an employee's tuition through tuition prepayment. The remaining tuition could be reimbursed to the employee after successful completion of the class.

117.67. (GP: Governor's Budget Certification) The annual Executive Budget proposed by the Governor must be certified by the Director of the Revenue and Fiscal Affairs Office or his designee in the same manner as the House Ways and Means and Senate Finance Committee versions of the budget bill are certified.

117.68. (GP: Sexually Violent Predator Program) After the Department of Mental Health obtains all necessary project approvals, the Department of Corrections may utilize inmate labor to perform any portion of the construction of an addition to the Edisto Unit at the Broad River Correctional Institution, which houses the Department of Mental Health's Sexually Violent Predator Treatment Program, such addition to be used for additional treatment space and staff offices. For purposes of this project, the Department of Corrections may exceed the \$350,000 limit on projects for which it may use inmate labor.

117.69. (GP: Voluntary Furlough) Agency heads may institute a voluntary employee furlough program of not more than ninety days per fiscal year. During this voluntary furlough, the state employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee

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contributions, the employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.70. (GP: Governor's Security Detail) The State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources shall provide a security detail to the Governor in a manner agreed to by the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor. Reimbursement to the State Law Enforcement Division, the Department of Public Safety, and the Department of Natural Resources to offset the cost of the security detail for the Governor shall be made in an amount agreed to by the State Law Enforcement Division, the Department of Public Safety, the Department of Natural Resources, and the Office of Governor from funds appropriated to the Office of Governor for this purpose. Law enforcement officers assigned to security detail for the Governor shall only perform services related to security and shall not provide any unrelated service during the assignment.

117.71. (GP: Reduction in Force Antidiscrimination) In the event of a reduction in force implemented by a state agency or institution, the state agency or institution must comply with Title VII of the Civil Rights Act of 1964 or any other applicable federal or state antidiscrimination laws.

117.72. (GP: Reduction in Force/Agency Head Furlough) In the event a reduction in force is implemented by a state agency or institution of higher learning, the agency head shall be required to take five days furlough in the current fiscal year. If more than one reduction in force plan is implemented in a fiscal year, the mandatory agency head furlough is only required for the initial plan. The agency head will retain all responsibilities and authority during the furlough. All monies saved from this furlough may be retained by that agency and expended at the discretion of the agency head. During this furlough, the agency head shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agency will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the agency head remains solely responsible for making those contributions.

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Placement of an agency head on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. In the event the reduction for the state agency or institution of higher learning is due solely to the General Assembly transferring or deleting a program, this provision does not apply. Agencies may allocate the agency head's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The Department of Administration shall promulgate guidelines and policies, as necessary, to implement the provisions of this proviso. State agencies shall report information regarding furloughs to the Department of Administration.

For purposes of this provision, agency head includes the president of a technical college as defined by Section 59-103-5 of the 1976 Code.

The agency head of the State Board for Technical and Comprehensive Education shall not be required to take this mandatory furlough based solely on the implementation of a reduction in force plan by a technical college.

An agency head shall not be required to take this mandatory furlough based solely on reductions in force implemented as a result of federal budget cuts or reorganization to accomplish organizational efficiencies.

117.73. (GP: Printed Report Requirements) (A) For Fiscal Year 2015-16, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year 2015-16, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year 2015-16, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid

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Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For Fiscal Year 2015-16, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

117.74. (GP: IMD Operations) All funds received by the Department of Education, the Department of Juvenile Justice, the Department of Disabilities and Special Needs, the Department of Mental Health, the Department of Social Services, and the Department of Administration, Office of Executive Policy and Programs-Continuum of Care as State child placing agencies for the Institution for Mental Diseases Transition Plan (IMD) of the discontinued behavioral health services in group homes and child caring institutions, as described in the Children's Behavioral Health Services Manual Section 2, dated 7/01/06, shall be applied only for out of home placement in providers which operate Department of Social Services or Department of Health and Environmental Control licensed institutional, residential, or treatment programs. An annual report by each state child placing agency shall be made on the expenditures of all IMD transition funds and shall be provided to the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Governor no later than November first each year. The Department of Health and Human Services shall review the numbers of out of home placements by type and by agency each year and make recommendations to the General Assembly.

117.75. (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) the amount of the fine or fee; (3) the amount received by source; (4) the purpose for which the funds were expended by the agency; (5) the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and (6) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred.

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The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.

117.76. (GP: Mandatory Furlough) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Executive Budget Office implements a midyear across-the-board budget reduction, and agency heads institute a mandatory employee furlough program, in determining which employees must participate in the program, agency heads should give consideration to furloughs for contract employees, post-TERI employees, and TERI employees before other employees. During this mandatory furlough, the state employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions, and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.77. (GP: Reduction In Force) In a fiscal year in which the general funds appropriated for a state agency are less than the general funds appropriated for that agency in the prior fiscal year, or whenever the General Assembly or the Executive Budget Office implements a midyear across-the-board budget reduction, and agency heads must make reductions in force, agency heads should give consideration to reductions of contract employees, post-TERI employees, and TERI employees before other employees. In the event an agency's reduction is due solely to the General Assembly transferring or deleting a program, this provision does not apply.

117.78. (GP: Cost Savings When Filling Vacancies Created by Retirements) During the current fiscal year, whenever classified FTEs become vacant because of employee retirements, it is the intent of the General Assembly that state agencies should realize personnel costs savings of at least twenty-five percent in the aggregate when managing these vacant positions. Prior to filling a classified FTE which has

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become vacant because of a retirement, an agency must review and determine the appropriate salary for the position as well as determine whether the agency can manage without filling the position or by delay in filling the position. Prior to filling the vacant FTE, agencies must follow all laws and regulations concerning posting and competitive solicitation and consideration of applicants. No agency shall enter into any agreement with any employee that violates the terms of this proviso.

117.79. (GP: Information Technology for Health Care) From the funds appropriated and awarded to the South Carolina Department of Health and Human Services for the Health Information Technology for Economic and Clinical Health Act of 2009, the department shall advance the use of health information technology and health information exchange to improve quality and efficiency of health care and to decrease the costs of health care. In order to facilitate the qualification of Medicare and/or Medicaid eligible providers and hospitals for incentive payments for meaningful health information technology (HIT) use, a health care organization participating in the South Carolina Health Information Exchange (SCHIE) or a Regional Health Information Organization (RHIO) or a hospital system health information exchange (HIE) that participates in SCHIE may release patient records and medical information, including the results of any laboratory or other tests ordered or requested by an authorized health care provider within the scope of his or her license or practice act, to another health information organization that requests the information via a HIE for treatment purposes with or without express written consent or authorization from the patient. A health information organization that receives or views this information from a patient's electronic health record or incorporates this information into the health information organization's electronic medical record for the patient in providing treatment is considered an authorized person for purposes of 42 C.F.R. 493.2 and the Clinical Laboratory Improvement Amendments.

117.80. (GP: Broadband Spectrum Lease) The General Assembly must approve any exercise of the Middle Band Segment Channel recapture provisions contained in the Educational Broadband Service Spectrum Lease Agreements if the exercise of the recapture provisions would result in a decrease in payments received by the State. The Educational Television Commission assumes management and administration of the lease and receives lease payments directly. The Educational Television Commission shall retain and expend funds received pursuant to the lease for agency operations. The commission

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shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. In the event of a default by the current lease holder, the Educational Television Commission is authorized to use contingent funds up until such time as a new lease can be negotiated by the State and the Educational Television Commission.

117.81. (GP: Reduction in Compensation) For the current fiscal year, no state agency or political subdivision of this state may decrease the compensation of an employee, including dismissal, suspension, or demotion, solely because the employee gave sworn testimony regarding alleged wrongdoing to a standing committee, subcommittee of a standing committee, or study committee of the Senate or the House of Representatives. This proviso shall apply regardless of when the alleged wrongdoing occurred.

117.82. (GP: Deficit Monitoring) It is the responsibility of each state agency, department, and institution to operate within the limits of its authorized appropriations. All agencies, departments, and institutions are to budget, allocate and manage its authorized appropriations in a way to avoid an operating deficit for the fiscal year.

If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive Budget Office or a state agency, department, or institution that the likelihood of a deficit for the current fiscal year exists, the state agency shall notify the General Assembly within fifteen days of this determination and shall further request the Executive Budget Office to work with it to develop a plan to avoid the deficit. Within fifteen days of the deficit avoidance plan being completed, the Executive Budget Office shall either request the General Assembly to recognize the deficit if it determines the deficit avoidance plan will not be sufficient to avoid a deficit or notify the General Assembly of how the deficit will be avoided based on the deficit avoidance plan if the Executive Budget Office determines the plan will be sufficient to avoid a deficit.

Upon notification from the Executive Budget Office that an agency will run a deficit and requesting that it be recognized, the General Assembly, by joint resolution, may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution, and recognize the deficit. Any legislation to recognize a deficit must be in a separate joint resolution enacted for the sole purpose of recognizing the deficit of a particular state agency, department, or institution. A deficit may only

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be recognized by an affirmative vote of each branch of the General Assembly.

If the General Assembly recognizes the deficit, then the actual deficit at the close of the fiscal year must be reduced as necessary from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available in the General Reserve Fund and the Capital Reserve Fund, as required by the Constitution of this State.

Once a deficit has been recognized by the General Assembly, the state agency, department, or institution shall limit travel and conference attendance to that which is deemed essential by the director of the agency, department, or institution. In addition, the General Assembly, when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles must be approved by the Executive Budget Office.

117.83. (GP: Commuting Costs) State government employees who use a permanently assigned agency or state-owned vehicle to commute from their permanently assigned work location to and from the employee's home must reimburse the agency in which they are employed for commuting use in accordance with IRS regulations based on guidance from the Office of Comptroller General which must use the Cents per mile Rule, unless they are exempted from such reimbursement by applicable IRS regulations. These permanently assigned vehicles must be clearly marked as a state or agency vehicle through the use of permanent state-government license plates and either state or agency seal decals unless the vehicle is used primarily in undercover operations. This requirement does not apply to a vehicle used by an employee for the purpose of a special travel assignment, for active certified law enforcement officers authorized to carry firearms, execute warrants, and make arrests, for Constitutional Officers, or for Department of Transportation employees on call for emergency maintenance.

117.84. (GP: Bank Account Transparency and Accountability) Each state agency, except state institutions of higher learning, which has composite reservoir bank accounts or any other accounts containing public funds which are not included in the Comptroller General's South Carolina Enterprise Information System shall prepare a report for each account disclosing every transaction of the account in the prior fiscal year. The report shall be submitted to the State Fiscal Accountability Authority by October first of each fiscal year. The report shall include the name(s) and title(s) of each person authorized to sign checks or make

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withdrawals from each account, the name and title of each person responsible for reconciling each account, the beginning and year-end balance of funds in each account, and data related to both deposits and expenditures of each account. The report shall include, but not be limited to, the date, amount, and source of each deposit transaction and the date, name of the payee, the transaction amount, and a description of the goods or services purchased for each expenditure transaction. To facilitate review, the State Fiscal Accountability Authority shall prescribe a common format for the report which agencies must use. In order to promote accountability and transparency, a link to the report shall be posted on the Comptroller General's website as well as the agency's homepage.

When the State Auditor conducts or contracts for an audit of a state agency, accounts of the agency subject to this proviso must be included as part of the review.

If an agency determines that the release of the information required in this provision would be detrimental to the state or the agency, the agency may petition the State Fiscal Accountability Authority to grant the agency an exemption from the reporting requirements for the detrimental portion. The meeting to determine whether an exemption should be granted shall be closed. However, the exemption may only be granted upon a majority vote of the State Fiscal Accountability Authority in a public meeting.

117.85. (GP: Websites) All agencies, departments, and institutions of state government shall be responsible for providing on its Internet website a link to the Internet website of any agency, other than the individual agency, department, or institution, that posts on its Internet website that agency, department, or institution's monthly state procurement card statements or monthly reports containing all or substantially all the same information contained in the monthly state procurement card statements. The link must be to the specific webpage or section on the website of the agency where the state procurement card information for the state agency, department, or institution can be found. The information posted may not contain the state procurement card number. Any information that is expressly prohibited from public disclosure by federal or state law or regulation must be redacted from any posting required by this section.

117.86. (GP: Regulations) For the current fiscal year, if a state agency proposes a regulation that levies or increases a fee, fine, or that otherwise generates revenues, the title to the Joint Resolution which

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proposes the regulation must indicate that a fee, fine, or revenue source is being proposed.

117.87. (GP: Joint Children's Committee) For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, \$300,000 shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children to provide the report, research, and other operating expenses as directed in Section 63-1-50 of the 1976 Code. Funds transferred to the University of South Carolina for the Joint Citizens and Legislative Committee on Children shall be maintained in a separate and distinct account. A detailed report of all expenditures shall be made to the Executive Budget Office within thirty days of the close each fiscal quarter, and the Executive Budget Office shall distribute this information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice to be used for mentoring or alternatives to incarceration programs. Unexpended funds authorized by this provision may be retained and carried forward by the Senate or the Department of Juvenile Justice, respectively, and used for the same purposes. The rate of reduction authorized in this provision shall be in addition to the reduction authorized in Proviso 93.7.

117.88. (GP: Civil Conspiracy Defense Costs) For the current fiscal year, for any claim that has not reached a judgment, if a state or local government employee or former state or local government employee ("government employee") is personally sued for civil conspiracy based in part upon a personnel or employment action or decision regarding an employee, the court must, prior to trial, make a final determination whether the action or decision giving rise to the suit was made by the government employee within the scope of their official duty. If the court finds that the government employee was acting outside the scope of the employee's official duties, the government shall not thereafter expend any funds to pay or defend the claim. If the court finds the government employee was acting within the scope of their official duties, the employee is immune from suit, liability, and damages with respect to the civil conspiracy claim. The government may only expend funds to defend the claim if the determination is that the employee was acting within the scope of their official duties. Nothing in this proviso prevents an insurance provider from defending and paying, respectively, any claims that the provider has contractually agreed to defend and pay.

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117.89. (GP: Recovery Audits) The State Fiscal Accountability Authority shall contract with one or more firms to conduct recovery audits of payments made by all state agencies to vendors for goods and services. The audits must be designed to detect, document, and recover overpayments and erroneous payments to the vendors and to recommend improved financial and operational practices and procedures. A state agency shall pay, from recovered monies received, the recovery audit firm responsible for obtaining for the agency a reimbursement or payment from a vendor a negotiated fee not to exceed twenty percent of the funds recovered by that firm.

Unless otherwise restricted by law, funds recovered, less the cost of recovery, shall be remitted to a special fund subject to appropriation by the General Assembly. Agencies may recover costs that are documented to be directly related to implementation of this provision.

Recovery audits apply only to payments made more than one hundred eighty days prior to the date the audit is initiated and shall cover at least three complete fiscal years.

All information provided under a contract must be treated as confidential by the recovery audit firm. A violation of this provision shall result in the forfeiture by the firm of all compensation under the contract and to the same sanctions and penalties that would apply to that disclosure.

Each state agency shall participate in this recovery audit program and shall cooperate and provide the recovery audit firm with all information necessary for the audit in a timely manner. All vendors that provide goods or services to a state agency shall cooperate with the recovery audit firm in its audit.

A state agency shall expend or return to the federal government any federal money that is recovered through a recovery audit conducted under this provision. Payments to the recovery audit firm from the federal share of recovered funds shall be solely from the federal portion as allowed by the federal agency.

In addition to performing the recovery audits, the recovery audit firm may conduct an analysis of contracts and pricing structures, as determined and directed by the Executive Director of the State Fiscal Accountability Authority or her or his designee, to identify and recommend future cost-savings and improved state agency financial operations going forward. A state agency shall pay the recovery audit firm responsible for obtaining the agency actual cost-savings a fee as authorized by the contract with the recovery audit firm.

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The recovery audit firm shall provide reports to the State Fiscal Accountability Authority detailing its findings, the causes for the overpayments and erroneous payments, future cost-savings opportunities and its recommendations for strengthening state operations and/or state contracts to prevent improper payments in the future.

For purposes of this proviso, the term “vendor” or “vendors” includes, but is not limited to, sellers, suppliers, service providers, other providers, contractors and third party administrators; the term “overpayments and erroneous payments” includes, but is not limited to, overpayments, duplicate payments, erroneous payments, and rebates, discounts and credits not received; and the term “state agency” or “state agencies” includes all state agencies, boards, commissions, institutions and institutions of higher education.

The State Fiscal Accountability Authority shall provide copies, including electronic form copies, of final reports received from a firm under contract to: the Governor; the Chairman of the Senate Finance Committee; the Chairman of the House Ways and Means Committee; and the state auditor’s office. Not later than January first of each year, the board shall issue a report to the General Assembly summarizing the contents of all reports received under this provision during the prior fiscal year.

117.90. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative and Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State and Local Training of Law Enforcement, City and County municipal training services must be transferred to the Educational Television Commission (ETV) during July 2015 for the continuation of services as provided in the prior fiscal year.

117.91. (GP: Opt Out of Federal Patient Protection and Affordable Care Act) If federal law permits, the State of South Carolina opts out of the following provisions in the federal Patient Protection and Affordable Care Act (Public Law 111-148):

- (1) Subtitles A through C of Title I (and the amendments made by such subtitles), except for Sections 1253 and 1254;
- (2) Parts I, II, III, and V of subtitle D of Title I (and the amendments made by such parts);
- (3) Part I of subtitle E of Title I (and the amendments made by such part);

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(4) Subtitle F of Title I (and the amendments made by such subtitle);

(5) Sections 2001 through 2006 (and the amendments made by such sections); and

(6) Sections 10101 through 10107 (and the amendments made by such sections).

117.92. (GP: Means Test) All agencies providing Healthcare Services are directed to identify standards and criteria for means testing on all programs provided, where allowed by Federal guidelines. Once a consistent criteria has been established within an agency, they shall implement their respective plans. Each agency shall report all criteria and fiscal data to the Chairman of the Senate Finance Committee and to the Chairman of the House Ways and Means Committee no later than January 1, 2014.

117.93. (GP: Agency Reduction Management) The General Assembly encourages state agencies, in the event agencies are assessed a base reduction, to endeavor to realize savings through: (1) payroll management, including, but not limited to, furloughs, reductions in employee compensation, and instituting a hiring freeze; (2) eliminate administrative overhead cost that does not directly impact the agency's mission; and as a final option (3) reductions to programmatic funding.

117.94. (GP: WIA Service Advertising) For Fiscal Year 2014-15, the Workforce Investment Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Investment Act.

117.95. (GP: WIA Training Marketability Evaluation) (A) For Fiscal Year 2014-15, the Department of Employment and Workforce shall submit a report that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the

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House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before November sixteenth.

(B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated for positions for which the department hired new employees.

117.96. (GP: Victims Assistance Transfer) The Department of Corrections shall transfer \$20,500 each month to the Department of Public Safety for distribution through the State Victims Assistance Program.

