
**ACTS
AND
JOINT RESOLUTIONS
SOUTH CAROLINA
2025**

**REGULAR
SESSION**

**Pages 2-1200
Acts 1-94**

ACTS and JOINT RESOLUTIONS
OF THE
GENERAL ASSEMBLY
OF THE
STATE of SOUTH CAROLINA

2025 REGULAR SESSION
VOLUME I

First Part
Of Eighty-Fifth Volume of Statutes at Large

(The Acts and Joint Resolutions of 2026
Constitute the Second Part)

Passed at the regular session which was begun
And held at the City of Columbia on the 14th
Day of January, A.D., 2025, and was
Adjourned on the 28th day of
May, A.D., 2025

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ASHLEY HARWELL-BEACH
CODE COMMISSIONER

Notice

The first regular session of the 126th South Carolina General Assembly has adjourned under the provisions of S. 292, the Sine Die Resolution.

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.

The following acts were passed during the 2025 regular session of the General Assembly; however, it was vetoed by the Governor and action on this veto is pending by the General Assembly.

(R70, H3969) AN ACT TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.

(R86, S136) AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 17-1-65, RELATING TO THE EXPUNGEMENT OF CONVICTIONS FOR THE UNLAWFUL POSSESSION OF HANDGUNS, SO AS TO PROVIDE THE STATE MUST DISMISS AND EXPUNGE CERTAIN PENDING UNLAWFUL HANDGUN POSSESSION CHARGES THAT OCCURRED PRIOR TO THE ENACTMENT OF THE SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2024, AND TO PROVIDE THE DISMISSAL OF THESE CHARGES MAY NOT SERVE AS A BASIS OR SUPPORT FOR CIVIL ACTIONS DUE TO THE ARREST.

(R91, S623) AN ACT TO EXEMPT GEORGETOWN COUNTY FROM CERTAIN BUILDING REQUIREMENTS AND TO ALLOW THE COUNTY TO INSTEAD ENFORCE AE STANDARDS IN GEORGETOWN COUNTY'S FLOOD DAMAGE PREVENTION ORDINANCE.

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*This act or joint resolution was vetoed by the Governor. Action on this act or joint resolution is pending by the General Assembly.

ACTS

AND

JOINT RESOLUTIONS

OF THE

General Assembly

OF THE

State of South Carolina

HENRY D. MCMASTER, Governor; PAMELA S. EVETTE, Lieutenant Governor; THOMAS C. ALEXANDER, President of the Senate; G. MURRELL SMITH, JR. , Speaker of the House of Representatives; THOMAS "TOMMY" 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

(R5, H3523)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT, TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

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

Organized retail crime, and organized retail crime of an aggravated nature

SECTION 1. Section 16-13-135 of the S.C. Code is amended to read:

Section 16-13-135. (A) As used in this section:

(1) "Organized retail crime" means two or more people conspiring to commit theft of retail property from a retail establishment with the intent to sell, barter, exchange, or reenter such retail property into commerce for monetary or other gain.

(2) "Retail property" means an article, merchandise, property, money or negotiable documents including gift cards or other forms of credit, products, commodities, items, or components intended to be sold in retail commerce.

(3) "Retail property fence" means a person or business that buys retail property knowing or believing that the retail property is stolen.

(4) "Theft" means to take possession of, carry away, transfer, or cause to be carried away the retail property of another with the intent to deprive the merchant of the possession, use, benefit, and value of the retail property.

(5) "Value" means the retail value of an item as offered for sale to the public by the affected retail establishment and includes all applicable taxes.

(B) It is unlawful for a person to:

(1) commit organized retail crime, with a value exceeding two thousand dollars aggregated over a ninety-day period, with the intent to

cause the retail property to be placed in the control of a retail property fence or other person in exchange for consideration; or

(2) receive, possess, or sell retail property that has been taken or stolen in violation of item (1) while knowing or having reasonable grounds to believe the property is stolen. A person is guilty of this offense whether or not anyone is convicted of the property theft.

(C) Acts committed in different counties that have been aggregated in one count may be indicted and prosecuted in any one of the counties in which the acts occurred. In a prosecution for a violation of this section, the State is not required to establish and it is not a defense that some of the acts constituting the crime did not occur within one city, county, or local jurisdiction. However, nothing in this subsection may be interpreted to allow a circuit solicitor or persons in the circuit solicitor's employ to prosecute cases outside of the circuit where the circuit solicitor was elected without the consent of the Attorney General.

(D) Property, funds, and interest a person has acquired or maintained in violation of this section are subject to forfeiture pursuant to the procedures for forfeiture as provided in Section 44-53-530.

(E) A person who violates this section commits the offense of organized retail crime, and:

(1) for a first offense:

(a) is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than three years, or both, if the value of the retail property is more than two thousand dollars but less than ten thousand dollars;

(b) is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars or imprisoned for not more than five years, or both, if the value of the retail property is more than ten thousand dollars but less than twenty thousand dollars;

(c) is guilty of a felony and, upon conviction, must be fined not more than twenty thousand dollars or imprisoned for not more than ten years, or both, if the value of the retail property is more than twenty thousand dollars but less than fifty thousand dollars;

(d) is guilty of a felony and, upon conviction, must be fined not more than fifty thousand dollars or imprisoned for not more than twenty years, or both, if the value of the retail property is more than fifty thousand dollars;

(2) for a second or subsequent offense, is guilty of a felony and, upon conviction, regardless of the value of the retail property in any offense, must be fined not more than fifty thousand dollars or imprisoned for not more than twenty years, or both;

(3) for purposes of this section, multiple offenses occurring within

a ninety-day period may be aggregated into a single count with the aggregated value used to determine the total value of the property;

(4) organized retail crime is a lesser-included offense of organized retail crime of an aggravated nature as provided in subsection (F).

(F)(1) A person commits the offense of organized retail crime of an aggravated nature if, while committing the offense of organized retail crime, the person wilfully and maliciously:

(a) damages, destroys, or defaces real or personal property in excess of two thousand dollars; or

(b) causes moderate bodily injury or great bodily injury to another person. "Moderate bodily injury" and "great bodily injury" have the same meanings as defined in Section 16-3-600.

(2) A person convicted of organized retail crime of an aggravated nature is guilty of a felony and, upon conviction, must be fined not more than fifty thousand dollars or imprisoned not more than fifteen years, or both.

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.

Time effective

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

Ratified the 6th day of March, 2025

Approved the 7th day of March, 2025

No. 2

(R7, S157)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-1105, RELATING TO DEFINITIONS, SO AS TO DEFINE “QUALIFIED INDEPENDENT THIRD PARTY” AND TO ALLOW AN ELECTRICAL UTILITY TO INCLUDE STORM RECOVERY COSTS FOR HURRICANE HELENE IN ITS COST OF CAPITAL FROM THE DATE OF THE STORM THROUGH THE ISSUANCE OF STORM RECOVERY BONDS; AND BY AMENDING SECTION 58-27-1110, RELATING TO THE PETITION FOR A FINANCING ORDER AND REQUIREMENTS, SO AS TO ALLOW AN ELECTRICAL UTILITY TO DEFER THE REVIEW AND APPROVAL OF A FINANCING ORDER, AND PROVIDE FOR THE PARTICIPATION OF A QUALIFIED INDEPENDENT THIRD PARTY RETAINED BY THE PUBLIC SERVICE COMMISSION.

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

Definitions

SECTION 1. Section 58-27-1105 of the S.C. Code is amended to read:

Section 58-27-1105. When used in this article:

(1) The term “ancillary agreement” means a bond, insurance policy, letter of credit, reserve account, surety bond, liquidity or credit support arrangement, or other financial arrangement entered into in connection with recovery bonds.

(2) The term “assignee” means a legally recognized entity to which an electrical utility assigns, sells, or transfers, other than as a security, all or a portion of its interest in or right to storm recovery property. The term includes a corporation, limited liability company, general partnership or limited partnership, public authority, trust, financing entity, or any entity to which an assignee assigns, sells, or transfers, other than as security, all or a portion of its interest in or right to storm recovery property.

(3) The term “bondholder” means a person who holds a storm

recovery bond.

(4) The term “code” means the Uniform Commercial Code, Title 36 of the South Carolina Code of Laws.

(5) The term “commission” means the Public Service Commission of South Carolina.

(6) The term “electrical utility” is as defined in Section 58-27-10(7).

(7) The term “financing costs” includes all of the following:

(a) interest and acquisition, defeasance, or redemption premiums payable on recovery bonds;

(b) any payment required under an ancillary agreement and any amount required to fund or replenish a storm reserve account or other accounts established under the terms of any indenture, ancillary agreement, or other financing documents pertaining to recovery bonds;

(c) any other cost related to issuing, supporting, repaying, refunding, and servicing storm recovery bonds, including servicing fees, accounting and auditing fees, trustee fees, legal fees, consulting fees, structuring adviser fees, administrative fees, placement and underwriting fees, independent director and manager fees, capitalized interest, rating agency fees, stock exchange listing and compliance fees, security registration fees, filing fees, information technology programming costs, and any other costs necessary to otherwise ensure the timely payment of recovery or other amounts or charges payable in connection with the bonds, including costs related to obtaining the financing order;

(d) any taxes and license fees or other fees imposed on the revenues generated from the collection of a storm recovery charge or otherwise resulting from the collection of storm recovery charges, in any such case whether paid, payable, or accrued;

(e) any state and local taxes, franchise, gross receipts, and other taxes or similar charges, including regulatory assessment fees, whether paid, payable, or accrued;

(f) any costs incurred by (i) the commission or the Office of Regulatory Staff for any outside consultants, including counsel and advisors; and (ii) the qualified independent third party selected by the commission, to the extent retained in connection with the securitization of storm recovery costs.

(8) The term “financing order” means an order that authorizes the issuance of storm recovery bonds; the imposition, collection, and periodic adjustments of a storm recovery charge; the creation of storm recovery property; and the sale, assignment, or transfer of storm recovery property to an assignee.

(9) The term “financing party” means bondholders and trustees, collateral agents, any party under an ancillary agreement, or any other

person acting for the benefit of bondholders.

(10) The term “financing statement” is as defined in Section 36-9-102.

(11) The term “pledgee” means a financing party to which an electrical utility or its successors or assignees mortgages, negotiates, pledges, or creates a security interest or lien on all or any portion of its interest in or right to storm recovery property.

(12) The term “qualified independent third party” means a person or entity with relevant expertise in accounting, finance, or utility regulation, sufficient to make the professional judgments necessary to certify compliance as required by Section 58-27-1110(C)(6)(a). The qualified independent third party shall be designated and retained by the commission to participate in the pre-bond issuance review process established by the commission pursuant to Section 58-27-1110(C)(2)(h). The role and responsibilities of the qualified independent third party are further detailed in Section 58-27-1110(C)(6). The qualified independent third party’s certification of compliance is intended to inform the commission’s decisions alongside other evidence in the proceeding.

(13) The term “storm” means, individually or collectively, a named tropical storm or hurricane, a tornado, ice storm or snowstorm, flood, an earthquake, or other significant weather or natural disaster.