117.97. (GP: DOC & PPP Potential Consolidation Plan) From the funds appropriated to the Department of Corrections and the Department of Probation, Parole and Pardon Services, the directors of the departments may collaborate and develop a plan to consolidate the functions of the departments.

117.98. (GP: USC Greenville Medical School) It is the intent of the General Assembly that during Fiscal Year 2014-15, no general funds shall be appropriated for the new medical school at the University of South Carolina in Greenville. In addition, no state funds may be transferred from state earmarked or restricted funds held by the University of South Carolina to the medical school except for grants, contributions, contractual payments, and tuition and required fees for students attending the new medical school at the University of South Carolina in Greenville that are specifically designated for the medical school at the University of South Carolina in Greenville.

117.99. (GP: First Steps - BabyNet) In addition to the statutory duties assigned to South Carolina First Steps to School Readiness Board of Trustees; the board shall ensure the state's compliance with the Individuals with Disabilities Act, Part C and the First Steps' full implementation of recommendations contained in the 2011 audit report of the LAC regarding the BabyNet Program. First Steps shall submit any necessary statutory changes to the Chairman of the House Education and Public Works Committee and the Chairman of the Senate Education Committee and any budget recommendations in the agency's budget request as submitted to the Governor. Until completion, First Steps shall post on its' website a quarterly report on the timelines of its progress in

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implementing the recommendations of the LAC. The Board of Trustees will be kept informed monthly of all activities related to this requirement and those progress reports must be recorded in the minutes for each meeting of the Board of Trustees. When First Steps has implemented all of the recommendations enumerated above, a final report shall be submitted to the Board of Trustees for its' adoption. Upon approval by the Board of Trustees, the final report shall be published on First Steps' homepage. First Steps to School Readiness, the School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health and the Department of Social Services shall each provide on a common template developed by the agencies, a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each entity and agency shall report on its share of the state's ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C.

117.100. (GP: Single Audit Schedule of Federal Expenditures) To ensure timely completion of the of the Statewide Single Audit, state agencies which do not receive a separate audit of federal expenditures, must submit to the Office of the State Auditor a schedule of federal program expenditures in a format prescribed by the Office of the State Auditor, no later than August fifteenth of each year.

117.101. (GP: Prohibits Local Government Fund Public Funded Lobbyists) All local governmental entities including, but not limited to, counties, municipalities, and associations are prohibited from using taxpayer funds received from the Local Government Fund to compensate employees for lobbying activities engaged in on behalf of such governmental entity.

117.102. (GP: School Construction Development Impact Fee Assessment Prohibition) Governmental entities are prohibited from assessing South Carolina Development Impact Fees on the construction of new elementary, middle, or secondary schools. If a governmental entity violates this prohibition it shall have its Aid to Subdivisions Allocation reduced by the amount of the impact fee.

117.103. DELETED

117.104. (GP: Sexually Violent Predator Treatment RFP) The Director of the Department of Mental Health and the Director of the Department of Corrections shall cooperate with the State Fiscal

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Accountability Authority, Division of Procurement Services which shall develop and cause to be issued a Request for Proposals (RFP) seeking long-term solutions for securely housing and treating the growing population of individuals adjudicated as Sexually Violent Predators and civilly committed to the Department of Mental Health pursuant to the Sexually Violent Predators Act.

The purpose of the RFP shall be to seek proposals from qualified private providers to provide secure housing and treatment services to all individuals civilly committed pursuant to the Sexually Violent Predators Act.

As part of the process, the Department of Mental Health, the Department of Corrections, and the State Fiscal Accountability Authority shall provide up-to-date information concerning the current operation of the program and shall provide information about suitable state owned real property. The RFP shall be issued on or before October 31, 2013.

The RFP shall be worded broadly to allow respondents to propose creative and cost-effective long-term solutions for the operation of this program in order to address the issues raised in Proviso 23.15 of the 2012-13 State Appropriations Act and the resulting January 3, 2013, Report on the SVP Program issued by the Department of Mental Health and the Department of Corrections.

In addition to treatment services, respondents shall be allowed, but not required, to propose a single source solution with responsibility for all aspects of the program including but not limited to housing, security, food, clothing, health care, transport, and treatment services. The RFP shall allow for, but not require, respondents to include in their responses the use of other private or public partners (subcontractors) and/or the lease or use or purchase of state owned real property.

The selected contractor may be authorized to sponsor the issuance of tax exempt certificates of participation or other finance solutions to fund the project and the state is authorized to enter into a lease/purchase agreement for the necessary replacement facilities.

117.105. (GP: Prohibit Use of State Aircraft for Athletic Recruitment) Institutions of higher learning may use the state aircraft operated by the Division of Aeronautics for the purpose of athletic recruiting, provided that they reimburse the Division of Aeronautics for all flight hours on an at cost basis, using non-general funds.

To ensure availability of the aircraft for purposes of economic development, the Department of Commerce shall have first right of

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refusal in the event of scheduling conflicts with athletic recruiting flights.

117.106. (GP: Recreational Activities) Two counties that receive an allocation from the Local Government Fund may enter into a Memorandum of Understanding in order to provide recreational activities and projects that benefit the citizens of both counties.

117.107. (GP: Technology and Remediation) The funds appropriated to the Department of Administration for the Division of Information Security shall be used to develop and implement a statewide information security program. A portion of the nonrecurring funds may be used for enterprise technology and remediation, and distributed to state agencies to address the State's most serious information security vulnerabilities as determined by the Division of Information Security and the Division of Technology Operations.

117.108. DELETED

117.109. (GP: Donation of Alcoholic Liquors) In the current fiscal year, a wholesaler may donate beer, wine, and alcoholic liquors to a nonprofit organization that has a license, including a temporary license, to serve the applicable beverage. This provision only applies if the event hosted by the nonprofit organization creates an economic impact on State revenues.

117.110. (GP: Data Breach Notification) (A) An agency of this State owning or licensing computerized data or other data that includes personal identifying information shall disclose any breach of the security of the system following discovery or notification of the breach in the security of the data to any resident of this State whose personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person. In determining whether information has been acquired, or is reasonably believed to have been acquired, by an unauthorized person or a person without valid authorization, the agency may consider the following factors, among others:

(1) indications that the information is in the physical possession and control of an unauthorized person, such as a lost or stolen computer or other device containing information;

(2) indications that the information has been viewed, downloaded, or copied; or

(3) indications that the information was used by an unauthorized person, such as fraudulent accounts opened or instances of reported identity theft.

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(B) An agency maintaining computerized data or other data that includes personal identifying information that the agency does not own shall notify the owner or licensee of the information of a breach of the security of the data immediately following discovery, if the personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person.

(C) The disclosure requirements of subsections (A) and (B) must be made in the most expedient time possible and without unreasonable delay; however, the notification required by this section may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation and must be made after the law enforcement agency determines that it no longer compromises the investigation. A delay in notification shall not exceed seventy-two hours after discovery, unless the agency requests and the attorney general grants, in writing, additional delays of up to seventy-two hours each upon a determination that such notification impedes a criminal investigation.

(D) For purposes of this section:

(1) "Agency" means any agency, department, board, commission, committee, or institution of higher learning of the State or a political subdivision of it.

(2) "Breach of the security of the system" means unauthorized access to and acquisition of computerized data that was not rendered unusable through encryption, redaction, or other methods that compromise the security, confidentiality, or integrity of personal identifying information maintained by the agency, when illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to the consumer. Good faith acquisition of personal identifying information by an employee or agent of the agency for the purposes of the agency is not a breach of the security of the system if the personal identifying information is not used or subject to further unauthorized disclosure.

(3) "Consumer reporting agency" means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports. A list of consumer reporting agencies shall be compiled by the Department of Consumer Affairs and furnished

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upon request to the agency required to make a notification under this section.

(4) "Personal identifying information" means the first name or first initial and last name in combination with and linked to any one or more of the following data elements that relate to a resident of this State, when the data elements are neither encrypted nor redacted or when the data elements are encrypted with an encryption key and the encryption key that has also been acquired:

- (a) social security number;
- (b) driver's license number or state identification card number issued instead of a driver's license;
- (c) financial account number, or credit card or debit card number in combination with any required security code, access code, or password that would permit access to a resident's financial account; or
- (d) other numbers or information which may be used to access a person's financial accounts or numbers or information issued by a governmental or regulatory entity that uniquely will identify an individual.

The term does not include information that is lawfully obtained from publicly available information, or from federal, state, or local government records lawfully made available to the general public.

(E) The notice required by this section may be provided by:

- (1) written notice;
- (2) electronic notice, if the agency's primary method of communication with the individual is by electronic means, the person to whom notice is required has expressly consented to receiving said notice in electronic form, or is consistent with the provisions regarding electronic records and signatures set forth in Section 7001 of Title 15 USC and Chapter 6, Title 26 of the 1976 Code;
- (3) telephonic notice; or
- (4) substitute notice, if the agency demonstrates that the cost of providing notice exceeds two hundred fifty thousand dollars or that the affected class of subject persons to be notified exceeds five hundred thousand or the agency has insufficient contact information. Substitute notice consists of:
 - (a) e-mail notice when the agency has an e-mail address for the subject persons;
 - (b) conspicuous posting of the notice on the agency's website page, if the agency maintains one; or
 - (c) notification to major statewide media.

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Regardless of the method by which notice is provided, such notice shall include contact information for the agency making the notification and a description of the categories of information that were, or are reasonably believed to have been, acquired by a person without valid authorization, including specification of which of the elements of personal information and private information were, or are reasonably believed to have been, so acquired.

(F) A resident of this State who is injured by a violation of this section, in addition to and cumulative of all other rights and remedies available at law, may:

- (1) institute a civil action to recover damages;
- (2) seek an injunction to enforce compliance; and
- (3) recover attorney's fees and court costs, if successful.

(G) An agency that knowingly and willfully violates this section is subject to an administrative fine up to one thousand dollars for each resident whose information was accessible by reason of the breach, the amount to be decided by the Department of Consumer Affairs.

(H) If the agency provides notice to more than one thousand persons at one time pursuant to this section, the agency shall notify, without unreasonable delay, the Consumer Protection Division of the Department of Consumer Affairs and all consumer reporting agencies that compile and maintain files on a nationwide basis, as defined in 15 USC Section 1681a(p), of the timing, distribution, and content of the notice.

117.111. (GP: State Ports Authority Property) The State Ports Authority shall transfer fifty acres of its real property on Daniel Island to the Department of Parks, Recreation and Tourism, which shall ensure, in the manner it deems appropriate, that the property is used for public recreation activities. If the State Ports Authority has not completed the sale of its remaining real property on Daniel Island and Thomas (St. Thomas) Island, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, 2016, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.

117.112. (GP: Remittance of Court Fee and Fine Money) County and city treasurers are required to remit to the State Treasurer set percentages of revenues generated by assessments imposed by 14-1-206(A), 14-1-

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207(A), 14-1-208(A). This remittance is required on a monthly basis by the 15th day of each month.

Should a county and/or city treasurer fail to make the required remittance, the SC Criminal Justice Academy shall cease providing services to all law enforcement officers of all law enforcement agencies encompassed within the political subdivision if they have failed to make remittance for two consecutive months in a fiscal year. The finance director shall certify by July first, under oath, that the county and/or city has remitted all funds or the SC Criminal Justice Academy shall withhold services until such time as remittance is made.

117.113. (GP: Detailed Expenditure/Revenue Reports PCC/CID) The Prosecution Coordination Commission and the Commission on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue streams shall include, but not be limited to, state funds, local funds, Federal funds, and also nongovernmental sources of funds, by no later than September first, on the prior fiscal year, to the appropriate commission. The commissions shall then provide the Chairman of the House Ways and Means Committee and Chairman of the Senate Finance Committee with a combined report by September fifteenth of the current fiscal year.

117.114. (GP: South Carolina Welcome Centers) The Department of Parks, Recreation and Tourism and the Department of Transportation shall maintain a Memorandum of Understanding (MOU) that provides that the Department of Parks, Recreation and Tourism shall control operations of all South Carolina Welcome Centers. The MOU shall include replacement, renovation and maintenance of the facilities, daily operations, and grounds maintenance and upkeep and shall clearly define responsibility for additional portions of Welcome Centers to include paving and sidewalks. The Department of Transportation shall transfer to the Department of Parks, Recreation and Tourism the amount of \$3,313,560 less any state funds appropriated by the General Assembly for the same purpose. The Department of Parks, Recreation and Tourism assumes responsibility for this amount and the timing of the transfer of these funds shall be defined as part of the MOU. The funds transferred to the Department of Parks, Recreation and Tourism shall be placed in a separate and distinct fund and these funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purposes.

117.115. (GP: Continuation of Teen Pregnancy Prevention Project Accountability) Qualifying organizations applying for General Funds

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provided as a special item in this act and titled Continuation of Teen Pregnancy Prevention must include in its application a proposed annual budget and agreement to provide quarterly reports to the grantor state agency detailing the expenditure of funds and the project's accomplishments which shall include:

(1) Financial:

(a) Personnel costs, including employer contributions, by position for each of the following areas: administration, training, and education, as well as for other positions as identified;

(b) Operational costs identified in the application;

(c) One-time costs over \$500 for such items as supplies;

Administration costs may not exceed ten percent of the total project budget. For purposes of this provision, "Administration" is defined as expenses other than educational.

(2) Description of program and curriculum to be used;

(3) Description of training;

(4) Schedule and brief description of project activities for each quarter;

(5) Participation reports on the following:

(a) Number of persons who participated;

(b) Total number of hours provided;

(c) Number of train the trainer events;

(d) Other data regarding the activities of the project;

(6) Description of the project evaluation to be used;

(7) Copy of latest completed independent financial audit and agency's response to any audit exceptions;

(8) Qualifications of project personnel;

(9) Best Practices to be used; and

(10) Evidence Based Curriculum.

An organization awarded a grant must provide these quarterly reports to the grantor state agency within fifteen days of the end of each quarter. Grantees failing to submit reports with thirty days of the end of each quarter shall have their grant terminated.

Unexpended funds for Continuation of Teen Pregnancy Prevention projects under the Department of Social Services or under the Department of Health and Environmental Control shall be carried forward for the purpose of fulfilling the department's contractual agreement.

117.116. (GP: Charleston & Dorchester County Sound Barriers) From the funds authorized to the Department of Transportation, the

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department shall take the appropriate measures to allow the counties of Charleston and Dorchester to construct sound barriers in the department's easements along Interstate 26 within the borders of Charleston County and along Dorchester Road within Dorchester County, provided, no funds appropriated or authorized in Part IA to the Department of Transportation, any other section of this act, any Federal Funds, unless otherwise agreed to by the local Metropolitan Planning Organization or Council or Governments for use of a portion of their annual federal allocation, or any Other Funds, shall be used in the construction of the sound barriers, and only local dollars shall be used in the construction of sound barriers. The sound barriers must meet the state and federal noise abatement guidelines and must be constructed to meet any and all state and federal regulations. Consistent with the requirements of Section 57-25-190 (E) of the 1976 Code, or regulations adopted pursuant thereto, including construction by a local government in a state right of way, the owner of a legally erected and maintained billboard shall have the option to relocate such billboard sign to another location as close as practicable to the sign being relocated or adjust the height or angle of the billboard sign to a height or angle that restores the visibility of the billboard sign to the same or comparable visibility as before construction of a sound barrier. Costs for re-location or alteration of a billboard due to sound barrier installation by a local government in a state right of way shall be paid by the local government. The provisions of Section 39-14-10 et seq. of the 1976 Code will apply regarding any compensation to be paid by local governments for billboard signs which cannot be relocated or altered.

117.117. DELETED

117.118. (GP: Information Technology and Information Security Plans) (A) By October 1, 2015, all state agencies must submit an information technology plan and an information security plan for Fiscal Year 2015-16 to the Department of Administration. State agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation or compliance requirements, newly identified funding sources, or new issues relating to information technology management or business requirements.

The information technology plans required by this section shall be in the form and level of detail required by the department and shall include at least: (1) the information technology objectives of the state

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agency; (2) an inventory of the state agency's information technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how the state agency's development of information technology coordinates with other governmental entities; (5) the state agency's budget plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology costs, regardless of funding sources; (b) new information technology expenditures for services, hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel, regardless of funding sources; and (6) the state agency's need for appropriations for information technology.

The information security plans required by this section shall be in the form and level of detail required by the division and shall include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency's information security technology; (3) a profile of the state agency's compliance with security policies established by the division; (4) a profile of the state agency's sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency's budget plans for information security for the coming fiscal year which must include: (a) all fixed, recurring information security technology costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information security personnel, regardless of funding sources; and (7) the state agency's need for appropriations for information security.

(B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient use of information technology and best practices.

(C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

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117.119. DELETED

117.120. (GP: SCOIS Transfer) For Fiscal Year 2015-16, the South Carolina Occupational Information System, its authority, responsibilities, FTE's and funding shall be transferred from the Department of Employment and Workforce to the Department of Education. The Department of Administration and the Office of the Comptroller General shall facilitate and coordinate this transfer.

117.121. (GP: PEBA Fiduciary Audit) For the current fiscal year, the provisions of Section 9-4-40 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Public Employee Benefit Authority as required by Section 9-4-40 of the 1976 Code shall be suspended.

117.122. (GP: ABLE Savings Expense Fund) For the current fiscal year, the South Carolina ABLE Saving Expense Fund is established in the Office of the State Treasurer to allow for tax-exempt savings accounts for disability-related expenses for individuals defined as being entitled to benefits based on blindness or disability under Title II or XVI of the Social Security Act, or individuals with a disability certification, which must state that "the individual has a medically determinable physical or mental impairment, which results in marked and severe functional limitations, and which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months," or is blind. The certification must include the diagnosis and be signed by a physician.

117.123. DELETED**117.124. DELETED**

117.125. (GP: Employee Compensation) The amounts appropriated to the Department of Administration for Employee Pay Increases must be allocated by the department to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and nonjudge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by zero percent.

(2) With respect to unclassified and nonjudge judicial unclassified employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by zero percent. Any

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employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.

(3) Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of zero percent.

(4) With respect to local health care providers compensation increases shall be zero percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to Area Agencies on Aging funded by the Lieutenant Governor's Office on Aging, compensation shall be increased by zero percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to local councils on aging or local providers of services funded by the Lieutenant Governor's Office on Aging through Area Agencies on Aging, no pay increases will be allowed. School Bus Driver salary and fringe funding to school districts shall be increased by zero percent.

(5) Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of zero percent.

(6) Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of zero percent.

The Department of Administration shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F30, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

117.126. (GP: Sickle Cell Disease Study Committee) Of the funds authorized and appropriated to the Department of Health and Environmental Control, a Sickle Cell Disease Study Committee shall be created and charged with better serving adults with sickle cell disease

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(SCD), health care providers, and the public about State care and treatment. The committee is to examine existing services and resources available to children with the disease as well as adults with the disease. Additionally, the committee is to establish partnerships with institutions, and communities, a statewide network of service providers for adults with the disease; a comprehensive education and treatment program for adults, as well as establish standardized treatment and emergency room protocols.

Membership of the committee shall be comprised of thirteen members as follows:

- (1) one researcher or physician from the Medical University of South Carolina specializing in hematology;
- (2) one researcher or physician from the Children's Hospital Sickle Cell Clinic at the Medical University of South Carolina;
- (3) one citizen with Sickle Cell Disease;
- (4) one parent or caregiver of an individual with Sickle Cell Disease;
- (5) the Executive Director of the SC Hospital Association or their designee;
- (6) the President of the South Carolina Medical Association or their designee;
- (7) the Superintendent of Education or their designee;
- (8) the Director of the Department of Health and Environmental Control or their designee;
- (9) the Director of the Department of Health and Human Services or their designee;
- (10) two members of the House of Representatives appointed by the Speaker of the House, one of whom the Speaker shall designate as a co-chair of the study committee; and
- (11) two members of the Senate appointed by the President Pro Tempore of the Senate, one of whom the President Pro Tempore shall designate as a co-chair of the study committee.

The study committee also may invite representatives of nonprofit entities with expertise regarding Sickle Cell Disease to participate in the study committee process.

The House of Representatives Medical, Military and Municipal Affairs Committee and the Senate Medical Affairs Committee shall designate staff to assist the study committee.

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The study committee shall provide a report with findings and recommendations to the General Assembly and the Governor by June 30, 2016, at which time the study committee shall dissolve.

117.127. (GP: Comprehensive Workforce Development Coordination Initiative) In the current fiscal year, the State Board for Technical and Comprehensive Education, the Department of Commerce, the Department of Education, and the Department of Employment and Workforce, shall survey the workforce development needs of the State to develop a comprehensive workforce development coordination initiative where the technical colleges, school districts, and career centers shall work together to increase pathways to coursework, equipment, and facilities as well as utilizing the EEDA, Dual Credit courses, Adult Education programs and Career and Technology courses and programs, to include the enhancing of existing, or creation of new, subsidized training programs in all regions of South Carolina that will confer the necessary skills and training to prepare students for careers in high-demand fields and critical need positions in businesses and industries experiencing difficulty recruiting and retaining qualified applicants. The survey must include, but is not necessarily limited to, a review and analysis of available labor market information from the Department of Employment and Workforce. This report must be completed no later than September 15, 2015. The State Board for Technical and Comprehensive Education, the Department of Commerce, the Department of Education, and the Department of Employment and Workforce are directed to use the report in order to develop a statewide Pathways program in alignment with the Education and Economic Development Act to facilitate a seamless transition from education to employment in industries with critical workforce shortages. This plan shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Ways and Means Committee, the Chairman of the Senate Labor Commerce and Industry Committee, the Chairman of the House Labor Commerce and Industry Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee no later than February 1, 2016 and must include, at minimum, an analysis of program accountability measures and key performance indicators.

117.128. DELETED

117.129. DELETED

117.130. (GP: Child Fatality Review) The agencies specified shall implement the following recommendations contained in the Legislative

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Audit Council's October 2014 report "A Review of Child Welfare Services at the Department of Social Services":

(1) Annually, the Department of Social Services and the State Child Fatality Advisory Committee shall jointly report statistics on child deaths from maltreatment and the number of those with prior Department of Social Services involvement;

(2) The Department of Social Services and the State Child Fatality Advisory Committee shall use their child fatality review findings to make recommendations to revise Department of Social Services policy or practice where appropriate;

(3) The Department of Social Services shall ensure that it includes child fatality statistics from all relevant sources when reporting to the National Child Abuse and Neglect Data System. These sources shall include, but not be limited to, law enforcement agencies and the Department of Health and Environmental Control;

(4) The State Law Enforcement Division and the Department of Health and Environmental Control shall establish a system for cross checking child fatalities in the state to ensure that all fatalities are being properly reported to the State Law Enforcement Division;

(5) The State Law Enforcement Division and the State Child Fatality Advisory Committee shall review the training provided to coroners on the reporting of child fatalities to ensure that information is provided on which fatalities are to be reported and what procedure is to be followed for reporting the fatalities;

(6) The Department of Public Safety shall report statistics on all child fatalities to the State Child Fatality Advisory Committee; and

(7) The State Child Fatality Advisory Committee shall evaluate the feasibility of adopting the Child Death Review Case Reporting System developed by the National Center for the Review and Prevention of Child Deaths and shall submit a report on their findings to the General Assembly by December 1, 2015.

Pursuant to Section 63-11-1930 (E) of the 1976 Code, the director of each agency specified in this provision shall ensure that sufficient staff and administrative support is provided to the State Child Fatality Advisory Committee to accomplish the requirements of this provision.

***** 117.131. (GP: Energy Efficiency Repair and Related Maintenance) The following funds appropriated by proviso 118.16 of Act 286 of 2014 for the Higher Education Efficiency, Effectiveness and Accountability Review and carried forward to be used for the same***

** See note at end of Act.

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purpose shall be redirected for the purpose of energy efficiency repair and energy related maintenance as specified herein:

- | | |
|---|---------------|
| (1) H09 - The Citadel | \$81,290; |
| (2) H12 - Clemson University | \$596,066; |
| (3) H15 - University of Charleston | \$176,755; |
| (4) H17 - Coastal Carolina University | \$81,842; |
| (5) H18 - Francis Marion University | \$107,372; |
| (6) H21 - Lander University | \$55,958; |
| (7) H27 - University of South Carolina-
Columbia Campus | \$971,902; |
| (8) H29 - University of South Carolina-
Aiken Campus | \$58,922; |
| (9) H34 - University of South Carolina-
Upstate Campus | \$82,157; |
| (10) H36 - University of South Carolina-
Beaufort Campus | \$23,779; |
| (11) H47 - Winthrop University | \$81,917; and |
| (12) H51 - Medical University of South Carolina | \$352,825. |

Each institution shall use the amount identified above only for energy efficiency repair and energy related maintenance that is necessary for the safe and efficient operation of the institution's physical plant. In the event any portion of the funds specified above have been transferred for the Higher Education Efficiency, Effectiveness and Accountability Review, institutions shall utilize remaining funds, if any, for the purposes described in this provision.

Funds must not be used for new construction and may only be utilized by an institution to the extent the funds are matched by the institution for necessary energy efficiency repair and energy related maintenance projects generally.

Matching funds exclude supplemental, capital reserve, lottery, or non-recurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or deferred maintenance projects.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement.

Not later than 120 days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the

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Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

117.132. (GP: Refugee Resettlement Program) No state funds shall be expended to assist in the United States Refugee Resettlement Program unless the county council of the county where the resettlement is to occur approves the relocation.

117.133. (GP: Capital Bond Study Committee) Notwithstanding any other provision of law, (A) from the funds appropriated to the Senate, the House of Representatives and the Governor's Office, there is established a Capital Bond Study Committee. The committee shall be composed of:

(1) three members of the Senate, one member appointed by the Chairman of the Senate Finance Committee, one member appointed by the Majority Leader and one member appointed by the Minority Leader;

(2) three members of the House of Representatives, one member appointed by the Chairman of the House Ways and Means Committee, one member appointed by the Majority Leader and one member appointed by the Minority Leader; and

(3) three members appointed by the Governor.

All appointments shall be made not later than July 15, 2015. The committee must be staffed by the staff of the Senate, the House of Representatives and the Governor's Office. Members of the committee shall receive mileage, subsistence and per diem at the rate provided by law. The committee may elect a chairperson and other appropriate officers from its membership. The committee shall begin meeting as soon as possible to accomplish the goals set forth in this paragraph.

(B) The committee shall study the capital needs of the state's higher education institutions, including the technical college system. The study shall include, but is not limited to:

(1) capital improvement plans of higher education institutions;

(2) long term capital bond needs;

(3) bond capacity and debt service;

(4) other related subjects that may serve to inform the General Assembly and the Governor as determined by the committee; and

(5) the merits, necessity and projected costs of each of the capital improvement plans and projects it studies and prepare recommendations addressing the priority of the projects for future funding.

(C) The committee may solicit information from any person or entity it deems relevant to its study. The committee must make a report of its

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findings and recommendations, including proposed legislation, to the Joint Bond Review Committee by December 31, 2015, at which time the study committee shall be dissolved.

117.134. DELETED

117.135. (GP: Study Committee on Homeowners Associations) (A) In the current fiscal year, and from the funds appropriated to the Senate and the House of Representatives, there is created the Study Committee on Homeowners Associations to review laws, policies, practices, and procedures regarding homeowners associations in this State and other jurisdictions, and to make recommendations to the General Assembly regarding proposals for South Carolina's statutory law. The study committee shall review information, including, but not limited to, case law, statutes, uniform laws, and other information from South Carolina and other jurisdictions concerning homeowners associations. Specifically, the study committee is authorized, but not limited to, reporting on the following issues:

- (1) disclosure of governing documents to prospective buyers;
- (2) education for homeowners and board members;
- (3) manager certification or licensing;
- (4) time period for developer control of an association; and
- (5) need for a comprehensive or uniform planned community

act.

(B) The study committee must be composed of thirteen members:

- (1) two members of the Senate, appointed by the Chairman of the Senate Judiciary Committee;
- (2) two members of the House of Representatives, appointed by the Chairman of the House Labor, Commerce and Industry Committee;
- (3) the following members jointly selected by the Chairman of the Senate Judiciary Committee and Chairman of the House Labor, Commerce and Industry Committee:
 - (a) three property owners who are:
 - (i) required to be members of a homeowners association due to owning property in the homeowners association; and
 - (ii) governed by a homeowners association board;
 - (b) two lawyers, one representing homeowners associations and boards and the other representing homeowners;
 - (c) two managers, one in favor of certification or licensing and one opposed to certification or licensing;
 - (d) one realtor;
 - (e) one home builder or developer; and

SECTION 117 - X90-GENERAL PROVISIONS

(4) the administrator for the Department of Consumer Affairs and the Director for the Department of Labor, Licensing and Regulations, or their designees, serving ex officio.

(C) Vacancies in the study committee's membership must be filled in the same manner of original appointment.

(D) The Chairmen of the Senate Judiciary Committee and House Labor, Commerce and Industry Committee shall provide appropriate staffing for the study committee.

(E) The study committee shall make a report of its recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

117.136. DELETED

**** 117.137. (GP: Grant Funds) Funds granted to the Fountain Inn Kiwanis Club in a prior fiscal year may be used for a like purpose by its successor entity.**

SECTION 118 - X91-STATEWIDE REVENUE

118.1. (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, 2016. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14, 2016. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.

118.2. (SR: Titling of Real Property) It is the intent of the General Assembly to establish a comprehensive central property and office facility management process to plan for the needs of state government

** See note at end of Act.

SECTION 118 - X91-STATEWIDE REVENUE

agencies and to achieve maximum efficiency and economy in the use of state owned or state leased real properties. The Department of Administration is directed to identify all state owned properties whether titled in the name of the state or an agency or department, and all agencies and departments of state government are upon request to provide the department all documents related to the title and acquisition of the real properties that are occupied or used by the agency or titled in the name of the agency. Except for any properties where the department determines title should not be in the name of the State because the properties are subject to reverter clauses or other restraints on the property, or where the department determines the state would be best served by not receiving title, and with the exception of properties, highways and roadways owned by the Department of Transportation, title of any property held by or acquired by a state agency or department shall be titled in the name of the state under the control of the Department of Administration. Titling in the name of the state shall not affect the operation or use of real property by an agency.

This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the South Carolina Division of Public Railways; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Midlands Technical College Enterprise Campus Authority, the Trident Technical College Enterprise Campus Authority; the Area Commission of Tri-County Technical College; and the Charleston Naval Complex Redevelopment Authority.

This provision is comprehensive and supersedes any conflicting provisions concerning title and acquisition and disposition of state owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

The Department of Administration is directed to provide to the Department of Education, funds equal to the amount realized from the sale of the Greenville Halton Road Bus Shop property for school bus maintenance shop relocations, construction, and shop equipment.

118.3. (SR: Contingency Reserve Fund) (A) There is created in the State Treasury a fund separate and distinct from the general fund of the State, the Capital Reserve Fund, and all other funds entitled the Contingency Reserve Fund. All general fund revenues accumulated in a fiscal year in excess of general appropriations and supplemental appropriations must be credited to this fund. Revenues credited to this

SECTION 118 - X91-STATEWIDE REVENUE

fund in a fiscal year may be appropriated by the General Assembly. Upon determination by the Comptroller General as to the amount to be deposited in the Contingency Reserve Fund, the Comptroller General shall notify the Board of Economic Advisors and the board shall recognize that amount as surplus funds. Revenues in this fund may be appropriated only for the purposes provided in subsection (B).

(B) (1) If the balance in the general reserve fund established pursuant to Section 36, Article III of the Constitution of this State and Section 11-11-310 of the 1976 Code is less than the required balance, there must be appropriated to it all amounts in the Contingency Reserve Fund up to the total necessary to replenish the general reserve fund. This amount does not replace or supplant the minimum replenishment amount otherwise required to be made to the general reserve fund.

(2) After the appropriation of amounts required pursuant to item (1) of this subsection, any remaining balance may be appropriated by the General Assembly as it deems appropriate.

118.4. DELETED

118.5. (SR: Increased Enforced Collections Carry Forward) Unexpended funds appropriated pursuant to Proviso 90.16 in Part IB of Act 291 of 2010 may be carried forward from the prior fiscal year into the current fiscal year and shall be expended for the same purposes.

118.6. (SR: Health Care Maintenance of Effort Funding) The revenue collected from the fifty cent cigarette surcharge and deposited into the South Carolina Medicaid Reserve Fund and shall be utilized by the Department of Health and Human Services for the Medicaid program. By this provision these funds are deemed to have been received and are available for appropriation. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

118.7. (SR: Prohibits Public Funded Lobbyists) All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are prohibited from entering into contracts using general fund appropriations to provide lobbying services to the agency or institution.

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118.8. (SR: Admissions Tax) For the current fiscal year, up to one hundred fourteen thousand dollars in admissions tax revenue collected annually from all events held at a NASCAR sanctioned motor speedway or racetrack that hosts at least one race each year featuring the preeminent NASCAR cup series must be rebated to the motorsports entertainment complex facility in the current fiscal year to keep a NASCAR race at the motorsports entertainment complex facility. In addition, any sports facility that hosts at least one preeminent Women's Tennis Association-sanctioned tournament or any sports facility that operates as the home venue for a professional soccer team that participates in the United Soccer Leagues, second division or higher, must be rebated to the facility half of its admissions tax revenue for the fiscal year and used by that facility for marketing the events held at the facility.

118.9. (SR: Agency Deficit Notice) The Comptroller General or the Executive Budget Office shall (1) provide written notice to each member of the General Assembly when it makes a report concerning an agency, department, or institution that is expending authorized appropriations at a rate which predicts or projects a general fund deficit for the agency, department, or institution, and (2) make monthly progress reports concerning an agency's, department's, or institution's plan to reduce or eliminate the deficit.

118.10. (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, 2015, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

118.11. (SR: Tax Deduction for Consumer Protection Services) (A) In addition to the deductions allowed in Section 12-6-1140 of the 1976 Code, there is allowed a deduction in computing South Carolina taxable income of an individual the actual costs, but not exceeding three hundred dollars for an individual taxpayer, and not exceeding one thousand dollars for a joint return or a return claiming dependents, incurred by a taxpayer in the taxable year to purchase a monthly or annual contract or subscription for identity theft protection and identity theft resolution services. The deduction allowed by this item may not be claimed by an

SECTION 118 - X91-STATEWIDE REVENUE

individual if the individual deducted the same actual costs as a business expense or if the taxpayer is enrolled in the identity theft protection and identity theft resolution services offered free of charge by the State of South Carolina. For purposes of this item, 'identity theft protection' means products and services designed to prevent an incident of identify fraud or identity theft or other protect the private of a person' 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; and identity theft resolution services means products and services designed to assist persons whose personal identifying information, as defined by 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 pretheft status.

(B) The deduction provided in (A) is only allowed for taxpayers 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.

(C) By March fifteenth of each year, the department shall issue a report to the Governor and the General Assembly detailing the number of taxpayers claiming the deduction allowed by this item in the most recent tax year for which there is an accurate figure, and the total monetary value of the deductions claimed pursuant to this item in that same year.

(D) The department shall prescribe the necessary forms to claim the deduction allowed by this section. The department may require the taxpayer to provide proof of the actual costs and the taxpayer's eligibility.

118.12. (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement ("MSA") during Fiscal Year 2015-16, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority, to transfer the remaining funds as follows:

(1) \$1,253,000 to the Attorney General's Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State Law Enforcement Division for Diligent Enforcement; and \$325,000 to the

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Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act; and

(2) The remaining balance shall be transferred to the Department of Health and Human Services for the Medicaid program.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for Fiscal Year 2015-16.