(14)(a) The term “storm recovery activity” means an activity or activities by an electrical utility, its affiliates, or its contractors directly and specifically in connection with the restoration of service and infrastructure associated with electric power outages affecting customers of an electrical utility as the result of a storm or storms, including activities related to mobilization, staging, and construction, reconstruction, replacement, or repair of electric generation, transmission, distribution, or general plant facilities.

(b) No electrical utility is required to securitize nor is it prohibited from securitizing those capital improvements or infrastructure upgrades that have a quantifiable net benefit to consumers and that improve the resiliency of the transmission and distribution system.

(15) The term “storm recovery bonds” means bonds, debentures, notes, certificates of participation, certificates of beneficial interest, certificates of ownership, or other evidences of indebtedness or ownership that are issued by an electrical utility or an assignee pursuant to a financing order, the proceeds of which are used directly or indirectly to recover, finance, or refinance commission-approved storm recovery costs and financing costs, and that are secured by or payable from storm recovery property. If certificates of participation or ownership are issued, references in this article to principal, interest, or premium shall be construed to refer to comparable amounts under those certificates.

(16) The term “storm recovery charge” means the amounts authorized by the commission to repay, finance, or refinance storm recovery costs and financing costs and that are nonbypassable charges (i) imposed on and part of all retail customer bills, (ii) collected by an electrical utility or its successors or assignees, or a collection agent, in full, separate and apart from the electrical utility’s base rates, and (iii) paid by all existing or future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electricity supplier following a fundamental change in regulation of electrical utilities in this State.

(17) The term “storm recovery costs” means:

(a) all incremental costs, including capital costs, appropriate for recovery from existing and future retail customers receiving transmission or distribution service from an electrical utility that an electrical utility has incurred or expects to incur as a result of the applicable storm that are caused by, associated with, or remain as a result of undertaking storm recovery activity;

(b) storm recovery costs shall be net of applicable insurance proceeds, tax benefits, income tax savings, and any other amounts intended to reimburse the electrical utility for storm recovery activities such as government grants, or aid of any kind and where determined appropriate by the commission, and may include adjustments for capital replacement and operating costs previously considered in determining normal amounts in the electrical utility’s most recent general rate proceeding. Storm recovery costs may include, to the extent determined appropriate by the commission, the cost to replenish and fund any storm reserves, the costs of retiring any existing indebtedness relating to storm recovery activities, and carrying costs;

(c) with respect to storm recovery costs that the electrical utility expects to incur, any difference between costs expected to be incurred and actual, reasonable, and prudent costs incurred, including carrying costs and financing costs associated with any difference between costs expected to be incurred and actual, reasonable, and prudent costs incurred, or any other rate-making adjustments appropriate to fairly and reasonably assign or allocate storm cost recovery to customers over time, shall be addressed in a future general rate proceeding, regardless of whether the electrical utility elects to seek review and approval of principal costs prior to or after filing a petition for a financing order and issuing storm recovery bonds pursuant to Section 58-27-1110(B), as may be facilitated by other orders of the commission issued at the time or

prior to such proceeding; provided, however, any review of financing costs shall be limited to reconciling any estimated financing costs with actual financing costs incurred and that the commission's adoption of a financing order and approval of the issuance of storm recovery bonds may not be revoked or otherwise modified. Any overrecovered costs, including carrying costs and financing costs, shall be ordered by the commission to be returned to the electrical utility's customers in the next possible proceeding, over a period established by the commission;

(d) due to the significant and unprecedented damage caused by the 2024 hurricane referred to as Hurricane Helene to public and private property in South Carolina, including widespread destruction of utility infrastructure and the extraordinary expenses incurred by electrical utilities to repair, restore, and rebuild that infrastructure, the electrical utility is authorized to include as storm recovery costs, for Hurricane Helene only, its cost of capital from the date of the storm through the issuance of storm recovery bonds. This cost of capital shall be determined by the actual interest rate paid by the utility to borrow funds necessary to cover the restoration and recovery efforts after Hurricane Helene through the issuance of storm recovery bonds, provided that the interest rate percentage does not exceed the utility's total weighted average cost of capital percentage as established in its most recent general rate proceeding, adjusted for income tax savings associated with the interest rate component. This subsection shall not be construed to limit, modify, or otherwise affect the electrical utility's ability to seek recovery of carrying costs in future securitizations under this article, except as specifically provided herein for Hurricane Helene.

(18) The term "storm recovery property" means:

(a) All rights and interests of an electrical utility or successor or assignee of the electrical utility under a financing order, including the right to impose, bill, charge, collect, and receive storm recovery charges authorized under the financing order and to obtain periodic adjustments to such charges as provided in the financing order.

(b) All revenues, collections, claims, rights to payments, payments, money, or proceeds arising from the rights and interests specified in the financing order, regardless of whether such revenues, collections, claims, rights to payment, payments, money, or proceeds are imposed, billed, received, collected, or maintained together with or commingled with other revenues, collections, rights to payment, payments, money, or proceeds.

Petition for financing order, requirements

SECTION 2. Section 58-27-1110 of the S.C. Code is amended to read:

Section 58-27-1110. (A) An electrical utility may petition the commission for a financing order. The petition shall include all of the following:

(1) a description of the storm recovery activities that the electrical utility has undertaken or proposes to undertake and the reasons for undertaking the activities, or if the electrical utility is subject to a settlement agreement that governs the type and amount of principal costs that could be included in storm recovery costs, a description of the settlement agreement;

(2) the storm recovery costs and an estimate of the costs of any storm recovery activities that are being undertaken but are not completed;

(3) the level of the storm recovery reserve, if any, that the electrical utility proposes to establish or replenish and has determined would be appropriate to recover through storm recovery bonds and is seeking to so recover, and such level that the electrical utility is funding or will seek to fund through other means, together with a description of the factors and calculations used in determining the amounts and methods of recovery;

(4) an indicator of whether the electrical utility proposes to finance all or a portion of the storm recovery costs using storm recovery bonds. If the utility proposes to finance a portion of such costs, the electrical utility must identify the specific portion in the petition. By requesting not to finance a portion of such storm recovery costs using storm recovery bonds, an electrical utility shall not be deemed to waive its right to seek to recover such costs pursuant to a separate proceeding with the commission;

(5) an estimate of the financing costs related to the storm recovery bonds;

(6) an estimate of the storm recovery charges necessary to recover the storm recovery costs, including the storm recovery reserve amount, if any, determined appropriate by the commission, and financing costs and the period for recovery of such costs;

(7) a comparison between the net present value of the costs to customers that are estimated to result from the issuance of storm recovery bonds based on current market conditions and the costs that would result from the application of the traditional method of financing and recovering storm recovery costs from customers. The comparison

should demonstrate that the issuance of storm recovery bonds and the imposition of storm recovery charges are expected to provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds; and

(8) direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(B) If the principal costs the electrical utility proposes to finance using storm recovery bonds were not already subject to review by the commission in a general rate proceeding, then the electrical utility must file a petition with the commission for review and approval of those costs no later than one-hundred-eighty days before filing a petition for a financing order pursuant to this section, or, alternatively, defer the review and approval of such costs to either a future general rate proceeding or a separate proceeding established by the commission at the request of the electrical utility in consultation with the Office of Regulatory Staff. If the electrical utility chooses to defer the review and approval of such costs, it shall file a report with the commission updating the reconciliation of estimated costs to actual costs incurred at least twice per calendar year until the costs are reconciled. If the electrical utility does not file a petition with the commission for review and approval of such costs within one calendar year following the issuance of the storm recovery bonds, the Office of Regulatory Staff may, at its discretion, file a petition with the commission to initiate a proceeding for review and approval of such costs. In either case, reconciliation of estimated costs to actual costs shall be subject to review pursuant to Section 58-27-1105(17)(c).

(1) Any petition for review and approval of the principal costs shall be accompanied by direct testimony, exhibits, and supporting workpapers supporting the petition, testimony, and exhibits. Such workpapers may be filed under seal to the extent necessary to protect confidential, proprietary, or sensitive information. The electrical utility shall provide functional exhibits and workpapers to the Office of Regulatory Staff and to the commission, subject to any appropriate confidentiality designations.

(2) If the electrical utility must file a petition for review and approval of the principal costs, the electrical utility shall not be required

to provide additional notice prior to filing a petition for a financing order pursuant to this section; otherwise, the utility shall file a notice of its intent to file a petition for a financing order not less than thirty days prior to filing any such petition.

(C)(1) Proceedings on a petition for a financing order submitted pursuant to this section begin with the petition by an electrical utility, filed subject to the time frame specified in subsection (B), as applicable, and shall be disposed of in accordance with the requirements of this chapter and the rules of the commission, except as follows:

(a) within fourteen days after the date the petition is filed, the commission shall establish a procedural schedule that permits a commission decision no later than one-hundred-thirty-five days after the date the petition is filed; and

(b) no later than one-hundred-thirty-five days after the date the petition is filed, the commission shall issue a financing order or an order rejecting the petition. A party to the commission proceeding may petition the commission for reconsideration of the financing order within the time prescribed in Section 58-27-2150.

(2) A financing order issued by the commission to an electrical utility shall include all of the following elements and shall not issue unless each of the following elements is met:

(a) except for changes made pursuant to the formula-based mechanism authorized under this section, the amount of storm recovery costs, including the level of storm recovery reserves, if any, to be financed using storm recovery bonds. The commission shall describe and estimate the amount of financing costs that may be recovered through storm recovery charges and specify the period over which storm recovery costs and financing costs may be recovered;

(b) a finding that the proposed issuance of recovery bonds and the imposition and collection of a storm recovery charge will provide quantifiable net benefits to customers on a present value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds;

(c) a finding that the structuring, marketing, and pricing of the storm recovery bonds will result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds are priced and the terms set forth in such financing order. The financing order must provide detailed findings of fact addressing cost effectiveness and associated rate impacts upon retail customers and retail customer classes;

(d) a requirement that, for so long as the storm recovery bonds are outstanding and until all financing costs have been paid in full, the

imposition and collection of storm recovery charges authorized under a financing order shall be nonbypassable and paid by all existing and future retail customers receiving transmission or distribution service, or both, from the electrical utility or its successors or assignees under commission-approved rate schedules or under special contracts, even if a customer elects to purchase electricity from an alternative electric supplier following a fundamental change in regulation of electrical utilities in this State;

(e) a determination of what portion, if any, of the storm recovery reserves, if any, must be held in a funded reserve and any limitations on how the reserve may be held, accessed, or used;

(f) a formula-based true-up mechanism for making, at least annually, expeditious periodic adjustments in the storm recovery charges that customers are required to pay pursuant to the financing order and for making any adjustments that are necessary to correct for any overcollection or undercollection of the charges or to otherwise ensure the timely payment of storm recovery bonds, financing costs, and other required amounts and charges payable in connection with the storm recovery bonds;

(g) the storm recovery property that is or shall be created in favor of an electrical utility or its successors or assignees, and that shall be used to pay or secure storm recovery bonds and all financing costs;

(h) the degree of flexibility to be afforded to the electrical utility in establishing the terms and conditions of the storm recovery bonds including, but not limited to, repayment schedules, expected interest rates, and other financing costs, and subject to any conditions in the financing order, including the pre-bond issuance review process which the commission shall establish;

(i) how storm recovery charges will be allocated among customer classes;

(j) a requirement that, after the final terms of an issuance of storm recovery bonds have been established and before the issuance of storm recovery bonds, the electrical utility determines the resulting initial storm recovery charge in accordance with the financing order and that such initial storm recovery charge be final and effective upon the issuance of such storm recovery bonds without further commission action so long as the recovery charge is consistent with the financing order and the pre-bond issuance review process established by the commission in the financing order is complete;

(k) a method of tracing funds collected as storm recovery charges, or other proceeds of storm recovery property, and the determination that such method shall be deemed the method of tracing

such funds and determining the identifiable cash proceeds of any storm recovery property subject to a financing order under applicable law; and

(1) any other conditions not otherwise inconsistent with this section that the commission determines are appropriate.