118.13. DELETED

118.14. (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:

(1) \$19,740,576 from Fiscal Year 2013-14 Contingency Reserve Fund;

(2) \$19,280,467 from Fiscal Year 2014-15 unobligated general fund revenue as certified by the Board of Economic Advisors;

(3) \$27,802,168 from the Litigation Recovery Account; and

(4) \$49,500,000 from Fiscal Year 2015-16 non-recurring contribution from the Unclaimed Property Fund.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2014-15 and shall be available for use in Fiscal Year 2015-16.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2015-16 after September 1, 2015, following the Comptroller General's close of the state's books on Fiscal Year 2014-15.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2015, for the purposes stated:

(1) General Reserve Fund Contribution	\$8,140,680
(2) H63 - Department of Education	
(a) Secure Vendor for Teacher Evaluation System	\$3,000,000
(b) Instructional Materials	\$14,508,278
(c) Governor's School for the Arts and the Humanities Facilities Management	\$275,000

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(3)	A85 - Education Oversight Committee Reach Out and Read	\$500,000
(4)	H71 - Wil Lou Gray Opportunity School Campus Infrastructure Improvements	\$300,000
(5)	H75 - School for the Deaf and the Blind (a) Thackston Hall Roof Replacement (b) School Buses	\$500,000 \$250,000
(6)	H79 - Department of Archives and History ** (a) Restoration and Repurposing of Fireproof Building (Requires 2:1 Match)	\$1,500,000
	** (b) Kings Mountain - Fort Thicketty - Historic Restoration	\$100,000
	** (c) Historic Heyward House	\$100,000
	** (d) Architectural Heritage Preservation	\$250,000
(7)	H91 - Arts Commission ** (a) Auntie Karen Foundation - Education Through Arts Curriculum	\$10,000
	** (b) Orangeburg County Fine Arts Center (Requires 2:1 Match)	\$90,000
(8)	H95 - State Museum Security System	\$100,000
	** (9) H96 - Confederate Relic Room & Military Museum Commission C.A. Huey Collection	\$390,198
(10)	H03 - Commission on Higher Education ** (a) University Center of Greenville (b) Need-Based Grants	\$250,000 \$1
(11)	H09 - The Citadel Riley Initiative in Government and Public Policy	\$250,000
(12)	H15 - University of Charleston Avery Center	\$150,000
(13)	H18 - Francis Marion University Business/Education School Building	\$100,000
(14)	H21 - Lander University Repair and Replace Science and Math Equipment (STEM)	\$1

** See note at end of Act.

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(15) H36 - USC - Beaufort Campus		
Hilton Head Gateway Campus		
Classroom Building		\$1
(16) H39 - USC-Sumter Campus		
Science Building Renovation	\$500,000	
(17) H40 - USC-Union Campus		
Success Building	\$67,000	
(18) H47 - Winthrop University		
(a) Library		\$1
(b) Academic Success Center		\$1
(19) H59 - State Board for Technical and Comprehensive Education		
(a) readySC	\$765,881	
(b) Manufacturing, STEM, and Healthcare Equipment	\$2,000,000	
(c) Williamsburg Technical College Electrical Technology/MCSC Lab Renovations	\$628,000	
(d) Greenville Technical College - Bridge Tech STEM	\$65,000	
(e) Greenville Technical College - Center for Manufacturing and Innovation Building	\$500,000	
(f) Florence-Darlington Technical College - Academic and Workforce Development Building	\$1,000,000	
(g) Central Carolina Technical College - Workforce Center	\$500,000	
(h) Northeastern Technical College - Workforce Training Equipment	\$300,000	
(i) Pathways to Workplace Infrastructure Development		\$1
(j) Aiken Technical College - Advanced Manufacturing and Industrial Equipment	\$1,000,000	
(k) Midlands Technical College - QuickJobs: MTC CenterRapid Employment	\$1,000,000	
(l) Spartanburg Community College - Composite Manufacturing Training Center	\$1,000,000	

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(20) D50 - Department of Administration
South Carolina State University

Vendor Debt \$4,000,000

(20.1) Of the funds appropriated above in item 20 for South Carolina State University Vendor Debt, the Department of Administration, Executive Budget Office shall review all outstanding vendor debt to determine the vendors with the most aged outstanding accounts and shall utilize the \$4,000,000 to pay the accounts for which settlement of the outstanding debt would be most advantageous to the university.

(21) J02 - Department of Health and Human Services

(a) Medicaid Eligibility System
Replacement \$2,689,449

(b) International Classification of
Diseases (ICD-10) \$561,828

(c) Medical Contracts \$1,700,000

** *(d) Osprey Village* \$200,000

* *(e) Family Health Solutions of the
Low Country - Low Country
Healthy Start* \$250,000

* *(f) Healthy Learners - Greenwood
Program* \$50,000

(22) J04 - Department of Health and Environmental
Control

(a) J.R. Clark Sickle Cell Foundation \$100,000

(b) Bleeding Disorders Premium
Assistance Program \$100,000

(c) National Kidney Foundation \$1

(d) Criminal Domestic Violence
(SCCADVASA) \$500,000

* *(e) Water Quality* \$5,000,000

(f) Donate Life - Organ Donor Registry \$100,000

(g) Best Chance/Colon Cancer Networks \$675,000

(h) City of North Myrtle Beach - Ocean
Water Quality Outfall Initiative \$500,000

(i) Wateree Community Action Committee
(Requires 1:1 Match) \$250,000

** See note at end of Act.

* See note at end of Act.

SECTION 118 - X91-STATEWIDE REVENUE

**** (j) Indoor Aquatic and Community Center -
Richland County
(Requires 2:1 Match) \$100,000**

(k) Real MAD - Real Men Against
Domestic Violence \$100,000

(22.1) Of the funds appropriated above in subitem (22)(g), the Department of Health and Environmental Control shall utilize \$475,000 for the Best Chance Network and \$200,000 shall be used as matching funds for the Colon Cancer Prevention Network.

(23) J12 - Department of Mental Health

(a) Information Network Security \$250,000

(b) Community Housing MHA-SC \$1,800,000

(c) Replacement of Patient Transportation
Vehicles \$349,127

(d) Inpatient Electronic Medical Records \$2,743,451

(e) NAMI - Law Enforcement Mental
Health Center \$250,000

(f) Waccamaw Mental Health Center -
Youth in Transition Program \$167,000

**** (g) Columbia Area Mental Health Center -
Relocation from Bull Street Property
(Requires 2:1 Match) \$500,000**

(h) Lander Equestrian Center for
Mental Health Treatment \$300,000

(24) J16 - Department of Disabilities and Special Needs

(a) Autism Services \$1,000,000

(b) Special Family Resource \$1

**** (c) Savannah's Playground \$100,000**

(25) J20 - Department of Alcohol and Other

Drug Abuse Services
Act 301 Behavioral Health Services \$2,250,000

(26) L04 - Department of Social Services

(a) Information Security and Technology
Infrastructure \$922,991

(b) County Phone System Upgrade \$310,234

(c) Antioch Center \$150,000

(d) CR Neal Dream Center \$150,000

(e) Epworth Children's Home \$100,000

** See note at end of Act.

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(f)	Phillis Wheatley Center - Let's Move Summer Camp and After School Program	\$100,000
(g)	Pleasant Valley Connection Community Center	\$25,000
(h)	Donaldson Revitalization Group Center - Homeless Adults Transition Services	\$50,000
(i)	United Center for Community Care - Greenwood County	\$200,000
(27)	X22 - Local Government Fund - State Treasurer	
(a)	Local Government Fund - Counties	\$10,409,750
(b)	Local Government Fund - Municipalities	\$2,090,250
(28)	B04 - Judicial Department	
	Digital Courtroom Recorders	\$450,000
** (29)	<i>E21 - Prosecution Coordination Commission SC Center for Fathers and Families</i>	<i>\$400,000</i>
(30)	E23 - Commission on Indigent Defense Information Technology and Security Infrastructure	\$100,000
(31)	D10 - State Law Enforcement Division	
(a)	Technology Equipment/Software	\$580,000
(b)	Investigative Personnel Operating Expenses	\$375,120
(c)	Alcohol Enforcement Personnel Operating Expenses	\$159,480
(d)	Administrative Personnel Operating Expenses	\$9,000
(e)	Insurance Fraud Investigators Operating Expenses	\$106,320
(f)	Bike Week Security Overtime Cost	\$51,000
(g)	Forensic Personnel Operating Expenses	\$169,645
(32)	K05 - Department of Public Safety	
(a)	Bike Week Security Overtime Cost	\$169,000
	<i>(b) Law Enforcement Grants</i>	<i>\$60,000</i>
(c)	Public Safety Coordinating Council - Body Cameras	\$1,000,000

** See note at end of Act.

* See note at end of Act.

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(33) N20 - Law Enforcement Training Council - Criminal Justice Academy	
(a) Information Security Infrastructure	\$277,582
(b) Energy Facility Controls Replacement	\$209,957
(c) Fire Panel Replacement	\$140,311
(d) Classroom Audio/Visual Equipment	\$76,500
(e) Dormitory Water Heater	\$66,000
(34) N04 - Department of Corrections	
(a) Mental Health Remediation Plan	\$1,499,659
(b) Education Improvement Plan/Vocational Equipment	\$440,000
(35) N08 - Department of Probation, Parole and Pardon Services	
(a) Bike Week Security Overtime Cost	\$29,656
* (b) <i>Turning Leaf - Offender Education and Reentry Initiative</i>	\$100,000
(36) N12 - Department of Juvenile Justice AMI Kids - Beaufort Marine Institute (Requires 1:1 Match)	\$110,000
(37) P12 - Forestry Commission Firefighting Equipment	\$500,000
** (38) <i>P16 - Department of Agriculture "Certified SC" Marketing</i>	\$2,000,000
(39) P21 - South Carolina State University-PSA Matching Funds for Federal Grants	\$740,555
(40) P24 - Department of Natural Resources	
(a) Surface Water Modeling Phase III - Final	\$700,000
(b) Law Enforcement Vehicles for New Officers	\$1
(c) High Resolution Elevation Data Development	\$500,000
(41) P28 - Department of Parks, Recreation and Tourism	
* (a) <i>Undiscovered SC</i>	\$500,000
(b) Parks and Recreation Development Fund	\$1

* See note at end of Act.

** See note at end of Act.

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** (c) <i>Sports Development Marketing Program</i>	\$875,000
** (d) <i>Newberry Opera House</i>	\$60,000
** (e) <i>Palmetto Conservation Foundation - Palmetto Trail</i>	\$300,000
** (f) <i>Columbia Museum of Art</i>	\$200,000
(g) <i>Hunting Island State Park Cabin Repairs</i>	\$50,000
** (h) <i>Medal of Honor Museum</i>	\$1,000,000
** (i) <i>Upstate 9/11 Memorial (Requires 2:1 Match)</i>	\$200,000
** (j) <i>Mountain Lakes Destination Promotion and Historic Preservation (Requires 2:1 Match)</i>	\$100,000
** (k) <i>Woodrow Wilson Home - National Marketing</i>	\$125,000
** (l) <i>City of Sumter Green Space Initiative (Requires 1:1 Match)</i>	\$400,000
** (m) <i>Calhoun County Renovation of Former John Ford Middle/High School for Community Center (Requires 2:1 Match)</i>	\$180,000
** (n) <i>Spartanburg City Park Project</i>	\$300,000
** (o) <i>City of Conway - Renovation of Horry County Museum for Multipurpose Space (Requires 3:1 Match)</i>	\$250,000
(p) <i>African-American History Museum</i>	\$5,000,000
** (q) <i>Township Auditorium</i>	\$250,000
** (r) <i>Manning Avenue/Wilder School Area Green Space Initiative</i>	\$250,000
** (s) <i>Inman City Market</i>	\$100,000
(42) P32 - Department of Commerce	
(a) <i>Closing Fund</i>	\$3,000,000
(b) <i>Military Base Task Force</i>	\$750,000
(c) <i>SC Council on Competitiveness</i>	\$250,000
** (d) <i>Rock Hill Knowledge Park (Requires 2:1 Match)</i>	\$400,000
** (e) <i>Community Development Corporations Initiative</i>	\$100,000
** (f) <i>IT-ology - Coursepower Project</i>	\$200,000

** See note at end of Act.

SECTION 118 - X91-STATEWIDE REVENUE

(g)	LocateSC	\$2,500,000
*	<i>(h) SC Healthy Food Financing Initiative</i>	<i>\$250,000</i>
**	<i>(i) Hartsville Downtown Revitalization - Center Theater (Requires 2:1 Match)</i>	<i>\$500,000</i>
**	<i>(j) Marion County Economic Development</i>	<i>\$250,000</i>
**	<i>(k) Williamsburg County Economic Development</i>	<i>\$100,000</i>
**	<i>(l) Richland County Economic Development</i>	<i>\$100,000</i>
(43)	<i>R36 - Department of Labor, Licensing and Regulation</i>	
**	<i>(a) State Fire Marshal: Chester County - Countywide Fire Suppression</i>	<i>\$100,000</i>
**	<i>(b) State Fire Marshal: Fairfield County - Countywide Fire Suppression</i>	<i>\$100,000</i>
**	<i>(c) Wind and Seismic Residential Building Requirements Study</i>	<i>\$40,000</i>
(44)	Y14 - State Ports Authority	
	(a) Jasper Ocean Terminal Permitting	\$1,000,000
	(b) Port of Georgetown Dredging/Maintenance Dredging	\$250,000
(45)	L36 - Human Affairs Commission Community Relations Councils	\$119,000
(46)	U12 - Department of Transportation	
	(a) State's Road Salt Infrastructure Maintenance-Regional	\$945,300
	* <i>(b) Highway 17 Corridor Study</i>	<i>\$25,000</i>
**	<i>(47) A15 - Codification of Laws and Legislative Council Dues</i>	<i>\$50,000</i>
(48)	A17 - Legislative Services Systems Security	\$200,000
(49)	E08 - Office of Secretary of State Charitable Raffle Online Filing and Reporting System	\$150,000
(50)	E24 - Office of Adjutant General	
	(a) Armory Maintenance	\$1,500,000
	(b) State Share Disaster Relief	\$300,000
	(c) Service Member and Family Care Cost Funding	\$250,000

* See note at end of Act.

** See note at end of Act.

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|--|-----------|
| (d) State Active Duty Log Packs | \$25,000 |
| (e) Transitioning Military Assistance Programs | \$500,000 |

(50.1) Of the funds appropriated above in item (50)(d) for Transitioning Military Assistance Programs, the Office of Adjutant General shall provide \$350,000 to the Technical College of the Lowcountry for the Transitioning Military Training Program and \$150,000 to the Transitional Workforce Education Assistance Collaborative. Both programs shall, at a minimum, provide aviation related training to former and transitioning military members who are preparing for a job in the private sector workforce or shall assist the military members refine the skills they have gained through their military service to match the demands of the job market in the region.

(51) R52 - State Ethics Commission

- | | |
|--|----------|
| New Investigative Positions Operating Expenses | \$25,000 |
|--|----------|

Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.

(C) From the escrow account established pursuant to Proviso 90.13 of Act 310 of 2008, the remaining funds shall be used to offset any operating shortfalls resulting from the Barnwell Low Level Waste Facility operations in order to preserve the economic viability of the facility. The amount distributed to offset any operating shortfalls shall be determined by calculating the difference between the allowable operating costs plus adjustments as approved by the Public Service Commission, and the access fees paid by the Atlantic Compact generators. Funds remaining in the account to offset operating shortfalls shall also be used to maintain access fees to the facility for Fiscal Year 2015-16 at the Fiscal Year 2009-10 level. There shall also be paid from the escrow account the annual dues of the Southern States Energy Board.

118.15. DELETED

118.16. DELETED

END OF PART IB

All acts or parts of acts inconsistent with any of the provisions of Part IA or Part IB of this act are suspended for Fiscal Year 2015-16.

If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be

SECTION 118 - X91-STATEWIDE REVENUE

unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Except as otherwise specifically provided, this act takes effect July 1, 2015.

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Ratified the 23rd day of June 2015.

PLEASE NOTE

Text printed in *italic*, **boldface** indicates sections vetoed by the Governor on June 29, 2015.

*Indicates those vetoes sustained by the General Assembly on July 6 and 7, 2015.

**Indicates those vetoes overridden by the General Assembly on July 6 and 7, 2015.

Provisions not vetoed by the Governor took effect June 29, 2015, and generally apply for the fiscal year beginning July 1, 2015.

No. 92

(R130, H4230)

AN ACT TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2015-2016, AND TO PROVIDE FOR OTHER RELATED MATTERS.

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

SECTION 1. (A) The source of revenue appropriated in subsection (B) is:

(1) additional recurring general fund revenue for Fiscal Year 2015-2016 totaling \$150,000,000 as certified by the Board of Economic Advisors on May 29, 2015; and

(2) reductions in appropriations as contained in SECTION 5 of this act.

(B)(1) P32-Department of Commerce Non-Recurring Appropriations Economic Development Infrastructure	\$ 70,000,000
(2) F30-Statewide Employee Benefits Non-Recurring Appropriations Bonus Pay	\$ 23,500,000

From the funds appropriated to Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies \$23,500,000 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than \$100,000 shall receive an \$800 one-time lump sum payment. This payment is not a part of the state employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation in Proviso 117.55 of H. 3701, R. 127, Act 91 of 2015, does not apply to this bonus.

- (3) U12-Department of Transportation
Non-Recurring Appropriations
County Transportation Committee
Road Program \$ 70,499,995

The Department of Transportation shall distribute the \$70,499,995 appropriated above for the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.

Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.

- (4) General Obligation Bond (G.O.)
Bonds Subject to Debt Service Limitation:
Economic Development Bonds \$ 16,425,000
- (5) L04-Department of Social Services
Programs and Services Child Support Enforcement
Other Operating Expenses \$ 1
- (6) E23-Commission on Indigent Defense
Office of Circuit Public Defenders
Special Item:
Defense of Indigents Per Capita \$ 1
- (7) J02-Department of Health and Human Services
Medical Assistance Payment Case Services
CLTC-Community Long-Term Care \$ 1
- (8) J02-Department of Health And Human Services
Medical Assistance Payment Case Services
Coordinated Care \$ 1
- (9) J02-Department of Health and Human Services
Medical Assistance Payment Case Services
Behavioral Health Services \$ 1

SECTION 2. (A) The source of the revenue appropriated in subsection (B) is additional Education Improvement Act revenue for Fiscal Year 2015-2016 totaling \$21,500,000 as certified by the Board of Economic Advisors on May 29, 2015.

reimbursed due to local match requirements. The amount reimbursed to each eligible local government shall be 25% of their Total Non-Federal Aid Share. The intent of the General Assembly is for the local government to pay at least 75% of the Total Non-Federal Aid Share.

- (3) U12-Department of Transportation
 County Transportation Committee

Road Program	\$ 145,829,119
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The Department of Transportation shall distribute the \$145,829,119 appropriated above for the County Transportation Committee Road Program pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.

Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 4. (A) The source of the revenue appropriated in subsection (B) is additional net education lottery proceeds for Fiscal Year 2015-2016 totaling \$12,000,000 as certified by the Board of Economic Advisors on May 29, 2015.

- (B)(1) H03-Commission on Higher Education

Need Based Grants	\$ 2,600,000
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- (2) H63-Department of Education

New Bus Purchases	\$ 2,400,000
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SECTION 5. The Fiscal Year 2015-2016 appropriation to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties-Homestead Exemption Fund (X44) is reduced by \$20,425,000.

The first \$10,000,000 carried forward from Fiscal Year 2014-2015 annual appropriations to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties-Homestead Exemption Fund (X44) shall be credited to the Department of Transportation for distribution pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation

shall be used for any road, bridge, or highway that is not part of the state-owned system.

SECTION 6. Excess debt service funds from Fiscal Year 2014-2015 must be carried forward and expended in Fiscal Year 2015-2016 to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest, (2) will achieve relief in constrained debt capacity, or (3) reduce the amount of debt issued.

SECTION 7. The State Treasurer shall transfer \$50,000,000 from general fund non-tax sources to the South Carolina Transportation Infrastructure Bank to be utilized solely to leverage bonds to finance bridge replacement, resurfacing, and rehabilitation projects, and expansion and improvements to existing mainline interstates. The Department of Transportation shall develop and submit a list of bridge and road projects to the bank for its consideration. Transferred funds may not be used for projects approved by the bank prior to July 1, 2015. The bank shall submit all projects proposed to be financed through this provision to the Joint Bond Review Committee for approval prior to financing any proposed project.

SECTION 8. Notwithstanding any provision in this act to the contrary, Horry County may use up to \$750,000 of its allocations pursuant to SECTION 1(B)(3), SECTION 3(B)(3), and SECTION 5 for the Horry-Georgetown Evacuation Route.

SECTION 9. (A) As used in this proviso:

(1) "Eligible school" means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

- (a) offers a general education to primary or secondary school students;
- (b) does not discriminate on the basis of race, color, or national origin;
- (c) is located in this State;
- (d) has an educational curriculum that includes courses set forth in the state's diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;
- (e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, or the South Carolina Independent Schools Association.

(2) "Exceptional needs child" means a child:

(a)(i) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs; and

(b) the child's parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(3) "Independent school" means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(4) "Nonprofit scholarship funding organization" means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the code;

(b) allocates, after its first year of operation, at least ninety-seven percent of its annual contributions and gross revenue received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this proviso, and incurs administrative expenses annually, after its first year of operation, of not more than three percent nor more than \$200,000 in the aggregate, whichever is less, of its annual contributions and revenue for a particular year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs students;

(d) does not provide grants solely for the benefit of one school, and if the department determines that the nonprofit scholarship funding

organization is providing grants to one particular school, the tax credit allowed by this proviso may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser or member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this proviso from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students or schools for financial gain; and

(h) must not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

(5) "Parent" means the natural or adoptive parent or legal guardian of a child.

(6) "Person" means an individual, partnership, corporation, or other similar entity.

(7) "Qualifying student" means a student who is an exceptional needs child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.

(8) "Resident public school district" means the public school district in which a student resides.

(9) "Transportation" means transportation to and from school only.

(10) "Tuition" means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(11) "Department" means the Department of Revenue.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this proviso if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) An individual is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding ten thousand dollars per child, the individual contributes as tuition for exceptional needs children within their custody or care and enrolled in eligible schools who qualify for these grants under the provisions of this proviso. The cumulative maximum total for credits authorized by this subitem may not exceed four million dollars. However, if a child within the care and custody of an individual receives a tuition scholarship from a nonprofit scholarship funding organization, then the individual only may claim a credit equal to the difference of ten thousand dollars or the cost of tuition, whichever is lower, and the amount of the scholarship.

(C) Grants may be awarded by a scholarship funding organization in an amount not exceeding ten thousand dollars or the total cost of tuition, whichever is less, for qualifying students with exceptional needs to attend an independent school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs child. Upon approving the application, the scholarship funding organization must issue a check to the eligible school in the name of the qualifying student. In the event that the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school must return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(D)(1)(a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of twelve million dollars for contributions made on behalf of exceptional needs students. If the department determines that the total of such credits claimed by all taxpayers exceeds either limit amount, it shall allow credits only up to those amounts on a first come, first served basis.

(b) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit.

Subject to the provisions of item (5), contributions must be made on or before June 30, 2016, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(2) A taxpayer may not claim more than sixty percent of their total tax liability for the year in contribution toward the tax credit authorized by subsection (B)(1). This credit is not refundable.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer's federal return and claims the credit allowed by this proviso, then the taxpayer must add back the amount of the deduction for purposes of South Carolina income taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if the credit limit is met at any time during Fiscal Year 2015-2016.

(5) A person only may claim a credit pursuant to subsection (B) for contributions made between July 1, 2015, and June 30, 2016.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this proviso to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this proviso.

(G)(1) By August 1, 2015, each independent school must apply to the Education Oversight Committee to be considered an eligible institution for which it may receive contributions from a nonprofit scholarship funding organization for which the tax credit allowed by this proviso is allowed. The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (A)(1), and shall publish an approved list of such schools meeting the criteria. If an independent school does not apply to be an eligible school, the independent school may not be published as an approved school, and contributions to that school shall not be allowed for purposes of the credit allowed by this proviso. The Education Oversight Committee must publish the approved list of schools on its website by September first of each year, and the list must include their names, addresses, telephone numbers, and, if available, website addresses. Also, the score reports and audits received by the Education Oversight Committee pursuant to items (2)(b) and (c) must be published with the list. The Education Oversight Committee shall summarize or redact the score reports if necessary to prevent the

disclosure of personally identifiable information. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee.

(2) An independent school's application for consideration as an eligible institution must contain:

(a) the number and total amount of grants received from each nonprofit scholarship funding organization in the preceding fiscal year;

(b) student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this proviso in the previous fiscal year;

(c) a copy of a compilation, review, or compliance audit of the organization's financial statements, conducted by a certified public accounting firm; and

(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(3) Any independent school not determined to be an eligible school pursuant to the provisions of this proviso may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(4) The Education Oversight Committee, after consultation with its nine-member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to this proviso from the curriculum requirements of subsection (A)(1)(d).

(H)(1) By August first of each year, each nonprofit scholarship funding organization must apply to the department to be considered an eligible organization for which its contributors are allowed the tax credit allowed by this proviso. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization shall not be allowed for purposes of the credit allowed by this proviso. A nonprofit scholarship funding organization's application must contain:

- (a) the number and total amount of grants issued to eligible schools in the preceding fiscal year;
- (b) for each grant issued to an eligible school in the preceding fiscal year, the identity of the school and the amount of the grant;
- (c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;
- (d) a copy of the organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;
- (e) a copy of a compilation, review, or audit of the organization's financial statements, conducted by a certified public accounting firm;
- (f) the criteria and eligibility requirements for scholarship awards; and
- (g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(4) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(2) By receiving the application materials and approving the organization as an eligible organization pursuant to item (1), the department is not determining that the organization meets all of the requirements of a qualified nonprofit scholarship funding organization and the organization remains subject to examination as provided for pursuant to subsection (I).

(3) The department has authority to disclose the names of qualifying nonprofit scholarship funding organizations to the Education Oversight Committee. The department also may disclose to the Education Oversight Committee the names of organizations that applied but were not qualified by the department and those organizations whose eligibility has been revoked in accordance with subsection (I)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September first of each year, the Education Oversight Committee must publish on its website a list of all qualifying nonprofit scholarship funding organizations, provided by the department, to include their names, addresses, telephone numbers, and, if available, website addresses. Also, the results of the audit required by item (1)(e) must be published with the list.

(I)(1) The department has authority to oversee, audit, and examine the nonprofit scholarship funding organizations, including determining whether the nonprofit scholarship funding organization is being operated

in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this proviso.

(2)(a) If at any time during the year, the department has evidence, through audit or otherwise, that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this proviso, the department immediately may revoke the organization's participation in the program and must notify the organization and the Education Oversight Committee in writing of the revocation.

(b) Notice of revocation may be provided to the organization by personal delivery to the organization, by first class mail to the last known address of the organization, or by other means reasonably designed to provide notice to the organization.

(c) Any donations made following the date the notice of revocation is received by the organization or in the case of delivery by mail ten days after the notice of revocation was mailed, will not qualify for the credit and the donated funds must be returned to the donor by the organization. This proviso shall not limit the department's authority to deny any tax credit or other benefit provided by this proviso if the circumstances warrant.

(d)(i) Within thirty days after the day on which the organization is notified of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within thirty days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is "reasonable" if the department has some credible evidence to believe that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this proviso. The decision made by the administrative law judge is final and conclusive and may not be reviewed by any court. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation shall become permanent.

(ii) If the administrative law judge determines that the revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge.

The organization may appeal this department determination in accordance with Section 12-60-460. At the contested case hearing on the department determination, the parties can raise new issues and arguments in addition to those issues and arguments previously presented at the revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation shall be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12-60-450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department, in its sole discretion, may reinstate the organization and notify the Education Oversight Committee.

(v) Following the permanent revocation of a nonprofit scholarship funding organization, the Education Oversight Committee has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(J) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially in the event that the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. None of the funds that are transferred by one nonprofit scholarship funding organization to another may be considered by the former organization when calculating its administrative expenses.

SECTION 10. The supplemental appropriations, reductions, and provisions contained in this act shall be combined with the provisions of Act 91 of 2015, the general appropriations bill for Fiscal Year 2015-2016, and be incorporated into Part IA and Part IB of the detail base budget for the succeeding fiscal year.

SECTION 11. All acts or parts of acts inconsistent with any of the provisions of Sections 1 through 9 of this act are suspended for Fiscal Year 2015-2016.

SECTION 12. If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph,

subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 13. Except as otherwise specifically provided, this act takes effect July 1, 2015.

Ratified the 23rd day of June, 2015.

Certain Items Vetoed by the Governor -- 6/29/15.

Certain Items sustained by House -- 7/7/15.

PLEASE NOTE

Text printed in *italic*, **boldface** indicates sections vetoed by the Governor on June 29, 2015.

*Indicates those vetoes sustained by the General Assembly on July 7, 2015.

PART II
LOCAL AND TEMPORARY LAWS

No. 93

(R128, H3702)

A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2014-2015, 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:

Capital Reserve Fund appropriations

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 2014-2015 the following amounts:

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|-----|--|---------------|
| (1) | H51 - Medical University of South Carolina Children's Hospital | \$ 25,000,000 |
| (2) | H63 - Department of Education School Bus Lease or Purchase | \$ 12,610,000 |
| (3) | H63 - Department of Education Integrated Teacher Certification and Compensation System | \$ 1,600,000 |
| (4) | R44 - Department of Revenue Integrated Tax System Implementation | \$ 6,000,000 |
| (5) | K05 - Department of Public Safety Body Armor Replacement | \$ 800,000 |
| (6) | K05 - Department of Public Safety Law Enforcement Vehicles | \$ 1,000,000 |

** (7) B04 - Judicial Department Disaster Recovery Plan	\$ 2,500,000
(8) H59 - State Board For Technical and Comprehensive Education Trident Technical College Workforce Training Equipment	\$ 1,000,000
(9) H59 - State Board for Technical and Comprehensive Education Workforce Pathways Instructional Materials	\$ 1
(10) H59 - State Board for Technical and Comprehensive Education Tri-County Technical College Engineering and Industrial Technology Program	\$ 1,500,000
(11) H59 - State Board for Technical and Comprehensive Education Central Carolina Technical College Workforce Center	\$ 1,300,000
(12) H59 - State Board for Technical and Comprehensive Education Orangeburg Calhoun Technical College Upgrade Technology Infrastructure and Security Systems	\$ 1,000,000
(13) H09 - The Citadel Deas Hall and Equipment	\$ 966,484
(14) H27 - University of South Carolina - Columbia Campus Honors College Technology Equipment	\$ 500,000

** See note at end.

- (15) H27 - University of South Carolina -
Columbia Campus
Honors College Laboratory
Equipment \$ 430,000
- (16) H47 - Winthrop University
Withers Roof \$ 2,000,000
- ** (17) P28 - Department of Parks,
Recreation and Tourism
State Aquarium Renovation \$ 1,000,000**
- ** (18) E28 - Election Commission
Presidential Preference Primaries \$ 2,200,000**
- (19) H59 - State Board for Technical and
Comprehensive Education
Northeastern Technical College -
Industrial Training Center
Renovations \$ 1,500,000
- (20) H59 - State Board for Technical and
Comprehensive Education
York Technical College - Loop
Road Completion \$ 1,400,000
- (21) H59 - State Board for Technical and
Comprehensive Education
Horry-Georgetown Technical
College - Advanced
Manufacturing Center \$ 1,500,000
- (22) H59 - State Board for Technical and
Comprehensive Education
Aeronautical Training Center \$ 20,000,000

** See note at end.

- (23) H59 - State Board for Technical and
Comprehensive Education
Piedmont Technical College -
Phase III Center for
Advanced Manufacturing \$ 1,500,000
- (24) H59 - State Board for Technical and
Comprehensive Education
Central Carolina Technical
College - Kershaw Campus \$ 1,500,000
- (25) H59 - State Board for Technical and
Comprehensive Education
Denmark Technical College -
Building #200 and #300
Renovations \$ 1,400,000
- (26) H59 - State Board for Technical and
Comprehensive Education
Technical College of the
Lowcountry - New River
Campus Road
Improvements \$ 500,000
- (27) H09 - The Citadel
Byrd Hall Organic Chemistry Lab
Renovation \$ 1,355,300
- (28) H12 - Clemson University - Education
and General
Business and Behavioral
Science Building \$ 5,000,000
- (29) H15 - University of Charleston
Stern Center Repurposing \$ 1,750,000
- (30) H21 - Lander University
Montessori Education Building \$ 1,000,000
- (31) H27 - University of South Carolina -
Columbia Campus
Old Law School Renovation \$ 3,500,000

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| (32) | H27 - University of South Carolina -
Columbia Campus
South Caroliniana Library | \$ 5,000,000 |
| (33) | P28 - Department of Parks,
Recreation and Tourism
State Welcome Centers
Renovations | \$ 1,000,000 |
| (34) | J02 - Department of Health and
Human Services
MMIS Replacement | \$ 5,039,189 |
| (35) | J02 - Department of Health and
Human Services
Statewide Telemedicine
Infrastructure | \$ 1 |
| (36) | H67 - Educational Television
Commission
Capital Needs | \$ 1,000,000 |
| (37) | H03 - Commission on Higher
Education
Out-of-State Veteran Tuition
Reimbursement-Colleges | \$ 1 |
| (38) | P16 - Department of Agriculture
Consumer Protection Equipment | \$ 1,000,000 |
| (39) | U12 - Department of Transportation
Facility Maintenance and
Renovation | \$ 870,000 |
| (40) | P20 - Clemson University - PSA
Agriculture and Natural Resources
Field Facilities | \$ 1,500,000 |
| (41) | H18 - Francis Marion University
Student Academic System
Computer Software | \$ 1,500,000 |

(42) H17 - Coastal Carolina University Maintenance: Critical Care and Repair (1:1 Match)	\$ 479,723
(43) H24 - South Carolina State University Maintenance and Demolition	\$ 646,817
(44) H29 - University of South Carolina Aiken Campus Maintenance: Critical Care and Repair (1:1 Match)	\$ 342,807
(45) H34 - University of South Carolina Upstate Campus Maintenance: Critical Care and Repair (1:1 Match)	\$ 476,624
(46) H36 - University of South Carolina Beaufort Campus Maintenance: Critical Care and Repair (1:1 Match)	\$ 142,154
(47) H37 - University of South Carolina Lancaster Campus Maintenance: Critical Care and Repair (1:1 Match)	\$ 262,406
(48) H38 - University of South Carolina Salkehatchie Campus Maintenance: Critical Care and Repair (1:1 Match)	\$ 69,411
(49) H59 - State Board for Technical and Comprehensive Education readySC	\$ 4,249,000
(50) D10 - State Law Enforcement Division Vehicles	\$ <u>900,000</u> \$127,789,918

Regulation of expenditure of appropriations to the Department of Transportation

SECTION 2. Funds appropriated above in Section 1, item (39) to the Department of Transportation shall be used to fund the Orangeburg District Office Building Renovation, Clarendon County Maintenance Complex Construction, SHEP Greenville/Spartanburg Office Construction, and Lexington Maintenance Complex Construction.

Regulation of expenditure of appropriations to institutions of higher learning

SECTION 3. Of the funds appropriated above in Section 1 to institutions of higher learning entitled "Maintenance: Critical Care and Repair (1:1 Match)", each institution shall use the amount appropriated only for critical repair and related maintenance and/or other critical equipment and systems repair and maintenance that are necessary for the safe and efficient operation of an institution's physical plant in its support of the institution's educational purpose.

Funds must not be used for new construction and only may be utilized by an institution to the extent the funds are matched by the institution for necessary repair and maintenance projects generally.

Matching funds exclude supplemental, capital reserve, lottery, or nonrecurring state funds appropriated to an institution either in the current fiscal year or from a prior fiscal year for repair and maintenance or maintenance projects.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement, including the sources of funds utilized to meet this requirement.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to the same matching requirement.

Lapsed appropriations

SECTION 4. Of the items contained within this joint resolution, any item funded in the total amount of \$1 shall lapse to the general fund on the effective date of this act.

Posting of appropriations

SECTION 5. 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.

Time effective

SECTION 6. This joint resolution takes effect thirty days after the completion of the 2014-2015 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.

Ratified the 23rd day of June, 2015.

Certain Items Vetoed by the Governor -- 6/29/15.

Certain Items overridden by House -- 7/7/15.

Certain Items overridden by Senate -- 7/7/15.

PLEASE NOTE

Text printed in italic, boldface indicates sections vetoed by the Governor on June 29, 2015.

**Indicates those vetoes overridden by the General Assembly on July 7, 2015.

No. 94

(R131, H4266)

**A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING
AUTHORITY TO PAY THE EXPENSES OF STATE**

GOVERNMENT IF THE 2015-2016 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, TO SUSPEND A PROVISION, AND TO PROVIDE FOR THE DURATION OF THE CONTINUING AUTHORITY.

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

Continuing authority to pay government expenses, provision suspended

SECTION 1. (A) If the 2015-2016 state fiscal year begins with no annual general appropriations act in effect for that year, the authority to pay the recurring expenses of state government continues at the level of amounts appropriated in Act 286 of 2014 for the recurring expenses of state government for Fiscal Year 2015-2016, except as provided in subsection (B).

The effective dates of Parts IA and IB of Act 286 of 2014 are extended until the effective date for appropriations made in a general appropriations act for Fiscal Year 2015-2016, after which appropriations made pursuant to this joint resolution are deemed to have been made pursuant to the general appropriations act for Fiscal Year 2015-2016.

(B) Notwithstanding debt service appropriations in Act 286 of 2014 and until the effective date of the appropriations made in a general appropriations act for Fiscal Year 2015-2016, there is appropriated from the general fund of the State whatever amount is necessary for timely debt service on state obligations and other amounts constitutionally required to be appropriated, including the Capital Reserve Fund. The General Reserve Fund is established in the amount required by law.

(C) In addition to the provisions of Part IB of Act 286 of 2014 which are continued by this section, there is added an appropriately numbered proviso to read:

84.____. (DOT: Sunset Suspended) The provisions of Section 6 of Act 114 of 2007 are suspended for Fiscal Year 2015-2016. This proviso shall remain effective for the entirety of Fiscal Year 2015-2016 regardless of the effective date of the general appropriations act for Fiscal Year 2015-2016.

Duration of continuing authority

SECTION 2. This joint resolution shall remain in effect until July 24, 2015.

Time effective

SECTION 3. This joint resolution takes effect July 1, 2015.

Ratified the 23rd day of June, 2015.

Approved the 24th day of June, 2015.

No. 95

(R2, S225)

A JOINT RESOLUTION TO SUSPEND PROVISIO 105.15 OF PART 1B OF THE 2014-2015 APPROPRIATIONS ACT, RELATING TO REIMBURSEMENT RATES PAID TO PHARMACIES PARTICIPATING IN THE STATE HEALTH PLAN BY CATAMARAN, THE CONTRACTED PHARMACY BENEFIT MANAGER FOR THE PLAN.