(3) A financing order issued to an electrical utility may provide that creation of the electrical utility's storm recovery property is conditioned upon, and simultaneous with, the sale or other transfer of the storm recovery property to an assignee and the pledge of the storm recovery property to secure storm recovery bonds.

(4) If the commission issues a financing order and the storm recovery bonds are issued, the electrical utility shall file with the commission at least annually a petition or a letter applying the formula-based mechanism and, based on estimates of consumption for each rate class and other mathematical factors, requesting administrative approval to make the applicable adjustments. The review of the filing shall be limited to determining whether there are any mathematical or clerical errors in the application of the formula-based mechanism relating to the appropriate amount of any overcollection or undercollection of storm recovery charges and the amount of an adjustment. The adjustments shall ensure the recovery of revenues sufficient to provide for the payment of principal, interest, acquisition, defeasance, financing costs, or redemption premium and other fees, costs, and charges with respect to storm recovery bonds approved under the financing order. Within sixty days after receiving an electrical utility's request pursuant to this paragraph, the commission shall either approve the request or inform the electrical utility of any mathematical or clerical errors in its calculation. If the commission informs the electrical utility of mathematical or clerical errors in its calculation, the electrical utility may correct its error and refile its request. The time frames previously described in this paragraph shall apply to a refiled request.

(5) Subsequent to the transfer of storm recovery property to an assignee or the issuance of storm recovery bonds authorized thereby, whichever is earlier, a financing order is irrevocable and, except for changes made pursuant to the formula-based mechanism authorized in this article, the commission may not amend, modify, or terminate the financing order by any subsequent action or reduce, impair, postpone, terminate, or otherwise adjust recovery charges approved in the financing order. After the issuance of a financing order, the electrical utility retains sole discretion regarding whether to assign, sell, or otherwise transfer storm recovery property or to cause storm recovery bonds to be issued, including the right to defer or postpone such

assignment, sale, transfer, or issuance, unless otherwise provided in the financing order.

(6) If required by the commission in a financing order, within one business day after the final terms of the storm recovery bonds are determined, the electrical utility shall provide an issuance advice letter to the commission.

(a) Such issuance advice letter shall be in the form approved in a financing order and include the final terms of the storm recovery bond issuance, up-front financing costs and on-going financing costs. Such issuance advice letter shall include a certification from the electrical utility, the primary underwriter(s), and a qualified independent third party designated by the commission, as a condition to closing, certifying whether the sale of storm recovery bonds complies with the requirements of this article and the financing order. The certifications of the electrical utility and qualified independent third party shall certify whether the issuance of recovery bonds and the imposition and collection of a storm recovery charge will in fact provide quantifiable net benefits to customers on a present-value basis as compared to the costs that would have been incurred absent the issuance of storm recovery bonds. The certifications of the electrical utility, primary underwriter(s), and qualified independent third party shall certify whether the structuring, marketing, and pricing of the storm recovery bonds will in fact result in the lowest storm recovery charges consistent with market conditions at the time the storm recovery bonds were priced and the terms set forth in the financing order. The qualified independent third party designated by the commission shall review the issuance advice letter and deliver its independent certification to the commission along with any other information it believes the commission should consider as to the commission's decision in subitem (c) no later than one business day after the filing of the issuance advice letter by the electrical utility which will contain the aforementioned certifications.

(b) Once the qualified independent third party is designated and retained by the commission, the qualified independent third party shall independently participate in the pre-bond issuance review process established by the commission pursuant to subsection (C)(2)(j). The qualified independent third party shall have the authority to request and receive all necessary documents, data, and information from the electrical utility to fulfill its responsibilities and ensure compliance with subitem (a). The qualified independent third party shall also have the ability to communicate directly with the parties to the proceeding as needed to carry out its duties. The qualified independent third party's communications with the commission shall be limited solely to docket

filings or, if requested by the commission, participation in a postpricing meeting involving the electrical utility, the qualified independent third party, and other parties. The structure and details of the docket filings and such a meeting, including the handling of any confidential information, shall be determined by the commission in accordance with applicable procedural rules and orders.

(c) Unless otherwise provided in the financing order, by no later than noon on the fourth business day after the final terms of the storm recovery bonds are determined, the commission shall either accept the issuance advice letter or deliver an order to the electrical utility to prevent the issuance of the storm recovery bonds.

(D) At the request of an electrical utility, the commission may commence a proceeding and issue a subsequent financing order that provides for refinancing, retiring, or refunding storm recovery bonds issued pursuant to the original financing order if the commission finds that the subsequent financing order satisfies all of the criteria specified in this article for a financing order. Effective upon retirement of the refunded storm recovery bonds and the issuance of new storm recovery bonds, the commission shall adjust the related storm recovery charges accordingly.

(E) Within thirty days after the commission issues a financing order or a decision denying a request for reconsideration or, if the request for reconsideration is granted, within thirty days after the commission issues its decision on reconsideration, an adversely affected party may petition for judicial review in the Supreme Court of South Carolina. Review on appeal shall be based solely on the record before the commission and briefs to the court and is limited to determining whether the financing order, or the order on reconsideration, conforms to the State Constitution and to state and federal law, and is within the authority of the commission under this article. The Supreme Court of South Carolina shall proceed to hear and determine the action as expeditiously as practicable and give the action precedence over other matters not accorded similar precedence by law.

(F)(1) A financing order remains in effect and storm recovery property under the financing order continues to exist until storm recovery bonds issued pursuant to the financing order have been paid in full or defeased and, in each case, all commission-approved financing costs of such storm recovery bonds have been recovered in full.

(2) A financing order issued to an electrical utility remains in effect and unabated notwithstanding the reorganization, bankruptcy, or other insolvency proceedings, merger, or sale of the electrical utility or its successors or assignees.

Time effective

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

Ratified the 11th day of March, 2025

Approved the 13th day of March, 2025

No. 3

(R10, S2)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES COMPRISED OF THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE USE SERVICES, AND TO PROVIDE FOR THE DEPARTMENT'S POWERS, DUTIES, AND AUTHORITY; BY AMENDING SECTION 1-30-10, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND TO REMOVE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, AND THE DEPARTMENT OF MENTAL HEALTH; BY AMENDING SECTION 8-17-370, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE, SO AS TO EXEMPT THE DIRECTOR OF THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES AND CERTAIN OTHER DEPARTMENT STAFF FROM THE STATE EMPLOYEE GRIEVANCE PROCEDURE; BY AMENDING SECTIONS 44-20-30, 44-20-210, 44-20-220, 44-20-230, 44-20-240, AND 44-20-255, ALL RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO MAKE CONFORMING CHANGES TO INCLUDE DEFINITION

REVISIONS, ELIMINATION OF THE DEPARTMENT'S COMMISSION, RENAMING THE DEPARTMENT AS THE OFFICE OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WITHIN THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, AND REASSIGNMENT OF THE COMMISSION'S DUTIES; BY AMENDING SECTIONS 44-49-10 AND 44-49-20, BOTH RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO MAKE CONFORMING CHANGES BY RENAMING THE DEPARTMENT AS THE OFFICE OF SUBSTANCE USE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES; BY AMENDING SECTIONS 44-9-10, 44-9-20, AND 44-9-30, ALL RELATING TO DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES TO INCLUDE RENAMING THE DEPARTMENT AS THE OFFICE OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, ESTABLISHING QUALIFICATIONS FOR THE OFFICE DIRECTOR, AND ELIMINATING THE DEPARTMENT OF MENTAL HEALTH'S COMMISSION AND REASSIGNING THE COMMISSION'S DUTIES; BY ADDING SECTION 1-30-150 SO AS TO REQUIRE CERTAIN STATE AGENCIES TO DEVELOP AND EXECUTE A PLAN TO ENSURE SERVICES AND SUPPORT ARE PROVIDED, TO THE GREATEST EXTENT POSSIBLE, TO INDIVIDUALS WITH DISABILITIES IN THE COMMUNITY, IN ACCORDANCE WITH FEDERAL LAW, AND TO PROVIDE FOR THE APPOINTMENT OF AN ADMINISTRATOR OF COMMUNITY LIVING INTEGRATION AND A HEALTH PLANNING ADVISORY COMMITTEE; BY AMENDING SECTION 44-21-80, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, SO AS TO REQUIRE THAT THE CENTERS PROVIDE NEURODEVELOPMENTAL EVALUATION AND LIMITED TREATMENT SERVICES FOR INDIVIDUALS UP TO TWENTY-ONE YEARS OF AGE WHO HAVE CERTAIN SUSPECTED OR DIAGNOSED NEURODEVELOPMENTAL DISORDERS; BY REPEALING SECTIONS 44-9-40 AND 44-9-50 RELATING TO THE DEPARTMENT OF MENTAL HEALTH; AND FOR OTHER PURPOSES.

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

Department of Behavioral Health and Developmental Disabilities

SECTION 1. Title 44 of the S.C. Code is amended by adding:

CHAPTER 12

Department of Behavioral Health and Developmental Disabilities

Section 44-12-10. For the purposes of this chapter:

(1) "Director" means the head of the Department of Behavioral Health and Developmental Disabilities.

(2) "Department" means the Department of Behavioral Health and Developmental Disabilities.

(3) "Office" or "component office" means any one or more of the component offices or divisions that comprise the Department of Behavioral Health and Developmental Disabilities.

(4) "Office director" means a person, appointed by the department director, to serve as the head of a component office. An office director shall answer directly to the oversight of the department director.

Section 44-12-20. There is created within the executive branch of the state government an agency to be known as the Department of Behavioral Health and Developmental Disabilities. The department shall be organized as provided in this chapter and shall have the duties, functions, and powers provided for in this chapter and other applicable provisions of law.

Section 44-12-30. The department shall be headed by a director who shall be appointed by the Governor with the advice and consent of the Senate. The director may be removed from office as provided in Section 1-3-240(B).