Whereas, in April 2014, Catamaran, the contracted pharmacy benefit manager for the State Health Plan, made certain adjustments to the reimbursement rates paid to pharmacies participating in the State Health Plan; and

Whereas, following those adjustments, certain independent South Carolina pharmacies raised concerns regarding the degree of the downward adjustments to the reimbursement rates paid for retail generic drug prescriptions; and

Whereas, in an effort to address those concerns, Proviso 105.15 was enacted in the 2014-2015 General Appropriations Act to require that, effective January 1, 2015, all pharmacies participating in the State Health Plan be reimbursed on an equal and uniform per-product basis by the State Health Plan; and

Whereas, in August 2014, the Public Employee Benefit Authority, the administrator of the State Health Plan, reached a contractual agreement with Catamaran to adjust the reimbursement rates paid to the affected independent pharmacies for retail generic prescriptions to rates that are consistent with the rates in effect immediately prior to the adjustments made in April 2014 and that are appropriate to fully, adequately, and properly maintain the State Health Plan's pharmacy network in good faith; and

Whereas, in light of this contractual agreement between the Public Employee Benefit Authority and Catamaran, Proviso 105.15 is no longer necessary to address the concerns of the affected independent pharmacies and, in fact, the implementation of Proviso 105.15 would essentially negate the effect of that agreement. Now, therefore,

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

Provision of State Health Plan suspended

SECTION 1. Effective January 1, 2015, Proviso 105.15 of Part IB of the 2014-2015 General Appropriations Act shall be suspended and of no effect for the remainder of Fiscal Year 2014-2015.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 5th day of March, 2015.

Approved the 9th day of March, 2015.

No. 96

(R129, H4014)

**AN ACT TO AMEND ACT 509 OF 1982, AS AMENDED,
RELATING TO THE ANDERSON COUNTY BOARD OF
EDUCATION, SO AS TO CHANGE THE METHOD OF
ELECTING FOUR OF THE FIVE MEMBERS OF THE**

ANDERSON COUNTY SCHOOL DISTRICT 3 BOARD OF TRUSTEES FROM RESIDENCY AREAS TO SINGLE-MEMBER DISTRICTS.

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

Method of electing Anderson County School District 3 board members changed

SECTION 1. Section 13A.(C) of Act 509 of 1982, as added by Act 300 of 2014, is amended to read:

“(C)(1)Notwithstanding another provision of law, beginning with the school trustee elections in 2016, vacancies on the five-member governing body of Anderson County School District 3 must be filled in the manner provided by law as follows:

(a) one member each from the four numbered single-member districts as defined on Anderson County School District 3 map S-07-03-14, as maintained in the Revenue and Fiscal Affairs Office; and

(b) one member elected from Anderson County School District 3 at large.

A candidate must reside in the numbered single-member district for which the candidate filed for election. The member must be elected by the qualified electors of the specifically numbered district of Anderson County School District 3, with the winner determined by a plurality vote. The at-large member must reside in Anderson County School District 3 when he files for election and must be elected by the qualified electors of Anderson County School District 3, with the winner determined by a plurality vote.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK	VAP
1	3,751	-38	-1%	3,152	84.03%	515	13.73%	2,834
2	3,854	65	1.72%	3,249	84.30%	479	12.43%	2,861
3	3,754	-35	-0.92%	3,092	82.37%	479	12.76%	2,813
4	3,797	8	0.21%	3,548	93.44%	169	4.45%	2,948

Total	15,156			13,041		1,642		11,456
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District	NHVVAP	%NHVVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	2,381	84.02%	395	13.94%	84	58
2	2,468	86.26%	312	10.91%	126	81
3	2,332	82.90%	362	12.87%	183	119
4	2,775	94.13%	126	4.27%	80	47

Total	9,956		1,195	10.43%	473	305
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(3) The boundaries of Anderson County School District 3 are not altered by the provisions of this subsection. These school district lines are as defined by law and any census blocks that may be divided are done so only for statistical purposes and to establish a population base.”

Anderson County Board of Voter Registration and Elections to conduct school board elections

SECTION 2. The Anderson County Board of Voter Registration and Elections shall conduct and supervise the elections for school district trustees in the manner governed by the election laws of this State, mutatis mutandis.

Time effective

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

Ratified the 23rd day of June, 2015.

Approved the 24th day of June, 2015.

No. 97

(R65, H3656)

AN ACT TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE DATE FOR ELECTIONS FOR TRUSTEES, THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY, AND THE TIME IN WHICH BOARD MEMBERS TAKE OFFICE.

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

Revisions to election date, candidacy declaration filing dates, term commencement

SECTION 1. Section 1 of Act 205 of 1993, as last amended by Act 134 of 2007, is further amended to read:

“Section 1. (A) Notwithstanding any other provision of law, the District Board of Education of the Chesterfield County School District consists of nine members who must be elected in nonpartisan elections to be held at the same time as the general election in even-numbered years in the manner hereinafter provided. One member of the board must be a resident of and elected from each of the nine defined single-member election districts established in Section 2 of this act. Members of the board must be elected as follows:

(1) In 1993, a member of the board from District 1 must be elected for a one-year term and members of the board from Districts 2 and 9 must be elected for five-year terms.

(2) In 1994, members of the board from Districts 1 and 3 must be elected for four-year terms.

(3) In 1996, members of the board from Districts 4, 5, 6, 7, and 8 must be elected for four-year terms.

(4) In 1998, members of the board from Districts 1, 2, 3, and 9 must be elected for four-year terms.

(5) After 1998, members of the board must be elected in nonpartisan elections held every two or four years thereafter as appropriate for four-year terms. All members shall serve until their successors are elected and qualify.

(6) The present members of the district board of education shall continue to serve until successors from the election districts in which the present members reside are elected in the manner provided by this act at which time the terms of office of these present members shall expire.

(B) In the event of a vacancy on the board occurring for any reason other than expiration of a term, the board shall call a special election to fill the unexpired term, so long as the vacancy does not occur within ten months of a regular trustee election. In this case, the vacancy must be filled for the unexpired term or for a full term, as appropriate, at the next regular election.

Each member of the board must be elected by the qualified electors of the respective district from which the candidate seeks election. All persons desiring to qualify as a candidate shall file written notice of candidacy with the county election commission, or with the clerk of court on forms furnished by the commission which forms must be

transmitted to the commission by the clerk of court. This notice of candidacy must be a sworn statement and must include the candidate's name, age, residence address, voting precinct, period of residence in the election district from which election is sought, and other information as the county election commission requires. The filing period opens on the first Tuesday in September at noon to run for two weeks.

(C) The county commissioners of election shall conduct and supervise the elections for members of the board in the manner governed by the election laws of this State, mutatis mutandis. The commissioners shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The commission shall publish notices of the time, polling places, and purpose of the election in a newspaper of general circulation within the district once a week for at least two successive weeks before the election. The results of the elections must be determined by the nonpartisan election and runoff method as contained in Section 5-15-62 of the 1976 Code.

(D) The members of the board elected in these nonpartisan elections shall take office January first following the November election.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 98

(R66, H3658)

AN ACT TO AMEND ACT 1010 OF 1968, AS AMENDED, RELATING TO THE LOCAL EDUCATION ADVISORY COUNCILS IN THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO DECREASE THE NUMBER OF ADVISORY COUNCILS FROM SEVEN TO FOUR THROUGH CONSOLIDATION OF SPECIFIC ATTENDANCE AREAS, TO PROVIDE UNEXPIRED TERMS OF ADVISORY COUNCIL MEMBERS SERVING ON THE EFFECTIVE DATE OF THIS

ACT ARE TERMINATED ON THAT DATE AND ADVISORY COUNCIL MEMBERS SUBSEQUENTLY MUST BE APPOINTED BY THE DISTRICT BOARD OF EDUCATION AND THE LEGISLATIVE DELEGATION WILL HAVE NO ROLE IN APPOINTING MEMBERS TO THE ADVISORY COUNCILS, TO PROVIDE FOR THE STAGGERING OF ADVISORY COUNCIL MEMBER TERMS, AMONG OTHER THINGS.

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

Advisory councils decreased, unexpired terms terminated, appointment by school board rather than delegation

SECTION 1. Section 7 of Act 1010 of 1968, as last amended by Act 134 of 2007, is further amended to read:

“Section 7. (A)(1) Beginning July 1, 2015, there must be four local education advisory councils in the Chesterfield County School District, consisting of one for the Cheraw attendance area; one for the McBee attendance area; one for the Chesterfield High School attendance area, created from the merger of the Chesterfield attendance area and the Ruby attendance area; and one for the Central High School attendance area, created from the merger of the Pageland attendance zone and the Jefferson attendance zone. The unexpired terms of council members serving on the effective date of this subsection are terminated on that date, and council members subsequently must be appointed by the district board of education and the legislative delegation will have no role in appointing members to the advisory boards beginning with the effective date of this section.

(2) Within one month after the effective date of this act, the board shall appoint members to fill each of the four new advisory councils, designating four members to serve two-year terms and three members to serve four-year terms. Thereafter, successors must be appointed for terms of four years each. All members shall serve until their successors are appointed and qualify.

(B) Members shall take office on January first after the November election. The councils shall meet and perform such duties as determined by the district board of education. Each council shall elect a chairman, a vice chairman, and a secretary and submit those names to the superintendent.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 99

(R75, H4082)

AN ACT TO AMEND ACT 536 OF 1986, AS AMENDED, RELATING TO DORCHESTER COUNTY SCHOOL DISTRICT FOUR BOARD OF TRUSTEES, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2016, TO DESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS MAY BE FOUND, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THE REAPPORTIONED ELECTION DISTRICTS.

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

Dorchester County School District Four reapportioned

SECTION 1. Section 1A of Act 536 of 1986, as added by Act 592 of 1992, is amended by deleting Section 1A in its entirety and inserting:

“Section 1A. (1) Beginning with school district elections in 2016, the five single-member election districts from which members of the Dorchester County School District Four Board of Trustees must be elected are as shown on the Dorchester County School District Four Board of Trustees map S-35-04-15 as maintained by the Revenue and Fiscal Affairs Office. Candidates offering for election to single-member districts 1, 2, and 3 shall stand for election in 2016, and candidates offering for election to single-member districts 4 and 5 shall stand for election in 2018.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	3,195	14	0.44%	1,344	42.07%	1,778	55.65%
2	3,206	25	0.79%	1,304	40.67%	1,821	56.80%
3	3,217	36	1.13%	2,047	63.63%	1,060	32.95%
4	3,214	33	1.04%	1,475	45.89%	1,614	50.22%
5	3,072	-109	-3.43%	1,805	58.76%	922	30.01%
Total	15,904			7,975		7,195	

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	2,477	1,058	42.71%	1,369	55.27%	73	50
2	2,487	1,019	40.97%	1,411	56.74%	81	57
3	2,512	1,644	65.45%	799	31.81%	110	69
4	2,414	1,142	47.31%	1,192	49.38%	125	80
5	2,376	1,450	61.03%	676	28.45%	345	250
Total	12,266	6,313		5,447		734	506*

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 100

(R91, S810)

AN ACT TO AMEND ACT 250 OF 1991, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN FLORENCE COUNTY SCHOOL DISTRICT NUMBER FIVE, SO AS TO REAPPORTION THE FOUR SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH TRUSTEES ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Florence County School District Number Five reapportioned

SECTION 1. Section 3 of Act 250 of 1991, as last amended by Act 170 of 1995, is further amended to read:

“Section 3. (A) Members must be elected pursuant to the provisions of Section 2 of Act 250 of 1991 and from the four single-member election districts recorded on the official map designated as S-41-05-15 prepared by and on file with the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Florence County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(B) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	1,451	-34	-2.29%	483	33.29%	914	62.99%
2	1,443	-42	-2.83%	1,251	86.69%	141	9.77%
3	1,527	42	2.83%	1,179	77.21%	324	21.22%
4	1,522	37	2.49%	1,196	78.58%	267	17.54%

Total	5,943			4,109		1,646	
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District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	1,026	379	36.94%	618	60.23%	54	29
2	1,060	940	88.68%	90	8.49%	51	30
3	1,051	856	81.45%	180	17.13%	24	15
4	1,109	886	79.89%	187	16.86%	59	36

Total	4,246	3,061		1,075	25.32%	188	110”
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Florence County School District Number Five exterior boundaries unchanged

SECTION 2. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Florence County School District Number Five. It does not alter the exterior boundaries of Florence County School District Number Five.

Time effective

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

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 101

(R93, S809)

AN ACT TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THE FIVE SINGLE-MEMBER ELECTION DISTRICTS AND THE TWO MULTIMEMBER ELECTION DISTRICTS FROM WHICH THESE NINE MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER AND MULTIMEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Florence County School District Number Three reapportioned

SECTION 1. Section 2 (B) of Act 84 of 2011 is amended to read:

“Section 2. (B)(1) Members must be elected from the election districts set forth in subsection (A) which are recorded on the official map designated as S-41-03-15 prepared by and on file with the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Florence County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	2,308	21	0.92%	1,454	63.00%	779	33.75%
2	2,313	26	1.14%	1,661	71.81%	450	19.46%
3	2,343	56	2.45%	1,463	62.44%	779	33.25%
4	4,475	-99	-2.16%	1,166	26.06%	3,094	69.14%
5	2,171	-116	-5.07%	583	26.85%	1,541	70.98%
6	2,258	-29	-1.27%	495	21.92%	1,704	75.47%
7	4,716	142	3.10%	3,088	65.48%	1,434	30.41%

Total 20,584 9,910 9,781

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	1,724	1,118	64.85%	565	32.77%	75	41
2	1,716	1,281	74.65%	323	18.82%	202	112
3	1,764	1,154	65.42%	548	31.07%	101	62
4	3,176	916	28.84%	2,126	66.94%	215	134
5	1,543	488	31.63%	1,028	66.62%	47	27
6	1,650	416	25.21%	1,184	71.76%	59	50
7	3,595	2,450	68.15%	1,030	28.65%	194	115

Total 15,168 7,823 6,804 893 541"

Florence County School District Number Three exterior boundaries unchanged

SECTION 2. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Florence County School District Number Three. It does not alter the exterior boundaries of Florence County School District Number Three.

Time effective

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

Ratified the 3rd day of June, 2015.

Approved the 4th day of June, 2015.

No. 102

(R78, H4143)

AN ACT TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM AND ITS BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE

OF REPRESENTATIVES DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD FROM WHICH SIX MEMBERS OF THE BOARD MUST BE APPOINTED, AND TO FURTHER PROVIDE FOR THE NOMINATING PROCESS IN REGARD TO THE SELECTION OF CERTAIN MEMBERS OF THE BOARD.

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

Board of trustee revisions

SECTION 1. Section 1 of Act 432 of 1947, as redesignated and then amended by Act 105 of 2013, is further amended to read:

“Section 1. (A) For the purpose of operating and at all times maintaining adequate hospital facilities for the residents of Greenville County, including those residents in the City of Greenville and as otherwise provided by law, including, but not limited to, Section 44-7-78, Code of Laws of South Carolina, 1976, there is established the Greenville Health System (formerly known as the Greenville Hospital System) which must be governed by a board of trustees selected pursuant to this section.

(B)(1)(a) The board of trustees shall consist of not fewer than twelve or more than seventeen members. A membership above twelve must be first requested by the board of trustees and then approved by the Greenville County Legislative Delegation. Members must be appointed by the Greenville County Legislative Delegation pursuant to this section, unless otherwise stipulated. The members of the House of Representatives from each of the House single-member election districts in a particular house residency district, together with any member of the Senate representing any portion of these House single-member election districts in that particular house residency district, shall recommend a nominee for that seat to the full Greenville County Legislative Delegation which shall either select and appoint that nominee to the commission or reject the nominee. In this case another nominee must be recommended by the same process to the full county legislative delegation until the seat is filled. All members must be qualified electors. Members filling house district residency seats, as provided for in this subsection, must, at the time of their appointment and throughout their term of office, be residents of Greenville County residing in specified house districts that constitute a part of the specific house

district residency seat. Six of the members must be considered as filling house district residency seats, with one seat being filled by a person residing in House District 18, 20, or 36; one residing in House District 10, 17, or 19; one residing in House District 16, 21, or 35; one residing in House District 22 or 24; one residing in House District 23 or 25; and one residing in House District 27 or 28. The remaining members must be at large, at least four of whom must reside in Greenville County. Two of the members must reside in the City of Greenville, but no more than three of the members may reside in the city limits of a single municipality. Appointment of members who are residents of the City of Greenville must be submitted for review by the City of Greenville as provided in item (3). Members shall represent all communities served by the Greenville Health System regardless of residency and shall make decisions in the best interest of the Greenville Health System as a whole and all those it serves.

(b) Current members of the board then filling house district residency seats as these districts formerly existed before the effective date of this subitem are deemed to be the members of the board from the revised house district residency seats now existing after the effective date of this subitem in which they reside with no change in their current terms of office.

(2)(a) Except as provided for in subitem (c) and subsection (D), members shall serve terms of three years, which expire on October first of the appropriate year, and until their successors are appointed and qualify; however, under no circumstance may a member continue to serve longer than six months after the expiration of his term. If the Greenville County Legislative Delegation has not filled a seat within six months of the expiration of the term, the member serving in that seat shall cease serving and the seat is vacant until filled in accordance with this section. Members may not serve more than two terms, except that a member who fills a term of one year or less may be reappointed to serve two terms.

(b) Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. Appointments must be filed in the office of the Clerk of Court for Greenville County, who shall certify their appointment to the Governor, who shall commission the member for the term provided.

(c) Members appointed to fill a new seat on the board, if any, must be appointed for a term beginning October first, with the length of the initial term being of a duration that results in approximately one-third of the members of the board being appointed annually.

(3) The board of trustees shall publicize vacancies, and recommendations may be made to the board from any individual, organization, or group. The board shall submit a nominee for each vacancy to the Greenville County Legislative Delegation. The board shall provide the legislative delegation with biographical information on nominees and must be available to discuss the recommendations and shall make each nominee available, if requested by the legislative delegation, to meet with the delegation. The legislative delegation with a quorum present and by majority-weighted vote shall vote to appoint a nominee for each vacancy. However, if after the board has submitted its initial nominee, the delegation requests an additional nominee, the board has one hundred twenty days to submit the additional nominee. If the board does not submit an additional nominee within one hundred twenty days of the request, the legislative delegation has sixty days to appoint a qualified member to fill the vacancy without considering nominations from the board. If the board does submit an additional nominee within the one hundred twenty days and the delegation by vote does not appoint the nominee, the delegation has sixty days to appoint a qualified member to fill the vacancy without considering the nominations from the board. An individual selected by the delegation who is a resident of the City of Greenville must be submitted by the legislative delegation to the City Council of the City of Greenville for concurrence, and the city council shall act timely on the request for concurrence. If the city council does not concur in the appointment, the board shall submit an additional nominee to the legislative delegation to fill the seat and the legislative delegation shall vote to appoint the nominee or request an additional nominee, and upon approval of the nominee shall submit that nominee to the City of Greenville for concurrence. The board is committed to maintaining a diverse board, believing that diversity is a source of strength and that the skills needed in building healthy communities can best be developed through exposure to widely diverse people, culture, ideas, and leadership. All recommendations, nominations, and appointments to the board shall take into account race, gender, expertise, and other qualifications as may be pertinent to service on the board so that members are mindful, to the greatest extent possible, of the needs of all segments of the population of Greenville County and those served by the Greenville Health System.