Section 44-12-40. In performing his duties as authorized by this chapter, the director:

(1) shall develop and execute a cohesive and comprehensive plan for services provided by the component offices housed within the department;

(2) shall develop the budget for the department, including the component offices, to reflect the priorities of its comprehensive service plan;

(3) shall procure collaboration technology that enables coordination and accountability across the department and with local partners. At a minimum, the technology should have the capability for authorized users to:

(a) securely access relevant information regarding the needs and care journey of individuals served;

(b) communicate bidirectionally with referring organizations using a secure chat feature; and

(c) send referrals on behalf of the individual, track and store the outcome of that referral, and track and store the outcome of services delivered within a single client record using a unique identifier;

(4) shall, subject to applicable federal law, require data sharing to the fullest extent possible among the component offices and necessary state agencies;

(5) shall consolidate administrative services among the component offices that include, but are not limited to:

(a) financial and accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing, and financial reporting assistance;

(b) human resources administrative support, such as transaction processing and reporting, payroll processing, and human resources training;

(c) budget support, such as budget transaction processing and budget reporting assistance; and

(d) information technology;

(6) shall, with regard to information technology, ensure that the department and the component offices comply with all plans, policies, and directives of the Department of Administration;

(7) may employ such persons as he determines are necessary to carry out the department's duties, functions, and powers;

(8) may enter into contracts with public agencies, institutions of higher education, and private organizations or individuals that the director determines would be beneficial to carrying out the department's duties, functions, and powers; and

(9) shall, pursuant to Sections 1-1-810 and 1-1-820 of the S.C. Code, provide to the Governor and General Assembly, an annual accountability report containing the agency's or department's mission, objectives to accomplish the mission, and performance measures that show the degree to which objectives are being met. Through the Calendar Year 2028, and to the extent permitted by applicable state and federal laws, the department's annual accountability report shall include a review of efforts to maximize efficiency and identify any duplicative services to

develop a plan to consolidate or coordinate identified duplicative programs, and to eliminate redundancy, while ensuring that the quality, accessibility, and specialization of services are preserved or enhanced.

Section 44-12-50. (A) The Department of Behavioral Health and Developmental Disabilities shall consist of the following component offices:

- (1) the Office of Intellectual and Developmental Disabilities;
- (2) the Office of Mental Health; and
- (3) the Office of Substance Use Services.

(B)(1) Each component office shall be headed by an office director who shall be appointed by the department's director. Office directors shall serve at the pleasure of the department director.

(2) The director may, to the extent authorized through the annual appropriations act or relevant permanent law, organize the administration of the department, including the assignment of personnel to the component offices, as is necessary to carry out the department's duties.

Section 44-12-60. The component offices shall carry out their duties, functions, and powers as provided in their respective enabling statutes and as otherwise provided by laws subject to the management decisions, policy development, and standards established of and by the department director as provided in this chapter.

Departments of state government

SECTION 2. Section 1-30-10(A) of the S.C. Code is amended to read:

(A) There are hereby created, within the executive branch of the state government, the following departments:

1. Department of Administration
2. Department of Agriculture
3. Department of Behavioral Health and Developmental Disabilities
4. Department of Commerce
5. Department of Corrections
6. Department of Education
7. Department of Public Health
8. Department of Health and Human Services
9. Department of Insurance
10. Department of Juvenile Justice

11. Department of Labor, Licensing and Regulation
12. Department of Motor Vehicles
13. Department of Natural Resources
14. Department of Parks, Recreation and Tourism
15. Department of Probation, Parole and Pardon Services
16. Department of Public Safety
17. Department of Revenue
18. Department of Social Services
19. Department of Transportation
20. Department of Employment and Workforce
21. Department on Aging
22. Department of Veterans' Affairs
23. Department of Environmental Services.

State employee grievance procedure exemptions

SECTION 3. Section 8-17-370 of the S.C. Code is amended by adding:

(21) The Director of the Department of Behavioral Health and Developmental Disabilities and all the department's employees who report directly to the director or office director.

Definitions

SECTION 4. Section 44-20-30 of the S.C. Code is amended to read:

Section 44-20-30. As used in this chapter:

(1) "Applicant" means a person who is believed to have an intellectual disability, one or more related disabilities, one or more head injuries, one or more spinal cord injuries, or an infant at high risk of a developmental disability who has applied for services from the office.

(2) "Client" means a person who is determined by the office to have an intellectual disability, a related disability, head injury, or spinal cord injury and is receiving services or is an infant at risk of having a developmental disability and is receiving services.

(3) "County disabilities and special needs boards" means the local public body administering, planning, coordinating, or providing services within a county or combination of counties for persons with an intellectual disability, related disabilities, head injuries, or spinal cord injuries and recognized by the department.

(4) "Day programs" means programs provided to persons with an intellectual disability, related disabilities, head injuries, or spinal cord

injuries outside of their residences affording development, training, employment, or recreational opportunities as prescribed by the office.

(5) "Office" means the Office of Intellectual and Developmental Disabilities, a component of the Department of Behavioral Health and Developmental Disabilities.

(6) "Office director" means the head of the Office of Intellectual and Developmental Disabilities appointed by the Director of the Department of Behavioral Health and Developmental Disabilities.

(7) "Disabilities and special needs services" means activities designed to achieve the results specified in an individual client's plan.

(8) "High risk infant" means a child less than thirty-six months of age whose genetic, medical, or environmental history is predictive of a substantially greater risk for a developmental disability than that for the general population.

(9) "Least restrictive environment" means the surrounding circumstances that provide as little intrusion and disruption from the normal pattern of living as possible.

(10) "Improvements" means the construction, reconstruction of buildings, and other permanent improvements for regional centers and other programs provided by the department directly or through contract with county boards of disabilities and special needs, including equipment and the cost of acquiring and improving lands for equipment.

(11) "Intellectual disability" means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period.

(12) "Obligations" means the obligations in the form of notes or bonds or contractual agreements issued or entered into by the commission pursuant to the authorization of this chapter and of Act 1377 of 1968 to provide funds with which to repay the proceeds of capital improvement bonds allocated by the State Fiscal Accountability Authority.

(13) "Regional residential center" means a twenty-four-hour residential facility serving a multicounty area and designated by the department.

(14) "Related disability" is a severe, chronic condition found to be closely related to an intellectual disability or to require treatment similar to that required for persons with an intellectual disability and must meet the following conditions:

(a) it is attributable to cerebral palsy, epilepsy, autism, or any other condition other than mental illness found to be closely related to an intellectual disability because this condition results in impairment of general intellectual functioning or adaptive behavior similar to that of

persons with an intellectual disability and requires treatment or services similar to those required for these persons;

(b) it is manifested before twenty-two years of age;

(c) it is likely to continue indefinitely; and

(d) it results in substantial functional limitations in three or more of the following areas of major life activity: self-care, understanding and use of language, learning, mobility, self-direction, and capacity for independent living.

(15) "Residential programs" means services providing dwelling places to clients for an extended period of time with assistance for activities of daily living ranging from constant to intermittent supervision as required by the individual client's needs.

(16) "Revenues" or "its revenues" means revenue derived from paying clients at regional residential centers and community residences but does not include Medicaid, Medicare, or other federal funds received with the stipulation that they be used to provide services to clients.

(17) "State capital improvement bonds" means bonds issued pursuant to Act 1377 of 1968.

Office of Intellectual and Developmental Disabilities, office director

SECTION 5. Section 44-20-210 of the S.C. Code is amended to read:

Section 44-20-210. There is created the Office of Intellectual and Developmental Disabilities, a component of the Department of Behavioral Health and Developmental Disabilities. The office shall be headed by an office director appointed by the Director of the Department of Behavioral Health and Developmental Disabilities pursuant to Section 44-12-50(B)(1).

Office of Intellectual and Developmental Disabilities, operational authority

SECTION 6. Section 44-20-220 of the S.C. Code is amended to read:

Section 44-20-220. The Director of the Department of Behavioral Health and Developmental Disabilities shall determine the policy and promulgate regulations governing the operation of the office and the employment of professional staff and personnel. Subject to the approval of the Director of the Department of Behavioral Health and Developmental Disabilities, the office director may appoint advisory committees it considers necessary to assist in the effective conduct of the

office's responsibilities. The office director may educate the public and state and local officials as to the need for the funding, development, and coordination of services for persons with an intellectual disability, related disabilities, head injuries, and spinal cord injuries and promote the best interest of persons with an intellectual disability, related disabilities, head injuries, and spinal cord injuries.

Office of Intellectual and Developmental Disabilities, operational authority

SECTION 7. Section 44-20-230 of the S.C. Code is amended to read:

Section 44-20-230. Subject to the supervision, direction, and control of the Department of Behavioral Health and Developmental Disabilities, the office director shall administer the policies and regulations established by the department's director. The office director may appoint and, in his discretion, remove all other officers and employees of the office subject to the approval of the department's director.

Office of Intellectual and Developmental Disabilities, organizational structure

SECTION 8. Section 44-20-240 of the S.C. Code is amended to read:

Section 44-20-240. The office has authority over all of the state's services and programs for the treatment and training of persons with an intellectual disability, related disabilities, head injuries, and spinal cord injuries. This authority does not include services delivered by other agencies of the State as prescribed by statute. The office must be comprised of, at a minimum, an Intellectual Disability Division, an Autism Division, and a Head and Spinal Cord Injuries Division. The office may be divided into additional divisions as may be determined by the office director and approved by the department's director. Responsibility for all autistic services is transferred from the Office of Mental Health to the Office of Intellectual and Developmental Disabilities.

**Department of Behavioral Health and Developmental Disabilities,
property ownership**

SECTION 9. Section 44-20-255 of the S.C. Code is amended to read:

Section 44-20-255. (A) Upon execution of the deed as provided in subsection (B) of this section, ownership of the tract of real property in Richland County described in Section 1 of Act 1645 of 1972 is confirmed in the Department of Behavioral Health and Developmental Disabilities, as the successor agency to the South Carolina Department of Disabilities and Special Needs.

(B) The State Department of Administration shall cause to be executed and recorded an appropriate deed conveying the tract to the Department of Behavioral Health and Developmental Disabilities.

(C) Proceeds of a subsequent sale of the tract that is the subject of this section may be retained by the Department of Behavioral Health and Developmental Disabilities.

Office of Substance Use Services

SECTION 10. Section 44-49-10 of the S.C. Code is amended to read:

Section 44-49-10. (A) There is established the Office of Substance Use Services. The office shall be vested with all the functions, powers, and duties of the Department of Alcohol and Other Drug Abuse Services, the successor to the South Carolina Commission on Alcoholism and the South Carolina Commission on Alcohol and Drug Abuse and shall have full authority for formulating, coordinating, and administering the state plans for controlling narcotics and controlled substances and alcohol abuse, subject to the approval of the Director of the Department of Behavioral Health and Developmental Disabilities.

(B) All functions, powers, and duties of the commissioner of the narcotics and controlled substances section of the State Planning and Grants Division (Division of Administration in the Office of the Governor) that were transferred to the Department of Alcohol and Other Drug Abuse Services are hereby transferred to the Office of Substance Use Services, except those powers and duties related to the traffic of narcotics and controlled substances as defined in Section 44-53-130 which shall be vested in the State Law Enforcement Division.

(C) All rules and regulations promulgated by the predecessor agencies shall remain in effect until changed by the department.

(D) The department is authorized to establish a block grant

mechanism to provide such monies as may be appropriated by the legislature for this purpose to each of the agencies designated under Section 61-12-20(a). The distribution of these monies must be on a per capita basis according to the most recent United States Census. The agencies designated under Section 61-12-20(a) must expend any funds received through this mechanism in accordance with the county plans required under Section 61-12-20(b).

(E) Subject to the approval of the Director of the Department of Behavioral Health and Developmental Disabilities, the department is authorized to develop such rules and regulations not inconsistent with the provisions of this chapter as it may find to be reasonably appropriate for the government of the county plans called for in Section 61-12-20(b), and the financial and programmatic accountability of funds provided under this section and all other funds provided by the department to agencies designated under Section 61-12-20(a).

Office of Substance Use Services, office director

SECTION 11. Section 44-49-20 of the S.C. Code is amended to read:

Section 44-49-20. The component office shall be headed by an office director appointed by the Director of the Department of Behavioral Health and Developmental Disabilities pursuant to Section 44-12-50(B)(1).

Office of Mental Health, creation and office director

SECTION 12. Section 44-9-10 of the S.C. Code is amended to read:

Section 44-9-10. There is hereby created the Office of Mental Health, a component office of the Department of Behavioral Health and Developmental Disabilities. The office shall have jurisdiction over all of the state's mental hospitals, clinics and centers, joint state and community sponsored mental health clinics and centers and facilities for the treatment and care of alcohol and drug addicts, including the authority to name each facility. The office shall be headed by an office director appointed by the Director of the Department of Behavioral Health and Developmental Disabilities pursuant to Section 44-12-50(B)(1). The director must be a person of proven executive and administrative ability with appropriate education and substantial experience in the field of mental illness treatment.

Office of Mental Health, powers and duties

SECTION 13. Section 44-9-20 of the S.C. Code is amended to read:

Section 44-9-20. All the powers and duties vested in the South Carolina Mental Health Commission immediately prior to March 26, 1964, that were transferred to and vested in the Department of Mental Health are now transferred to and vested in the Office of Mental Health, a component of the Department of Behavioral Health and Developmental Disabilities. All records, files, and other papers belonging to the Department of Mental Health shall be continued as part of the records and files of the Office of Mental Health.

Office of Mental Health, operational authority

SECTION 14. Section 44-9-30 of the S.C. Code is amended to read:

Section 44-9-30. The department director shall determine policies and promulgate regulations governing the operation of the office and the employment of professional and staff personnel.

Olmstead rights planning, community services and support for individuals with disabilities

SECTION 15. Chapter 30, Title 1 of the S.C. Code is amended by adding:

Section 1-30-150. (A) The Departments of Health and Human Services, Veterans' Affairs, Administration, Public Health, Social Services, and Behavioral Health and Developmental Disabilities shall collaboratively develop and execute a cohesive and comprehensive plan that addresses how to ensure that services and support for South Carolinians with disabilities are, to the greatest extent possible, provided in the community instead of in an institutional setting in accordance with the requirements of the Americans with Disabilities Act and the U.S. Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581.

(B) The Director of the Department of Public Health shall appoint an Administrator of Community Living Integration who will be responsible for providing oversight in the assessment of the current state of community integration in South Carolina and in the creation of the community integration goals and objectives to be included in the State Health Plan. The Administrator of Community Living will report to the

Director of the Department of Public Health and shall select an Americans with Disabilities Coordinator to ensure compliance with responsibilities outlined by the Americans with Disabilities Act and the U.S. Supreme Court's decision in *Olmstead v. L.C.*, 527 U.S. 581.

(C) The Director of the Department of Public Health shall establish and appoint members to a health planning advisory committee, upon consultation with the other departments charged with participating in developing the plan, to provide advice in the development of the plan. Members of the advisory committee should include healthcare providers, representatives from the disabled community, disability advocacy agencies, consumers, payers, and public health professionals. When developing the community integration goals and objectives, the committee must seek input from people with disabilities of different types and varying levels of severity, family members of people with disabilities, and people currently providing services to the disabled community. The committee must identify objectives for the successful implementation of the community integration program. Members of the advisory committee are allowed the usual mileage and subsistence as provided for members of boards, committees, and commissions.

Developmental evaluation centers

SECTION 16. Section 44-21-80 of the S.C. Code is amended to read:

Section 44-21-80. (A) The Medical University of South Carolina, the Prisma Health Medical Group-Midlands, and the Prisma Health-University Medical Group are each hereby authorized, as agents of the State of South Carolina, to fulfill the role of Regional Tertiary Level Developmental Evaluation Centers, hereinafter collectively referred to as "developmental evaluation centers."

(B) As developmental evaluation centers, the above named institutions shall provide neurodevelopmental evaluation and limited treatment services for individuals up to twenty-one years of age who have a suspected or diagnosed neurodevelopmental disorder or who are referred and accepted for services.

(C) Contingent upon sufficient funding, developmental evaluation centers shall work with institutions, state agencies, and other organizations to increase the number of neurodevelopmental professions, increase community provider neurodevelopmental services capacity through provider training programs, provide technical assistance to improve regionalized, community-based, and family centered systems of care for individuals with neurodevelopmental

disorders, and participate in neurodevelopmental research.

(D) For the purposes of this section, “neurodevelopmental disorders” are characterized by disruptions in the functioning neurological system and the brain, leading to difficulties in one or more of cognition, behavior, social interaction, communication, or motor function. Neurodevelopmental disorders primarily manifest early in development, typically during infancy, childhood, or adolescence.

Repeal

SECTION 17. Sections 44-9-40 and 44-9-50 of the S.C. Code are repealed.

Code Commissioner

SECTION 18. (A) The Code Commissioner is directed to change references in the S.C. Code from “State Department of Mental Health,” “South Carolina Mental Health Commission,” and “commission” in Chapter 9, Title 44 and otherwise in the S.C. Code where “commission” refers to the “South Carolina Mental Health Commission” to the “Office of Mental Health,” “component office,” or “office” as appropriate.

(B) The Code Commissioner is directed to change references in the S.C. Code from “Department of Disabilities and Special Needs” or “department” in Chapter 20, Title 44 to “Office of Intellectual and Developmental Disabilities,” “component office,” or “office” as appropriate. The Code Commissioner is further directed to change references in the S.C. Code to the “Department of Disabilities and Special Needs Commission” or where “commission” refers to the “Department of Disabilities and Special Needs Commission” to “Director of the Office of Intellectual and Developmental Disabilities,” “office director,” or “director” as appropriate.

(C) The Code Commissioner is directed to change references in the S.C. Code from “Department of Alcohol and Other Drug Abuse Services” or “department” when referring to the “Department of Alcohol and Other Drug Abuse Services” to “Office of Substance Use Services,” “component office,” or “office” as appropriate.

Interim office leadership

SECTION 19. (A) Upon the effective date of this act, the Director of the Department of Disabilities and Special Needs shall serve as the Interim Director of the Office of Intellectual and Developmental Disabilities,

unless otherwise removed by the Director of the Department of Behavioral Health and Developmental Disabilities, until such time as a successor is appointed by the Director of the Department of Behavioral Health and Developmental Disabilities and assumes the position. In the case of a vacancy in the office director's position on or after the effective date of this act and prior to the appointment of a successor, the Director of the Department of Behavioral Health and Developmental Disabilities may assign an employee of the department to perform the duties required of the vacant position in the interim.

(B) Upon the effective date of this act, the Director of the Department of Mental Health shall serve as the Interim Director of the Office of Mental Health, unless otherwise removed by the Director of the Department of Behavioral Health and Developmental Disabilities, until such time as a successor is appointed by the Director of the Department of Behavioral Health and Developmental Disabilities and assumes the position. In the case of a vacancy in the office director's position on or after the effective date of this act and prior to the appointment of a successor, the Director of the Department of Behavioral Health and Developmental Disabilities may assign an employee of the department to perform the duties required of the vacant position in the interim.

(C) Upon the effective date of this act, the Director of the Department of Alcohol and Other Drug Abuse Services shall serve as the Interim Director of the Office of Substance Use Services, unless otherwise removed by the Director of the Department of Behavioral Health and Developmental Disabilities, until such time as a successor is appointed by the Director of the Department of Behavioral Health and Developmental Disabilities and assumes the position. In the case of a vacancy in the office director's position on or after the effective date of this act and prior to the appointment of a successor, the Director of the Department of Behavioral Health and Developmental Disabilities may assign an employee of the department to perform the duties required of the vacant position in the interim.

(D) Nothing in this act prevents the Director of the Department of Behavioral Health and Developmental Disabilities from reappointing the directors of their respective departments serving in those roles as of the effective date of this act.

State agency restructuring, effect of transfer of agencies

SECTION 20. (A) Except for personnel and funds transferred pursuant to subsection (B) of this section, the Office of Intellectual and Developmental Disabilities shall operate as a component department of

the Department of Behavioral Health and Developmental Disabilities in the 2025-2026 Fiscal Year using the authority and funds appropriated to the Department of Disabilities and Special Needs as a standalone agency in the Appropriations Act of 2025. Except for personnel and funds transferred pursuant to subsection (B) of this section, the Office of Mental Health shall operate as a component department of the Department of Behavioral Health and Developmental Disabilities in the 2025-2026 Fiscal Year using the authority and funds appropriated to the Department of Mental Health as a standalone agency in the Appropriations Act of 2025. Except for personnel and funds transferred pursuant to subsection (B) of this section, the Office of Substance Use Services shall operate as a component department of the Department of Behavioral Health and Developmental Disabilities in the 2025-2026 Fiscal Year using the authority and funds appropriated to the Department of Alcohol and Other Drug Abuse Services as a standalone agency in the Appropriations Act of 2025.

(B) Upon appointment and confirmation, the Director of the Department of Behavioral Health and Developmental Disabilities may cause the transfer to the Department of Behavioral Health and Developmental Disabilities such: (1) personnel and attendant funding included in the administrative areas of the 2025 Appropriations Act, and (2) operating expenses included in the administrative areas of the 2025 Appropriations Act of one or more of the component departments of the Department of Behavioral Health and Developmental Disabilities as, in the determination of the director, is necessary to carry out the duties of the department. The Department of Administration shall cause all necessary actions to be taken to accomplish any such transfer and shall in consultation with the Director of the Department of Behavioral Health and Developmental Disabilities prescribe the manner in which the transfer provided for in this section shall be accomplished. The Department of Administration's actions in facilitating the provisions of this section are ministerial in nature and shall not be construed as an approval process over any of the transfers.

(C) Except for those positions transferred pursuant to this section or otherwise specifically referenced in this act, employees of the Departments of Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services shall maintain their same status with the appropriate component departments of the Department of Behavioral Health and Developmental Disabilities. Employees of the Department of Mental Health shall become employees of the Office of Mental Health within the Department of Behavioral Health and Developmental Disabilities. Employees of the Department of

Disabilities and Special Needs shall become employees of the Office of Intellectual and Developmental Disabilities within the Department of Behavioral Health and Developmental Disabilities. Employees of the Department of Alcohol and Other Drug Abuse Services shall become employees of the Office of Substance Use within the Department of Behavioral Health and Developmental Disabilities.