(C)(1) The board shall elect from among its members a chairman, vice chairman, and secretary.

(2) Members shall serve on the board of trustees without compensation.

(D) Members shall continue to serve until their terms expire and until their successors are appointed and qualify.”

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 103

(R110, S757)

AN ACT TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Greenwood County School District 50 reapportioned

SECTION 1. Act 595 of 1994 is amended by adding Section 2A to read:

“Section 2A. (1) Notwithstanding another provision of law or of this act, beginning with the 2016 school district elections, the nine single-member election districts from which the nine members of the Greenwood County School District 50 Board of Trustees must be elected are as shown on the Greenwood County School District 50 map S-47-50-15 as prepared and maintained by the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Greenwood

County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	6,560	19	0.29%	1,900	28.96%	3,294	50.21%
2	6,557	16	0.24%	1,866	28.46%	4,254	64.88%
3	6,628	87	1.33%	4,500	67.89%	1,860	28.06%
4	6,489	-52	-0.79%	1,743	26.86%	3,914	60.32%
5	6,511	-30	-0.46%	4,604	70.71%	1,510	23.19%
6	6,406	-135	-2.06%	4,882	76.21%	1,116	17.42%
7	6,619	78	1.19%	5,724	86.48%	641	9.68%
8	6,533	-8	-0.12%	4,843	74.13%	1,325	20.28%
9	6,569	28	0.43%	4,508	68.63%	1,686	25.67%
Total	58,872			34,570		19,600	

District	VAP	NHVVAP	%NHVVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	4,701	1,616	34.38%	2,261	48.10%	1,366	824
2	4,703	1,519	32.30%	2,894	61.54%	437	290
3	5,180	3,535	68.24%	1,453	28.05%	268	192
4	4,835	1,365	28.23%	2,951	61.03%	832	519
5	4,923	3,644	74.02%	1,053	21.39%	397	226
6	4,916	3,896	79.25%	776	15.79%	408	244
7	5,216	4,593	88.06%	454	8.70%	254	169
8	5,139	3,865	75.21%	1,016	19.77%	365	258
9	5,241	3,743	71.42%	1,254	23.93%	375	244
Total	44,854	27,776		14,112	31.46%	4,702	2,966

Greenwood County School District 50 exterior boundaries unchanged

SECTION 2. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Greenwood County School District 50. It does not alter the exterior boundaries of Greenwood County School District 50.

Time effective

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

Ratified the 4th day of June, 2015.

Approved the 8th day of June, 2015.

No. 104

(R89, H4166)

AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 56 MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Laurens County School District 56 reapportioned

SECTION 1. Section 2B of Act 779 of 1988, as last amended by Act 316 of 2010, is further amended to read:

“Section 2B. (A) One member of the Board of Trustees of School District 56 of Laurens County must reside in and be elected from each of the seven defined single-member election districts by the electors within each election district as delineated in subsection (B) of this section.

(B)(1) Beginning with the 2016 school district elections, the seven defined single-member election districts, from which each member of the Board of Trustees of Laurens County School District 56 must be elected by the qualified electors of that district are as shown on the official map designated as S-59-56-15 prepared by and on file with the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Laurens County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	2,994	34	1.15%	1,371	45.79%	1,514	50.57%
2	2,955	-5	-0.17%	1,046	35.40%	1,839	62.23%
3	2,952	-8	-0.27%	2,275	77.07%	556	18.83%
4	2,916	-44	-1.49%	2,444	83.81%	385	13.20%
5	2,928	-32	-1.08%	2,118	72.34%	684	23.36%
6	3,033	73	2.47%	2,501	82.46%	438	14.44%
7	2,948	-12	-0.41%	1,937	65.71%	877	29.75%

Total	20,726			13,692		6,293	
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District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	2,223	1,125	50.61%	1,021	45.93%	109	77
2	2,238	806	36.01%	1,390	62.11%	70	42
3	2,285	1,797	78.64%	399	17.46%	121	89
4	2,517	2,131	84.66%	307	12.20%	87	79
5	2,210	1,641	74.25%	492	22.26%	126	77
6	2,358	1,965	83.33%	329	13.95%	94	64
7	2,357	1,625	68.94%	656	27.83%	134	76

Total	16,188	11,090		4,594	28.38%	741	504"
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Laurens County Board of Voter Registration and Elections to conduct school district elections

SECTION 2. The Laurens County Board of Voter Registration and Elections shall conduct and supervise the elections for school district trustees in the manner governed by the election laws of this State, mutatis mutandis.

Exterior boundaries of Laurens County School District 56 unchanged

SECTION 3. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Laurens County School District 56. It does not alter the exterior boundaries of Laurens County School District 56.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 2nd day of June, 2015.

Approved the 3rd day of June, 2015.

No. 105

(R114, H4079)

AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF LAURENS COUNTY SCHOOL DISTRICT 55 MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Laurens County School District 55 reapportioned

SECTION 1. Section 1B of Act 779 of 1988, as last amended by Act 316 of 2010, is further amended to read:

“Section 1B. (A) One member of the Board of Trustees of School District 55 of Laurens County must reside in and be elected from each of the seven defined single-member election districts by the electors within each election district as delineated in subsection (B) of this section.

(B)(1) Beginning with the 2016 school district elections, the seven defined single-member election districts, from which each member of the Board of Trustees of Laurens County School District 55 must be elected by the qualified electors of that district are as shown on the official map designated as S-59-55-15 prepared by and on file with the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Laurens County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(2) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	5,370	49	0.92%	4,511	84.00%	513	9.55%
2	5,332	11	0.21%	4,318	80.98%	844	15.83%
3	5,397	76	1.43%	4,455	82.55%	838	15.53%
4	5,364	43	0.81%	4,839	90.21%	353	6.58%
5	5,198	-123	-2.31%	1,635	31.45%	3,137	60.35%
6	5,165	-156	-2.93%	2,327	45.05%	2,519	48.77%
7	5,424	103	1.94%	3,603	66.43%	1,078	19.87%

Total	37,250			25,688		9,282	
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District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	4,128	3,562	86.29%	350	8.48%	346	216
2	4,202	3,436	81.77%	651	15.49%	170	115
3	4,283	3,578	83.54%	631	14.73%	104	74
4	4,030	3,680	91.32%	243	6.03%	172	107
5	3,803	1,330	34.97%	2,223	58.45%	426	250
6	3,951	1,873	47.41%	1,874	47.43%	319	204
7	4,085	2,864	70.11%	824	20.17%	743	397

Total	28,482	20,323		6,796	23.86%	2,280	1,363
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Laurens County Board of Voter Registration and Elections to conduct school district elections

SECTION 2. The Laurens County Board of Voter Registration and Elections shall conduct and supervise the elections for school district trustees in the manner governed by the election laws of this State, mutatis mutandis.

Laurens County School District 55 exterior boundaries unchanged

SECTION 3. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose Laurens County School District 55. It does not alter the exterior boundaries of Laurens County School District 55.

Time effective

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 4th day of June, 2015.

Approved the 9th day of June, 2015.

No. 106

(R41, H3900)

AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 5 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE TRUSTEES' TERMS AND MANNER OF ELECTION.

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

Spartanburg County School District 5 reapportioned

SECTION 1. (A) Notwithstanding another provision of law, Spartanburg County School District 5 must be governed by a board of trustees of nine members, who must be elected as outlined in this section. A trustee must be a resident of the election district from which he is elected. Trustees must be elected for four-year terms and until their successors are elected and qualify. School district elections must be held in odd-numbered calendar years, with four seats being contested during one election cycle and five being contested during the following cycle.

(B) Beginning with the school district elections in 2015, the election districts from which the nine members of the Spartanburg County School District 5 Board of Trustees must be elected are as shown on the Spartanburg County School District 5 map S-83-05-15 as maintained by the Revenue and Fiscal Affairs Office.

(C) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	4,599	-53	-1.14%	1,600	34.79%	2,480	53.92%
2	9,259	-45	-0.48%	7,147	77.19%	1,424	15.38%
3	28,009	97	0.35%	22,749	81.22%	3,085	11.01%
Total	41,867			31,496		6,989	

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	3,274	1,235	37.72%	1,753	53.54%	519	286
2	7,009	5,577	79.57%	997	14.22%	688	435
3	20,615	17,122	83.06%	2,105	10.21%	2,175	1,388
Total	30,898	23,934		4,855		3,382	2,109

(D) After the effective date of this act:

(1) Election District 1 for Spartanburg County School District 5 must be represented by a single trustee to be elected in the 2015 school district elections who is elected by the registered voters who reside within Election District 1;

(2) Election District 2 for Spartanburg County School District 5 must be represented by two trustees who are elected by the registered voters who reside within Election District 2. One of these trustees must be elected in the 2015 school district elections, and the second trustee must be elected in the 2017 school district elections; and

(3) Election District 3 for Spartanburg County School District 5 must be represented by six trustees who are elected by the registered voters who reside in Election District 3. Two of these trustees must be elected in the 2015 school district elections, at which the two candidates receiving the highest number of votes, irrespective of whether the actual result constitutes a majority of those voting, must be declared elected. Four additional trustees must be elected in the 2017 school district elections, at which the four candidates receiving the highest number of votes, irrespective of whether the actual result constitutes a majority of those voting, must be declared elected.

Spartanburg County Board of Elections and Voter Registration to conduct school district elections

SECTION 2. The Spartanburg County Board of Elections and Voter Registration shall conduct and supervise the elections for school district trustees in the manner governed by the election laws of this State, mutatis mutandis.

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 107

(R42, H4055)

AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

Spartanburg County School District 7 reapportioned

SECTION 1. (A) Beginning with the school district elections in 2015, the election districts from which the nine members of the Spartanburg County School District 7 Board of Trustees must be elected are as shown on the Spartanburg County School District 7 map S-83-07-15 as maintained by the Revenue and Fiscal Affairs Office.

(B) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	5,859	-23	-0.39%	2,221	37.91%	3,344	57.07%
2	5,912	30	0.51%	1,271	21.50%	4,256	71.99%
3	5,876	-6	-0.10%	995	16.93%	4,585	78.03%
4	5,948	66	1.12%	1,828	30.73%	3,769	63.37%
5	29,348	-62	-0.21%	21,248	72.40%	6,037	20.57%
Total	52,943			27,563		21,991	

District	VAP	NHWVAP	%NHWVAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	4,823	2,101	43.56%	2,510	52.04%	294	212
2	4,307	1,077	25.01%	2,978	69.14%	385	252
3	4,163	832	19.99%	3,155	75.79%	296	176
4	4,327	1,482	34.25%	2,634	60.87%	351	211
5	23,361	17,719	75.85%	4,254	18.21%	2,063	1,388
Total	40,981	23,211		15,531	37.90%	3,389	2,239

Spartanburg County Board of Elections and Voter Registration to conduct school district elections

SECTION 2. The Spartanburg County Board of Elections and Voter Registration shall conduct and supervise the elections for school district trustees in the manner governed by the election laws of this State, mutatis mutandis.

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 108

(R79, H4159)

AN ACT TO AMEND ACT 164 OF 2003, RELATING TO THE NINE DEFINED SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE UNION COUNTY BOARD OF SCHOOL TRUSTEES ARE ELECTED, SO AS TO REAPPORTION THE ELECTION DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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

School district of Union County reapportioned

SECTION 1. Section 1 of Act 164 of 2003 is amended to read:

“Section 1. (A) Notwithstanding another provision of law, beginning with the 2016 school district elections, the nine defined single-member election districts from which each member of the Union County Board of Trustees must reside in and be elected by the qualified

electors of that district are as shown on the official map designated as S-87-00-15 prepared by and on file with the Revenue and Fiscal Affairs Office. The Revenue and Fiscal Affairs Office shall provide a certified copy of the map to the school district and the Union County Board of Voter Registration and Elections. The official map must not be changed except by an act of the General Assembly or by a court of competent jurisdiction.

(B) The demographic information shown on this map is as follows:

District	Pop	Dev.	%Dev.	NH_WHT	%NH_WHT	NH_BLK	%NH_BLK
1	3,012	-206	-6.40%	1,268	42.10%	1,693	56.21%
2	3,292	74	2.30%	2,396	72.78%	838	25.46%
3	3,212	-6	-0.19%	2,506	78.02%	650	20.24%
4	3,309	91	2.83%	2,279	68.87%	969	29.28%
5	3,304	86	2.67%	2,900	87.77%	355	10.74%
6	3,230	12	0.37%	2,421	74.95%	752	23.28%
7	3,186	-32	-0.99%	915	28.72%	2,175	68.27%
8	3,261	43	1.34%	2,187	67.07%	973	29.84%
9	3,155	-63	-1.96%	2,274	72.08%	818	25.93%

Total	28,961			19,146		9,223	
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District	VAP	NHWPAP	%NHWPAP	NHBVAP	%NHBVAP	AllOth	AllOthVAP
1	2,360	1,015	43.01%	1,304	55.25%	51	41
2	2,506	1,910	76.22%	558	22.27%	58	38
3	2,512	1,970	78.42%	514	20.46%	56	28
4	2,564	1,835	71.57%	691	26.95%	61	38
5	2,566	2,286	89.09%	249	9.70%	49	31
6	2,484	1,916	77.13%	536	21.58%	57	32
7	2,364	716	30.29%	1,591	67.30%	96	57
8	2,515	1,736	69.03%	708	28.15%	101	71
9	2,490	1,874	75.26%	575	23.09%	63	41

Total	22,361	15,258		6,726		592	377"
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Reapportionment does not affect district's exterior boundaries

SECTION 2. Notwithstanding another provision of law, the map referenced in this act alters only the boundaries of the single-member election districts that compose the School District of Union County. It does not alter the exterior boundaries of the School District of Union County.

Time effective

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

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 109

(R10, H3752)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF DENTISTRY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4502, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Labor, Licensing and Regulation - Board of Dentistry, relating to Fees, designated as Regulation Document Number 4502, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of March, 2015.

Became law without the signature of the Governor -- 4/1/15.

No. 110

(R11, H3753)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, RELATING TO FEES [AND FEE SCHEDULE], DESIGNATED AS REGULATION DOCUMENT NUMBER 4507, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Labor, Licensing and Regulation - Board of Long Term Health Care Administrators, relating to Fees [and Fee Schedule], designated as Regulation Document Number 4507, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of March, 2015.

Became law without the signature of the Governor -- 4/1/15.

No. 111

(R12, H3754)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF MEDICAL EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION

DOCUMENT NUMBER 4509, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Labor, Licensing and Regulation - Board of Medical Examiners, relating to Fees, designated as Regulation Document Number 4509, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of March, 2015.

Became law without the signature of the Governor -- 4/1/15.

No. 112

(R13, H3756)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN OPTICIANRY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4511, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Labor, Licensing and Regulation - Board of Examiners in Opticianry, relating to Fees, designated as Regulation Document Number 4511, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of March, 2015.

Became law without the signature of the Governor -- 4/1/15.

No. 113

(R14, H3758)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF PODIATRY EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4513, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Labor, Licensing and Regulation - Board of Podiatry Examiners, relating to Fees, designated as Regulation Document Number 4513, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of March, 2015.

Became law without the signature of the Governor -- 4/1/15.

No. 114

(R15, H3760)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF EXAMINERS IN PSYCHOLOGY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4515, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Labor, Licensing and Regulation - Board of Examiners in Psychology, relating to Fees, designated as Regulation Document Number 4515, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 25th day of March, 2015.

Became law without the signature of the Governor -- 4/1/15.

No. 115

(R67, H3748)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO PROCEDURES FOR CONTESTED CASES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4466, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Procedures for Contested Cases, designated as Regulation Document Number 4466, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Became law without the signature of the Governor -- 6/3/2015.

No. 116

(R68, H3749)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO HYPODERMIC DEVICES; AND DRUGS AND DEVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4468, PURSUANT TO THE

**PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE
1976 CODE.**

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

Regulations approved

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Hypodermic Devices; and Drugs and Devices, designated as Regulation Document Number 4468, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Became law without the signature of the Governor -- 6/3/2015.

No. 117

(R73, H3914)

**A JOINT RESOLUTION TO APPROVE REGULATIONS OF
THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL
CONTROL, RELATING TO PARTICLE ACCELERATORS
(TITLE C), DESIGNATED AS REGULATION DOCUMENT
NUMBER 4482, PURSUANT TO THE PROVISIONS OF
ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.**

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

Regulations approved

SECTION 1. The regulations of the Department of Health and Environmental Control, relating to Particle Accelerators (Title C), designated as Regulation Document Number 4482, and submitted to the

General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Became law without the signature of the Governor -- 6/3/2015.

No. 118

(R124, H4225)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERMS AND CONDITIONS FOR THE PUBLIC'S USE OF STATE LAKES AND PONDS OWNED OR LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4547, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Natural Resources, relating to Terms and Conditions for the Public's Use of State Lakes and Ponds Owned or Leased by the Department of Natural Resources, designated as Regulation Document Number 4547, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 8th day of June, 2015.

Became law without the signature of the Governor -- 6/13/2015.

No. 119

(R125, H4231)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPECIES OR SUBSPECIES OF NONGAME WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4560, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Regulations approved

SECTION 1. The regulations of the Department of Natural Resources, relating to Regulations for Species or Subspecies of Nongame Wildlife, designated as Regulation Document Number 4560, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 8th day of June, 2015.

Became law without the signature of the Governor -- 6/13/2015.

No. 120

(R17, S382)

A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO TWENTY DAYS IN FISCAL YEARS 2014-2015 AND 2015-2016, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

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

South Carolina State University furlough program

SECTION 1. (A) Notwithstanding any other provision of law, in Fiscal Years 2014-2015 and 2015-2016, the agency head of South Carolina State University may institute a mandatory employee furlough program of not more than twenty working days in each fiscal year. The program must meet the requirements provided in subsection (B).

(B) The furlough must be inclusive of all employees of the university or within a designated department or program regardless of source of funds, place of work, or tenure status, and must include employees in classified positions and unclassified positions in the designated area. A furlough program also may be implemented by pay band for classified employees and by pay rate for unclassified employees. Law enforcement employees, employees who provide direct patient or client care, and front-line employees who deliver direct customer services may be exempted from a mandatory furlough. If the furlough includes the entire university, the furlough must include the agency head. Scheduling of furlough days, or portions of days, shall be at the discretion of the university, but under no circumstances shall the university close completely. If an employee participates in a voluntary furlough program in Fiscal Year 2014-2015 or Fiscal Year 2015-2016, the furlough days taken voluntarily must count toward the furlough days required by the mandatory furlough authorized in this section. During this furlough, affected employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the university will be responsible for making both employer and employee

contributions during the time of the furlough if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. The university may allocate the employee's reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The university is encouraged to consult the State Division of Human Resources of the Budget and Control Board in the development of the furlough plan to ensure that the plan meets the requirements of this section. The university shall report information regarding furloughs to the State Division of Human Resources as requested.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 1st day of April, 2015.