(D) Nothing in this act affects bonded indebtedness, if applicable, real and personal property, assets, liabilities, contracts, regulations, or policies of the Departments of Disabilities and Special Needs, Mental Health, or Alcohol and Other Drug Abuse Services existing on the effective date of this act. All applicable bonded indebtedness, real and personal property, assets, liabilities, contracts, regulations, or policies shall continue in effect in the name of the Department of Behavioral Health and Developmental Disabilities or the appropriate component department.

One subject

SECTION 21. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of healthcare delivery as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Severability

SECTION 22. 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 23. This act takes effect upon approval by the Governor.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 4

(R11, S126)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 30-2-500, RELATING TO DEFINITIONS IN THE LAW ENFORCEMENT PERSONAL PRIVACY PROTECTION ACT, SO AS TO REVISE THE DEFINITION OF “PERSONAL CONTACT INFORMATION” AND TO DEFINE “DISCLOSED RECORDS”; BY AMENDING SECTION 30-2-510, RELATING TO THE MEANS FOR ACTIVE AND FORMER LAW ENFORCEMENT OFFICERS TO MAKE THEIR PERSONAL CONTACT INFORMATION CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE, SO AS TO PROVIDE ADDITIONAL MEANS FOR MAKING SUCH INFORMATION IN DISCLOSED RECORDS RESTRICTED FROM PUBLICLY AVAILABLE INTERNET WEBSITES OF STATE AND LOCAL GOVERNMENTS UPON REQUEST AND TO MAKE PROVISIONS FOR HOME ADDRESSES OR TAX MAP NUMBERS THAT CANNOT BE RESTRICTED FROM A DISCLOSED RECORD WITHIN AN INDEX OR FROM BEING DISPLAYED ON AN IMAGE OF AN OFFICIAL RECORD, TO PROVIDE SUCH INFORMATION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY THE STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES, AMONG OTHER THINGS; BY ADDING SECTION 30-2-515 SO AS TO PROVIDE ACTIVE AND FORMER LAW ENFORCEMENT OFFICERS MAY SEEK CERTAIN JUDICIAL

RELIEF FOR NONCOMPLIANCE AND TO PREVENT LIABILITY FROM ACCRUING TO STATE OR LOCAL GOVERNMENT EMPLOYEES OR AGENTS FOR CLAIMS OR DAMAGES THAT ARISE FROM PERSONAL CONTACT INFORMATION ON THE PUBLIC RECORD; BY AMENDING SECTION 30-2-700, RELATING TO DEFINITIONS IN THE JUDICIAL PERSONAL PRIVACY PROTECTION ACT, SO AS TO INCLUDE ADDITIONAL INFORMATION IN THE DEFINITION OF "PERSONAL CONTACT INFORMATION" AND TO DEFINE "DISCLOSED RECORDS"; BY AMENDING SECTION 30-2-710, RELATING TO THE MEANS FOR ACTIVE AND FORMER JUDGES TO MAKE THEIR PERSONAL CONTACT INFORMATION CONFIDENTIAL AND NOT SUBJECT TO PUBLIC DISCLOSURE, SO AS TO PROVIDE MEANS TO RESTRICT SUCH INFORMATION IN DISCLOSED RECORDS RESTRICTED FROM PUBLICLY AVAILABLE INTERNET WEBSITES OF STATE AND LOCAL GOVERNMENTS UPON REQUEST AND TO MAKE PROVISIONS FOR HOME ADDRESSES OR TAX MAP NUMBERS THAT CANNOT BE RESTRICTED FROM A DISCLOSED RECORD WITHIN AN INDEX OR FROM BEING DISPLAYED ON AN IMAGE OF AN OFFICIAL RECORD, TO PROVIDE SUCH INFORMATION MUST REMAIN WITHIN THE OFFICIAL RECORD HELD OR MAINTAINED BY THE STATE OR LOCAL GOVERNMENT AGENCY, AND TO ALLOW DISCLOSURE TO CERTAIN INDIVIDUALS OR ENTITIES, AMONG OTHER THINGS; BY ADDING SECTION 30-2-715 SO AS TO PROVIDE ACTIVE AND FORMER JUDGES MAY SEEK CERTAIN JUDICIAL RELIEF FOR NONCOMPLIANCE AND TO PREVENT LIABILITY FROM ACCRUING TO STATE OR LOCAL GOVERNMENT EMPLOYEES OR AGENTS FOR CLAIMS OR DAMAGES THAT ARISE FROM PERSONAL CONTACT INFORMATION ON THE PUBLIC RECORD; TO DELAY THE EFFECTIVE DATE OF ACT 56 OF 2023, WHICH ENACTED THE "LAW ENFORCEMENT PERSONAL PRIVACY PROTECTION ACT" AND THE "JUDICIAL PERSONAL PRIVACY PROTECTION ACT," FROM JULY 1, 2025, UNTIL JANUARY 1, 2026; AND TO DIRECT THE OFFICE OF COURT ADMINISTRATION AND THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY TO COLLABORATE AND CREATE THE DESIGNATED FORM FOR LAW ENFORCEMENT OFFICERS AND JUDGES TO USE

TO REQUEST STATE AND LOCAL GOVERNMENT AGENCIES REGSTRICT PUBLIC ACCESS TO PERSONAL CONTACT INFORMATION IN DISCLOSED RECORDS, TO PROVIDE REQUIREMENTS FOR THE CONTENTS OF THE FORM, AND TO PROVIDE STATE OR LOCAL GOVERNMENT AGENCIES MAY PROVIDE SUPPLMENTAL FORMS TO IDENTIFY INFORMATION NEEDED BY STATE OR LOCAL GOVERNMENT AGENCIES TO ADDRESS REQUESTS FROM ELIGIBLE REQUESTING PARTIES.

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

Law Enforcement Personal Privacy Protection Act, definitions, restrictions, judicial relief, liability protection

SECTION 1. Section 30-2-500 of the S.C. Code is amended to read:

Section 30-2-500. For the purposes of this article:

(1) "Personal contact information" means the home address, personal cellular telephone number, or property tax map number, if applicable, of the eligible requesting party.

(2) "Eligible requesting party" means an active or former law enforcement officer who has filed a formal request under the provisions of this article.

(3) "Law enforcement officer" means an active or former federal, state, or local certified law enforcement officer or corrections officer.

(4) "Disclosed records" means records accessible by a database or an image of an official record, that are placed on a publicly available internet website maintained by or operated on behalf of a state or local government agency. Disclosed records for the purpose of this article do not include records available for purchase or through an account, by registration or subscription, from a state or local government agency.

SECTION 30-2-510 of the S.C. Code is amended to read:

Section 30-2-510. (A) An eligible requesting party's personal contact information in a disclosed record shall be restricted on a publicly available internet website maintained by or operated on behalf of the state or local government agency if the law enforcement officer:

(1) notifies the individual state or local government agency of the law enforcement officer's choice to restrict public access to personal contact information in disclosed records by submission of the designated

form and any supplemental information requested by the state or local government agency; and

(2) provides a notarized affidavit affirming current employment or previous employment as a law enforcement officer. The affidavit must include contact information for the employer.

(B) A choice made under this article remains valid with the following exceptions:

(1) the law enforcement officer rescinds the request in writing and provides notice to the state or local government agency;

(2) the state or local government agencies disclose personal contact information related to violations of law or regulation as permitted by law;

(3) the law enforcement officer requests release of the law enforcement officer's personal contact information from a state or local government agency for a specific purpose and for a limited time;

(4) the personal contact information is included in a collision report or uniform traffic ticket maintained and provided by the South Carolina Department of Motor Vehicles as permitted by law;

(5) the personal contact information is included on a business filing or Uniform Commercial Code filing recorded with the South Carolina Secretary of State; or

(6) the eligible requesting party's request to restrict information does not apply to a subsequent home address. The eligible requesting party is responsible for notifying through the designated form each state or local government agency of a subsequent home address of the eligible requesting party, and any documents filed after the original request to restrict personal contact information including, but not limited to, changes to the mortgage on a property, or any change in personal contact information.

(C) Personal contact information protected under the provisions of this article may be disclosed under subpoena, by order of the court, upon written consent of the eligible law enforcement officer, or to a government agency.

(D)(1) Personal contact information restricted from disclosed records under this section must remain within the official records held or maintained by a state or local government agency, but may not be included in an index or displayed on an image of an official record on a publicly available internet website maintained or operated on behalf of a state or local government agency.

(2) In the event that a home address or tax map number cannot be restricted from a disclosed record within an index or from being displayed on an image of an official record on a publicly available

internet website maintained or operated on behalf of a state or local government agency, then the image of the official record shall not be displayed and the state or local government agency must restrict the home address or tax map number portion from the display within the index, regardless of the location within the index.

(E) Any personal contact information must be restricted, if requested by an eligible requesting party, from any disclosed record, including the designated form used to notify the state or local government agency and supplemental information requested by the state or local government agency, otherwise eligible to be released under any other provision of law. The provisions of this article must not be construed to prevent the disclosure of any other otherwise public information allowed by law.

(F) A governmental agency that restricts or withholds information under this article shall provide to a requestor a description of the restricted or withheld information and a citation to this article.

(G) Personal contact information restricted pursuant to this article may be disclosed to:

- (1) a title insurer or its affiliate;
- (2) a title insurance agent or agency;
- (3) a personal representative of a deceased eligible requesting party;
- (4) an attorney duly admitted to practice law in the State of South Carolina and in good standing with the South Carolina Bar or a person appointed in writing by said attorney to receive the restricted information on his behalf; or
- (5) a professional engineer or professional surveyor, as defined under Section 40-22-20, or a person appointed in writing by said professional engineer or professional surveyor to receive the restricted information on his behalf.

(H) The restricted status of a home address contained in the official records within a county register of deeds is maintained only during the period when an eligible requesting party resides at the dwelling location. Upon the conveyance of real property that no longer constitutes an eligible request in the party's home address, the eligible requesting party must submit the designated form to release the restriction on personal contact information, including the home address information, and a notarized affidavit affirming the designated form to the county register of deeds.

(I) Nothing in this article shall be construed to limit access to otherwise protected information in public records by applicable law including, but not limited to, the Driver's Privacy Protection Act (18 U.S.C. Section 2721, et seq.) and the Fair Credit Reporting Act (15 U.S.C. Section 1681, et seq.).

Chapter 2, Title 30 of the S.C. Code is amended by adding:

Section 30-2-515. Any eligible requesting party may petition the court for an order directing compliance with this article. Liability may not accrue to a state or local government employee or to his agents for claims or damages that arise from personal contact information on the public record.

Judicial Personal Privacy Protection Act, definitions, restrictions, judicial relief, liability protection

SECTION 2. Section 30-2-700 of the S.C. Code is amended to read:

Section 30-2-700. For the purpose of this article:

(1) "Personal contact information" means the home address, personal cellular telephone number, or tax map number, if applicable, of the eligible requesting party.

(2) "Eligible requesting party" means an active or a former judge who has filed a formal request under the provisions of this article.

(3) "Disclosed records" means records accessible by a database or image of an official record, that are placed on a publicly available internet website maintained by or operated on behalf of a state or local government agency. Disclosed records for the purpose of this article do not include records available for purchase or through an account, by registration or subscription, from a state or local government agency.

SECTION 30-2-710 of the S.C. Code is amended to read:

Section 30-2-710. (A) An eligible requesting party's personal contact information in a disclosed record shall be restricted on a publicly available internet website maintained by or operated on behalf of the state or local government agency if the judge:

(1) notifies the individual state or local government agency of the judge's choice to restrict public access to personal contact information in disclosed records by submission of the designated form and any supplemental information requested by the state or local government agency; and

(2) provides a notarized affidavit affirming the current or prior service as a judge. The affidavit must include the contact information for the court administration office affiliated with the court the judge serves or previously served.

(B) A choice made under this article remains valid with the following

exceptions:

(1) the judge rescinds in writing the request to restrict public access to or posting online of personal contact information and provides notice to the state or local government agency;

(2) the state or local government agencies disclose personal contact information related to violations of law or regulation, as permitted by law;

(3) the judge requests release of the judge's personal contact information from a state or local government agency for a specific purpose and for a limited time;

(4) the personal contact information is included in a collision report or uniform traffic ticket maintained and provided by the South Carolina Department of Motor Vehicles, as permitted by law;

(5) the personal contact information is included on a business filing or Uniform Commercial Code filing recorded with the South Carolina Secretary of State; or

(6) the eligible requesting party's request to restrict information does not apply to a subsequent home address of the eligible requesting party. The eligible requesting party is responsible for notifying, through the designated form, each state or local government agency of a subsequent home address, and any documents filed after the original request to restrict personal contact information including, but not limited to, changes to the mortgage on a property, or any change in personal contact information.

(C) Personal contact information provided under the provisions of this article may be disclosed under subpoena, by order of the court, upon written consent of the eligible judge, or to another government agency.

(D)(1) Personal contact information restricted from disclosed records under this section must remain within the official records held or maintained by a state or local government agency, but not be included within an index or displayed on an image of an official record on a publicly available internet website maintained or operated on behalf of a state or local government agency.

(2) In the event that a home address or tax map number cannot be restricted from a disclosed record within an index or from being displayed on an image of the official record on a publicly available internet website maintained or operated on behalf of a state or local government agency, then the image of the official record shall not be displayed and the state or local government agency must restrict the home address or tax map number portion from the display within the index, regardless of the location of the index.

(E) Any personal contact information, as defined under this article,

must be restricted, if requested by an eligible requesting party, from any disclosed record, including the designated form used to notify the state or local government agency and supplemental information requested by the state or local government agency, otherwise eligible to be released under any other provision of law. The provisions of this article must not be construed to prevent the disclosure of other public information otherwise allowed by law.

(F) A state or local government agency that restricts or withholds information under this article shall provide to a requestor a description of the restricted or withheld information and a citation to this article.

(G) Personal contact information restricted pursuant to this article may be disclosed to:

- (1) a title insurer or its affiliate;
- (2) a title insurance agent or agency;
- (3) the personal representative of a deceased eligible requesting party;
- (4) an attorney duly admitted to practice law in the State of South Carolina and in good standing with the South Carolina Bar or a person appointed in writing by said attorney to receive the restricted information on his behalf; or
- (5) a professional engineer or professional surveyor as defined under Section 40-22-20, or a person appointed in writing by said professional engineer or professional surveyor to receive the restricted information on his behalf.

(H) The restricted status of a home address contained in the official records within a county of register of deeds is maintained only during the period when an eligible requesting party resides at the dwelling location. Upon the conveyance of real property that no longer constitutes an eligible requesting party's home address, the eligible requesting party must submit the designated form to release the restriction on personal contact information, including home address information, and a notarized affidavit affirming the designated form to the county register of deeds.

(I) Nothing in this article shall be construed to limit access to otherwise protected information available by applicable law including, but not limited to, the Driver's Privacy Protection Act (18 U.S.C Section 2721, et seq.) and the Fair Credit Reporting Act (15 U.S.C. Section 1681, et seq.).

Chapter 2, Title 30 of the S.C. Code is amended by adding:

Section 30-2-715. Any eligible requesting party may petition the court for an order directing compliance with this article. Liability may not accrue to a state or local government employee or to his agents for claims or damages that arise from personal contact information on the public record.

Law Enforcement Personal Privacy Protection Act and Judicial Personal Privacy Protection Act, effective dates delayed

SECTION 3. The effective date of Act 56 of 2023, which enacted the “Law Enforcement Personal Privacy Protection Act” and the “Judicial Personal Privacy Protection Act,” is delayed from July 1, 2025, until January 1, 2026.

Directives to the Office of Court Administration and the South Carolina Criminal Justice Academy

SECTION 4. The Office of Court Administration and the South Carolina Criminal Justice Academy shall collaborate to create the designated form for law enforcement officers and for judges to use to request a state or local government agency restrict public access to personal contact information in disclosed records. The form shall include a disclaimer to inform the requesting party the request is specific to the state or local government agency and will not be provided to other entities or apply to changes in personal contact information. The form must contain fields for the following:

(1) the requesting party’s personal information including, but not limited to, legal name, date of birth, home address, driver’s license information, personal email address, and where applicable, tax map numbers;

(2) the dates of service and status of service;

(3) the location of personal contact information in disclosed records by instrument number, book and page number of the copy or image, docket number, file number, vehicle identification number or title number; and

(4) an exception section to notify a state or local government agency of rescission of the request to restrict personal contact information and to permit disclosure of personal contact information for a specific purpose and for a limited time.

A state or local government agency may provide a supplemental form

for the purposes of identifying information needed by the state or local government agency to address the eligible requesting party's request.

Time effective

SECTION 5. This act takes effect on January 1, 2026.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 5

(R12, S218)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-11-730 SO AS TO PROVIDE THAT THE DEPARTMENT OF VETERANS' AFFAIRS SHALL ADOPT CRITERIA FOR ADMISSIONS TO AND DISCHARGES FROM SOUTH CAROLINA VETERANS' HOMES.

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

South Carolina veterans' homes

SECTION 1. Chapter 11, Title 25 of the S.C. Code is amended by adding:

Section 25-11-730. (A) The Department of Veterans' Affairs shall adopt and execute criteria, policies, and procedures for admissions to and discharges from South Carolina veterans' homes.

(B) The Department of Veterans' Affairs shall set and collect fees for residence in and services provided by South Carolina veterans' homes.

(C) The Department of Veterans' Affairs is authorized to receive, as full or partial payment of any fees charged by a South Carolina veteran home, the assignment of any state or federal benefit.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 6

(R17, H3247)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES, NOT TO EXCEED TEN SCHOOL DAYS PER SCHOOL YEAR, FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN CAREER AND TECHNICAL STUDENT ORGANIZATION EXPERIENCES, AND TO PROVIDE STUDENTS AND THEIR PARENTS OR LEGAL GUARDIANS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

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

Excused school absences, limits, missed assignments

SECTION 1. Article 5, Chapter 1, Title 59 of the S.C. Code is amended by adding:

Section 59-1-462. Each school district shall adopt a policy that authorizes a student to be excused from school absences, not to exceed ten school days per school year, to participate in a Career and Technical Student Organization experience in which student participation and learning outcomes are directed by a certified teacher for assessment of competencies. Participation in such Career and Technical Student Organization experience may include, but is not limited to, scheduled events of state-level Future Farmers of America (FFA) organizations,

the national FFA organization, and 4-H programs as part of organized competitions or exhibitions. The student and his parent or legal guardian are responsible for obtaining and completing assignments missed while the student participates in any such Career and Technical Student Organization experiences.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

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No. 7

(R18, H3529)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

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

Additional Family Court judges

SECTION 1. Section 63-3-40(A) of the S.C. Code is amended to read:

(A) The General Assembly shall elect a number of family court judges from each judicial circuit as follows:

First Circuit	Four Judges
Second Circuit	Two Judges
Third Circuit	Three Judges

Fourth Circuit	Three Judges
Fifth Circuit	Four Judges
Sixth Circuit	Two Judges
Seventh Circuit	Four Judges
Eighth Circuit	Three Judges
Ninth Circuit	Seven Judges
Tenth Circuit	Three Judges
Eleventh Circuit	Four Judges
Twelfth Circuit	Three Judges
Thirteenth Circuit	Six Judges
Fourteenth Circuit	Four Judges
Fifteenth Circuit	Three Judges
Sixteenth Circuit	Three Judges

Judicial Screening, funding contingency

SECTION 2. The Judicial Merit Selection Commission shall begin the process of nominating candidates for the judicial offices authorized by the provisions of SECTION 1. The General Assembly then shall elect these judges from the nominees of the commission; except that, the nominating process may not begin until funding for the additional judges is provided in the general appropriations act.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 8

(R19, H3654)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

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

Central registry confidentiality exceptions

SECTION 1. Section 63-7-1990(B)(1) and (23) of the S.C. Code is amended to read:

(1) the Department of Children's Advocacy, including the Guardian ad Litem Division, and county Guardian ad Litem Program staff, when carrying out their duties;

(23) employees of the Division of Guardian ad Litem, for purposes of certifying that no potential employee or volunteer is the subject of an indicated report or an affirmative determination and when carrying out their duties;

Guardian ad Litem Division

SECTION 2. Section 63-11-550(A) of the S.C. Code is amended to read:

(A) All reports and information collected pursuant to this article maintained by the South Carolina Guardian ad Litem Program, or a county Guardian ad Litem Program operating pursuant to Section 63-11-500(B) or by a guardian ad litem, are confidential. A person who disseminates or permits the unauthorized dissemination of the

information is guilty of contempt of court and, upon conviction, may be fined or imprisoned, or both, pursuant to Section 63-3-620. The appointed guardian ad litem may share reports and information collected with the county's Guardian ad Litem Program staff, the Guardian ad Litem Division, and the State Child Advocate.

Foster care review division

SECTION 3. Section 63-11-700(E) and (F) of the S.C. Code is amended to read:

(E) The Department of Children's Advocacy, upon recommendation of the division director, shall promulgate regulations to carry out the provisions of this article. These regulations shall provide for and must be limited to procedures for: reviewing reports and other necessary information at state, county, and private agencies and facilities; scheduling of reviews and notification of interested parties; conducting local review board and board of directors' meetings; disseminating local review board recommendations, including reporting to the appropriate family court judges the status of judicially approved treatment plans; participating and intervening in family court proceedings; and developing policies for summary review of children privately placed in privately owned facilities or group homes.

(F) The Department of Children's Advocacy may employ a division director and staff as is necessary to carry out this article, and the funds for the division director, staff, and other purposes of this division must be provided for in the annual general appropriations act.

Continuum of Care Division

SECTION 4.A. Section 63-11-1340 of the S.C. Code is amended to read:

Section 63-11-1340. The Department of Children's Advocacy may employ a Director of the Continuum of Care and staff necessary to carry out the provisions of this article. The funds for the division director, staff, and other purposes of the Continuum of Care Division must be provided in the annual general appropriations act. The department, upon the recommendation of the division director, may promulgate regulations in accordance with this article and the provisions of the Administrative Procedures Act and formulate necessary policies and procedures of administration and operation to carry out effectively the objectives of

this article.