Approved the 2nd day of April, 2015.

No. 121

(R36, H3663)

A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2018, OR UNTIL A FULL NEW BOARD OF TRUSTEES IS ELECTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, AND RETENTION AND TERMINATION OF THE UNIVERSITY'S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE

PRESIDENT OF THE UNIVERSITY, TO REVIEW THE EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE UNIVERSITY AND MAKE RECOMMENDATIONS TO DIRECT THE UNIVERSITY OUT OF THE CURRENT FINANCIAL CRISIS WITH AN EMPHASIS ON HAVING THE UNIVERSITY RETURN TO THE VALUABLE AND FUNCTIONAL INSTITUTION OF HIGHER LEARNING.

Whereas, the members of the General Assembly of the State of South Carolina recognize the rich and diverse history of South Carolina State University founded in 1896 in Orangeburg, South Carolina, and the significant contribution that the university has made to the higher education community as well as its current students and alumni; and

Whereas, on February 13, 2015, the Executive Director of the Executive Budget Office informed South Carolina State University that in its opinion the university would end the current fiscal year with another operating deficit; and

Whereas, eroding public trust and confidence in the willingness or ability of South Carolina State University to successfully operate within a balanced budget, coupled with ongoing accreditation concerns related to financial, governance, and other matters, are among factors adversely impacting university enrollment which is at a level greatly in need of stabilization; and

Whereas, the Southern Association of Colleges and Schools has expressed concerns regarding governing board conflicts of interests and board/administration structure as well as financial stability and controls of South Carolina State University, and the General Assembly recognizes that maintaining accreditation by the Southern Association of Colleges and Schools is of great importance; and

Whereas, in addition, the General Assembly recognizes and acknowledges the need to follow up on this temporary action that is so critical at this juncture with permanent, statewide legislation to restructure the Board of Trustees and general governance of South Carolina State University with particular emphasis on maintaining the institutional knowledge of members of the Board of Trustees going forward and staggering terms of newly appointed Board of Trustees members to maintain that essential consistency in the university's

governance as it seeks to accomplish its important educational mission. Now, therefore,

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

South Carolina State University, Interim Board of Trustees, duties, recommendations

SECTION 1. (A) Immediately upon the appointment of an Interim South Carolina State University Board of Trustees pursuant to subsection (B), the current members of the Board of Trustees of South Carolina State University are hereby removed from service, and their positions, powers, and duties are hereby transferred to the newly appointed Interim Board of Trustees pursuant to subsection (B).

(B) Section 59-127-20 of the South Carolina Code, relating to the South Carolina State University Board of Trustees, election, and term, is suspended until June 30, 2018. There is established a new Interim Board of Trustees of South Carolina State University, to be composed of:

- (1) one member appointed by the Governor;
- (2) one member appointed by the State Treasurer;
- (3) one member appointed by the chairman of the Ways and Means Committee of the House of Representatives;
- (4) one member appointed by the chairman of the Senate Finance Committee;
- (5) one member appointed by the State Superintendent of Education;
- (6) one member appointed by the chairman of the Ways and Means Higher Education and Technical Colleges Subcommittee;
- (7) one member appointed by the chairman of the Senate Finance Higher Education Subcommittee;
- (8) the President of the South Carolina State University National Alumni Association, to serve ex officio and nonvoting; and
- (9) the South Carolina State University Student Government Association President, to serve ex officio and nonvoting.

The members of the Interim Board of Trustees must be appointed no later than seven days following the effective date of this joint resolution. The Interim Board of Trustees shall meet as soon as practical and elect a chairman and other officers from its membership. Vacancies must be filled in the manner of the original appointment.

(C) Unless extended by the General Assembly, the Interim Board of Trustees established pursuant to subsection (B) shall serve until June 30, 2018, or until a full new Board of Trustees is elected and qualified

pursuant to Chapter 127, Title 59. The term of office for each seat on the Board of Trustees shall be suspended as of the date of removal pursuant to subsection (A) until a new member of the Board of Trustees is elected to that seat pursuant to Chapter 127, Title 59, after June 30, 2018. Initial terms of the new members of the Board of Trustees shall be the unexpired terms of the seats to which they are elected.

(D) The Interim Board of Trustees is responsible solely for the selection, periodic evaluation, and retention or termination of the university's president.

(E) The Interim Board of Trustees shall ensure there is a clear and appropriate distinction between the policy-making functions of the Interim Board of Trustees and the responsibility of the university's president, administration, and faculty to administer and implement policies and that the university has a clearly defined organizational structure that delineates responsibility for the administration of policies.

(F) The Interim Board of Trustees shall ensure that the university has qualified administrative and academic officers with the experience and competence necessary to lead the university.

(G) Notwithstanding any other provision of law, the Interim Board of Trustees is authorized to develop programmatic, personnel, and related policies it deems necessary to ensure that the university operates within its appropriated and authorized budget. The policies the Interim Board of Trustees develops may be across all operations of the university including, but not limited to, administration, academics, auxiliary operations, public service activities, and athletics. Programmatic and personnel policies developed by the Interim Board of Trustees pursuant to this subsection must be reported as information to the Commission on Higher Education and the State Division of Human Resources, respectively, as soon as is practicable after implementation.

(H) The Interim Board of Trustees, in consultation with the president, shall review both the educational accreditation of the university and the past and current financial situation of the university and make recommendations regarding the path that the university must pursue in order to lead the university out of the current financial crisis with an emphasis on having the university return to the valuable and functional institution of higher learning that it has been in the past. Any recommendations made by the Interim Board of Trustees also shall be provided as information to the Executive Budget Office and made public on the university's website.

(I) The Interim Board of Trustees shall be indemnified in the same manner as members of the Retirement System Investment Commission, *mutatis mutandis*.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 122

(R4, S364)

A JOINT RESOLUTION TO EXTEND THE DEADLINE REQUIRING THE STATE BOARD OF EDUCATION TO APPROVE THE STATE READING PROFICIENCY PLAN FROM FEBRUARY 1, 2015, AS PROVIDED IN ACT 284 OF 2014, ALSO KNOWN AS THE "SOUTH CAROLINA READ TO SUCCEED ACT", TO JUNE 15, 2015.

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

Deadline extended to June 15, 2015

SECTION 1. The deadline in Section 59-155-140(A)(1) of the 1976 Code requiring the State Board of Education to approve the State Reading Proficiency Plan, as provided in Section 1 of Act 284 of 2014, also known as the "South Carolina Read to Succeed Act", is extended from February 1, 2015, to June 15, 2015.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 5th day of March, 2015.

Approved the 9th day of March, 2015.

No. 123

(R26, S599)

AN ACT TO AMEND ACT 1147 OF 1968, AS AMENDED, RELATING TO THE G. FRANK RUSSELL CAREER CENTER, SO AS TO RENAME THE CENTER THE G. FRANK RUSSELL TECHNOLOGY CENTER, AND TO MAKE A TECHNICAL CORRECTION REDUCING THE MEMBERSHIP OF THE TECHNOLOGY CENTER'S ADVISORY COMMITTEE FROM SEVEN MEMBERS TO SIX MEMBERS DUE TO THE DISSOLUTION OF THE GREENWOOD COUNTY BOARD OF EDUCATION PURSUANT TO ACT 175 OF 1997.

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

G. Frank Russell Technology Center

SECTION 1. Section 1 of Act 1147 of 1968, as last amended by Act 370 of 2004, is further amended to read:

“Section 1. The G. Frank Russell Technology Center must be operated and supervised by the Board of Trustees of Greenwood County School District No. 50.”

G. Frank Russell Technology Center Advisory Committee

SECTION 2. Section 3 of Act 1147 of 1968, as last amended by Act 370 of 2004, is further amended to read:

“Section 3. There is created a committee of six members to advise and assist the board of trustees in establishing policies concerning admissions and operations of the G. Frank Russell Technology Center. The committee must be a continuing body and shall include in its membership the superintendent of each of the three school districts of the county and one representative from each of the three districts to be designated by the respective boards of trustees.

The terms of the members are for two years commencing May 1, 1968, except the three superintendents shall serve ex officio. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only.

The committee shall elect its chairman and establish times for meetings.”

Time effective

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

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 124

(R72, H3847)

A JOINT RESOLUTION TO TEMPORARILY EXEMPT APPLICANTS FOR LICENSURE AS A SPEECH-LANGUAGE PATHOLOGIST ASSISTANT FROM THE REQUIREMENT OF HAVING A BACHELOR’S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION FOUND IN SECTION 40-67-220 OF THE 1976 CODE IF THE APPLICANT HOLDS A BACHELOR’S DEGREE IN SPEECH-LANGUAGE PATHOLOGY FROM A NATIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION LIBERALLY MUST BE CONSTRUED TO EFFECTUATE THE PURPOSES OF THIS JOINT RESOLUTION AND MUST BE APPLIED RETROACTIVELY; AND TO PROVIDE FOR THE EXPIRATION OF THIS JOINT RESOLUTION ON JULY 1, 2019.

Whereas, the General Assembly applauds the good faith efforts of people who try to better themselves by advancing their education, and encourages the pursuit of higher education as a means to achieving individual economic security and improving the economy of this State; and

Whereas, the General Assembly recognizes that in recent years some students embarked on a path to becoming speech-language pathologist assistants in reliance on certain licensure requirements that subsequently

were changed in a way that rendered their education meaningless for the purposes of seeking licensure; and

Whereas, prior to the enactment of Act 167 of 2014, applicants for licensure as speech-language pathologist assistants were required to have earned a bachelor's degree in speech-language pathology without regard to the accreditation, if any, of the school that granted the degree. Following the enactment of Act 167 of 2014, applicants were required to have earned a bachelor's degree in speech-language pathology from a regionally accredited institution; and

Whereas, the General Assembly finds that this criteria change has had a profoundly negative impact on students enrolled in baccalaureate speech-language pathology programs that are nationally accredited but not regionally accredited, and that it is necessary and proper to mitigate this negative impact by temporarily adjusting these requirements to fit the circumstances of these students and allow them a reasonable amount of time to complete the path to licensure that they embarked upon in good faith. Now, therefore,

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

Exemptions from degree-granting institution accreditation requirements

SECTION 1. An applicant for licensure as a speech-language pathologist assistant who earned a bachelor's degree in speech-language pathology from a nationally accredited institution of higher education is exempt from the requirement of having a bachelor's degree from a regionally accredited institution of higher education found in Section 40-67-220(F) of the 1976 Code, which was enacted by Act 167 of 2014, on May 16, 2014.

Retroactive application

SECTION 2. The provisions of this joint resolution apply retroactively.

Construction of provisions

SECTION 3. The provisions of this joint resolution must be liberally construed to effectuate the purposes of this joint resolution.

Time effective, expiration

SECTION 4. This joint resolution takes effect upon approval by the Governor and expires on July 1, 2019.

Ratified the 28th day of May, 2015.

Approved the 3rd day of June, 2015.

No. 125

(R71, H3846)

A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD, OR ITS SUCCESSOR STATE AGENCY, TO TRANSFER OWNERSHIP OF THE CHERAW NATIONAL GUARD ARMORY TO THE TOWN OF CHERAW.

Whereas, the National Guard Armory located in Cheraw, South Carolina, will be vacated by the South Carolina National Guard; and

Whereas, the Town of Cheraw will use the armory for the benefit of the community. Now, therefore,

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

Ownership of Cheraw National Guard Armory transferred to Town of Cheraw

SECTION 1. Notwithstanding the provisions of Sections 25-1-1660 and 1-11-58 of the 1976 Code and Act 248 of 2004, the State Budget and Control Board, or its successor state agency, is directed to transfer ownership of the Cheraw National Guard Armory located at U. S. Highway 1 and 52 South, Cheraw, South Carolina 29520, to the Town of Cheraw, South Carolina.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 126

(R55, S463)

A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A REVIEW OF WILDLIFE TAGGING, VALIDATION, AND METHODS OF CHECKING HARVESTED GAME UTILIZED IN OTHER STATES AND TO REPORT ITS FINDINGS AND RECOMMENDATIONS.

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

Findings

SECTION 1. The General Assembly finds:

(1) Our State is blessed with bountiful natural resources that enhance our quality of life and provide recreational, social, and economic benefits to our State.

(2) The Department of Natural Resources conserves and manages our natural resources so that they may be enjoyed by current and future generations.

(3) Hunting is among the most popular recreational and social activities enjoyed throughout the State.

(4) The Department of Natural Resources is undertaking several wildlife tagging efforts to further manage the wildlife population available for hunting.

Department of Natural Resources Review and collection of data

SECTION 2. The Department of Natural Resources shall conduct a review and gather data concerning the tagging, validation, and methods of checking harvested game utilized in other states with regard to hunting and taking wildlife. The findings of the review along with recommendations concerning tagging programs in South Carolina shall be presented to the Chairman of the Senate Fish, Game and Forestry Committee, and the Chairman of the House of Representatives Agriculture and Natural Resources Committee no later than January 5, 2016.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 127

(R30, H3324)

A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY STATE AND LOCAL LEVEL VETERANS ISSUES; TO MAKE APPROPRIATE LEGISLATIVE RECOMMENDATIONS FOR IMPROVING THE STRUCTURE, DELIVERY, AND COORDINATION OF VETERANS SERVICES IN SOUTH CAROLINA; AND TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP, DURATION, AND STAFFING.

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

State and Local Level Veterans Issues Study Committee established

SECTION 1. (A) There is established a State and Local Level Veterans Issues Study Committee. The committee is comprised of:

(1) the members of the Joint Legislative Veterans Issues Study Committee created by Act 342 of 2010 or their successors;

(2) three members appointed by the Governor; and

(3) three members appointed by the Adjutant General.

(B) The members of the committee shall elect a chairman and a vice chairman and shall meet as often and at any location in the State as the committee considers necessary or expedient for the duration of the committee's existence as provided by this joint resolution. A vacancy on the committee must be filled in the manner of original appointment.

Duties of the study committee

SECTION 2. The committee shall study and evaluate the following:

(A) relationships between the county veterans affairs offices and the executive and legislative branches of state government;

(B) relationships between the county veterans affairs offices and the South Carolina Division of Veterans Affairs;

(C) relationships between the South Carolina Division of Veterans Affairs and the United States Department of Veterans Affairs;

(D) level of responsiveness and accountability of the current state system for the delivery of services to South Carolina veterans;

(E) range of services the State of South Carolina directly offers state veterans and recommendations for enhancing South Carolina's veteran-friendly reputation; and

(F) current mission of the Joint Legislative Veterans Issues Study Committee and whether its functions should be expanded or codified.

When formulating its findings and recommendations, the committee shall consider information and recommendations from representatives of the veteran community.

Written report and dissolution

SECTION 3. The committee shall render a written report of its findings and recommendations based upon its study conducted pursuant to SECTION 2. The report must be presented to both houses of the General Assembly and to the Governor by February 1, 2016. Upon submitting the written report in accordance with the provisions of this section, the committee must be dissolved and this joint resolution shall expire.

Clerical and administrative assistance

SECTION 4. The committee shall receive clerical and related assistance from the staff of the Military Department of South Carolina, as approved and designated by the Adjutant General. The members of the committee may not receive compensation and are not entitled to receive mileage, subsistence, and per diem authorized by law for members of state boards and committees.

Time effective

SECTION 5. This joint resolution takes effect upon approval by the Governor.

Ratified the 7th day of May, 2015.

Approved the 7th day of May, 2015.

No. 128

(R61, H3215)

A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO REFORM ALIMONY, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE AND THE METHOD OF APPOINTMENT OF MEMBERS, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

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

Alimony Reform Study Committee

SECTION 1. (A) There is created the Alimony Reform Study Committee to study the alimony laws of this State including, but not limited to, the length of time alimony is awarded, the amount of alimony awarded, the consistency of alimony awarded, and the factors and circumstances surrounding the awards.

(B) The study committee must be composed of:

(1) three members of the House of Representatives appointed by the Chairman of the House Judiciary Committee; and

(2) three members of the Senate appointed by the Chairman of the Senate Judiciary Committee.

(C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations relevant to the purposes of the study committee and provide its report to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 129

(R20, S237)

A JOINT RESOLUTION TO CONTINUE THE “STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES” UNTIL DECEMBER 31, 2015.

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

Study Committee on Expungement of Criminal Offenses, extension

SECTION 1. The “Study Committee on Expungement of Criminal Offenses”, established pursuant to Act 323 of 2014, is continued until December 31, 2015.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 7th day of May, 2015.

Approved the 12th day of May, 2015.

No. 130

(R70, H3843)

A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE OFFICE OF FIRST STEPS STUDY COMMITTEE TO COMPLETE ITS REVIEW AND PRESENT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY FROM MARCH 15, 2015, AS PROVIDED IN ACT 287 OF 2014, TO JANUARY 1, 2016.

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

Reporting deadline extended six months

SECTION 1. The deadline in Section 63-11-1720(F)(4) of the 1976 Code requiring the Office of First Steps Study Committee to complete its review and present its recommendations to the General Assembly, as provided in Section 20 of Act 287 of 2014, is extended from March 15, 2015, to January 1, 2016.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 28th day of May, 2015.

Approved the 1st day of June, 2015.

No. 131

(R19, H3345)

A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 13 AND 15 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2015.

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

Revised code volumes, authorization

SECTION 1. (A) Section 2-13-90 of the 1976 Code authorizes the Legislative Council and the Code Commissioner to contract to be prepared and published under their supervision and direction revised volumes of the Code of Laws.

(B) The Legislative Council and the Code Commissioner have determined that Volumes 13 and 15 are appropriate for revision.

(C) Section 2-13-90 of the 1976 Code also provides that the revised volumes must be submitted to the General Assembly for its consideration.

Revised code volumes, adopted

SECTION 2. (A) Revised Volume 13 containing Titles 37 and 38, Code of Laws of South Carolina, 1976, is substituted for original Volume 13 which contained Titles 37 and 38.

(B) Revised Volume 15 containing Titles 42 and 43, Code of Laws of South Carolina, 1976, is substituted for original Volume 15 which contained Titles 42 and 43.

(C) Revised Volumes 13 and 15 are adopted as part of the Code of Laws and, to the extent of their contents, are the only general permanent statutory law of the State as of January 1, 2015.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

1130

STATUTES AT LARGE
Local and Temporary Laws--2015

(No. 131

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REGULATIONS OF STATE AGENCIES

August 22, 2014 - July 24, 2015

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The texts of all regulations listed in this index have been published in the volume and issue of the *South Carolina State Register* noted opposite each entry and are available on the South Carolina General Assembly Home Page: www.scstatehouse.gov. If you do not have access to the Internet, the regulations are available for public inspection in the office of the promulgating agency, the Legislative Council, the State Library and the Department of Archives and History.

An explanation of abbreviations opposite regulations contained in this index, e.g. "SR39-1", means *South Carolina State Register*, Volume 39, Issue 1. Page numbers can be determined from the table of contents in the issue concerned. The number in parenthesis is the filing Document Number.

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