B. Section 63-11-1360 of the S.C. Code is amended to read:

Section 63-11-1360. The Continuum of Care Division shall submit, through the Department of Children's Advocacy's annual report to the Governor and General Assembly, its activities and recommendations for changes and improvements in the delivery of services by public agencies serving children.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 9

(R21, H3932)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

Clarendon County voting precincts

SECTION 1. Section 7-7-190 of the S.C. Code is amended to read:

Section 7-7-190. (A) In Clarendon County there are the following voting precincts:

Alcolu;
Barrineau;
Barrows Mill;
Bloomville;
Calvary;
Davis Station;
Harmony;
Hicks;
Home Branch;
Jordan;
Manning No. 1;
Manning No. 2;
Manning No. 3;
Manning No. 4;
Manning No. 5;
New Zion;
Oakdale;
Paxville;
Panola;
Sardinia-Gable;
Summerton No. 1;
Summerton No. 2;
Summerton No. 3;
Summerton No. 4;
Turbeville; and
Wilson-Foreston.

(B) The polling places for the above precincts must be determined by the Board of Voter Registration and Elections of Clarendon County with the approval of a majority of the Clarendon County Legislative Delegation.

(C) The precinct lines defining the precincts as 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-27-25.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 10

(R22, H3933)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO THE APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

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

Appointment or election of board members

SECTION 1. Section 33-36-1330(B) of the S.C. Code is amended to read:

(B) For a corporation converted to a public service district pursuant to Section 33-36-1315, the existing directors, who shall constitute the initial governing board of the district, and officers shall serve until the expiration of their current terms. Thereafter, the public service district must be governed by a board comprised of seven members. The successor members must be appointed in accordance with the following procedures:

(1) the total number of customers of the public service district must be divided by the number of board seats, the result being an apportionate average;

(2) the respective number of customers located in a county must be divided by the apportionate average to determine an appointive index;

(3) the Governor, based upon the recommendation of the legislative delegation from the applicable county, must appoint a number of members to the board from each county to equal to the whole number indicated by its appointive index. If, by this method, there are insufficient members appointed to complete the board, an appointive index closest to the next highest whole number must be authorized to have an additional member appointed from the county; and

(4) each member must be appointed for a term of four years and until his successor is appointed and qualified; provided, that the terms of the members must be staggered such that approximately one-half of the

total members appointed by the Governor must be appointed or reappointed every two years. A vacancy must be filled for the remainder of the unexpired term in the manner of the original appointment.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 11

(R27, S62)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS CONCERNING THE EDUCATION SCHOLARSHIP TRUST FUND, SO AS TO REVISE DEFINITIONS; BY AMENDING SECTION 59-8-115, RELATING TO SCHOLARSHIP APPLICATION CRITERIA AND PROCEDURES, SO AS PROVIDE REQUIREMENTS CONCERNING PRIORITY AND GENERAL APPLICATIONS, TO PROVIDE CERTAIN EXEMPTION ACKNOWLEDGEMENT REQUIREMENTS FOR NONPUBLIC EDUCATION SERVICE PROVIDERS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-120, RELATING TO THE ESTABLISHMENT OF THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND, SO AS TO RECHARACTERIZE ITS CORPUS AND REVISE ITS USAGES, TO ESTABLISH A TRUSTEE APPOINTMENT FOR THE FUND AND TO PROVIDE THE QUALIFICATIONS AND DUTIES OF THE TRUSTEE, AND TO ESTABLISH SCHOLARSHIP ALLOCATION AMOUNTS AND ACCOUNTABILITY MEASURES; BY AMENDING SECTION 59-8-125, RELATING TO SCHOLARSHIP FUND PAYMENTS, SO AS TO PROVIDE FOR THE ROLE OF THE TRUSTEE IN MAKING SUCH

PAYMENTS, TO PROVIDE FOR TRUSTEE PAYMENTS, AND TO PROVIDE TERMS FOR A CONTRACTUAL RELATIONSHIP FOR THE PERFORMANCE OF THE TRUSTEE'S DUTIES, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-130, RELATING TO SCHOLARSHIP ELIGIBILITY TERMINATION NOTICE REQUIREMENTS, SO AS TO RESTATE THE SECTION; BY AMENDING SECTION 59-8-135, RELATING TO SCHOLARSHIP PARTICIPANT NUMBER LIMITATIONS, SO AS TO REVISE THE LIMITATIONS, ENABLE INCREASES, AND REMOVE A PERIODIC PROGRAM ELIGIBILITY AND USE REVIEW REQUIREMENT; BY AMENDING SECTION 59-8-140, RELATING TO EDUCATION SERVICE PROVIDER PROGRAM PARTICIPATION REQUIREMENTS, SO AS TO INCLUDE ELIGIBLE SCHOOLS, AND TO REMOVE CERTAIN ADMINISTRATIVE REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION; BY AMENDING SECTION 58-8-145, RELATING TO MISCELLANEOUS DEPARTMENT ADMINISTRATIVE REQUIREMENTS, SO AS TO REMOVE A PROVISION ALLOWING THE DEPARTMENT TO CONTRACT WITH QUALIFIED ORGANIZATIONS FOR RELATED ASSISTANCE; BY ADDING SECTION 59-8-147 SO AS TO PROVIDE THE DEPARTMENT SHALL POST CERTAIN INFORMATION ABOUT THE PROGRAM ON ITS INTERNET WEBSITE, TO PROVIDE REQUIREMENTS OF THE DEPARTMENT CONCERNING THE APPLICATION PROCESS, AND TO PROVIDE A GRACE PERIOD FOR APPLICANTS TO CORRECT MINOR ERRORS; BY AMENDING SECTION 59-8-150, RELATING TO EDUCATION SERVICE PROVIDER REQUIREMENTS, SO AS TO EXPAND EMPLOYEE CRIMINAL BACKGROUND CHECKS, TO REVISE EMPLOYEE SURETY BOND REQUIREMENTS, TO REVISE ASSESSMENT REQUIREMENTS, AND TO REMOVE A PROVISION AUTHORIZING THE DEPARTMENT TO PROMULGATE RELATED REGULATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 59-8-160, RELATING TO THE EDUCATION SCHOLARSHIP TRUST FUND REVIEW PANEL, SO AS TO RESTATE THE SECTION; BY AMENDING SECTION 59-8-165, RELATING TO DISTRICT-LEVEL STUDENT TRANSFER POLICIES, SO AS TO REPLACE THE EXISTING LANGUAGE WITH PROVISIONS CONCERNING INTERDISTRICT TRANSFERS; BY AMENDING SECTION

59-8-170, RELATING TO AN EXEMPTION FROM HIGH SCHOOL LEAGUE TRANSFER ELIGIBILITY RULES FOR INTERDISTRICT TRANSFER SCHOLARSHIP STUDENTS, SO AS TO MAKE THE PROVISION APPLICABLE TO SCHOLARSHIP AND NONSCHOLARSHIP STUDENTS, AND TO PROVIDE SUBSEQUENT TRANSFERS ARE SUBJECT TO HIGH SCHOOL LEAGUE ELIGIBILITY RULES; AND BY AMENDING SECTION 59-150-350, RELATING TO SCHOLARSHIPS DESIGNATED TO RECEIVE LOTTERY FUNDING, SO AS TO INCLUDE THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND.

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

Definitions

SECTION 1. Section 59-8-110 of the S.C. Code is amended to read:

Section 59-8-110. For purposes of this chapter:

- (1) "Department" means the South Carolina Department of Education.
 - (2) "Education Scholarship Trust Fund," "ESTF," or "fund" means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.
 - (3) "Eligible school" means a South Carolina public school or a nonprofit South Carolina independent school where a student is enrolled full time, that chooses to participate in the program. "Eligible school" does not include a school in which a member of the General Assembly or an immediate family member of a member of the General Assembly has any direct financial interest. For purposes of this section, "immediate family member" means as defined in Section 8-13-100(18). "Eligible school" does not include a charter school.
 - (4) "Eligible student" means a student who:
 - (a) is a resident of this State; and
 - (b)(i) has attained at least the age of five on or before September first of the school year in which scholarship funds are awarded;
 - (ii) in School Year 2025-2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and
 - (iii) in School Year 2026-2027, and all subsequent years has a household income that does not exceed five hundred percent of the federal poverty guidelines.
- "Eligible student" does not include students participating in the

Educational Credit for Exceptional Needs Children's Fund program, as provided in Section 12-6-3790 or a student who is not subject to the compulsory attendance requirements of Section 59-65-10.

(5) "IDEA" means the Individuals with Disabilities Education Act found in 20 U.S.C. Section 1400, et seq.

(6) "Parent" means a resident of this State who is the natural or adoptive parent, legal guardian, custodian, or other person with legal authority to act on behalf of an eligible student.

(7) "Education service provider" means a person or organization approved by the department that receives payments from ESTF to provide educational goods and services to scholarship students.

(8) "Program" means the ESTF program created by this chapter.

(9) "Resident school" means the public school in which the student is zoned for attendance.

(10) "Scholarship" means education funding allocated from an account established pursuant to this chapter.

(11) "Scholarship student" means an eligible student who is participating in the Education Scholarship Trust Fund program.

(12) "Substantial misuse" means wilfully and knowingly receiving or spending any portion of a scholarship for any purpose other than a qualifying expense.

(13) "Trustee" means the individual or entity appointed by the State Superintendent of Education pursuant to Section 59-8-120(A)(2).

(14) "Qualifying expense" means:

(a) tuition and fees for attendance at an education service provider or eligible school;

(b) textbooks, curriculum, or other instructional materials including, but not limited to, any supplemental materials or associated online instruction required by either a curriculum or an education service provider;

(c) tutoring services approved by the department;

(d) computer hardware or other technological devices that are used primarily for a scholarship student's educational needs and approved by the department or a licensed physician;

(e) tuition and fees for an approved online education service provider or course;

(f) fees for approved:

(1) national norm-referenced examinations, advanced placement examinations, or similar assessments;

(2) industry certification exams; or

(3) examinations related to college or university admission;

(g) educational services for pupils with disabilities from a licensed

or accredited practitioner or provider including, but not limited to, occupational, behavioral, physical, and speech-language therapies;

(h) approved contracted services from a public school district, or a public charter school including individual classes, after school tutoring services, transportation, or fees or costs associated with participation in extracurricular activities;

(i) contracted teaching services and education classes approved by the department;

(j) fees for transportation paid to a fee-for-service transportation provider for the scholarship student to travel to and from an eligible provider as defined in this section, but not to exceed three thousand dollars for each school year;

(k) fees for interdistrict public school transfers;

(l) cost of school uniforms which are required for attendance;

(m) any consumables and items necessary to complete a curriculum or that are otherwise applicable to a course of study that has been approved by the department; or

(n) any other educational expense approved by the department to enable personalized learning consistent with the intent of this act. A qualifying expense does not mean a duplicate service already offered as part of a student's enrollment in school.

Scholarship application process, criteria, selection, exemption acknowledgement

SECTION 2. Section 59-8-115 of the S.C. Code is amended to read:

Section 59-8-115. (A) The department shall create a standard application process and timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program. Beginning November first of every year, an early application window will be opened for current participants of this program who continue to meet the criteria of an eligible student, and their siblings. The department shall continue to accept applications for the ESTF program on a rolling basis until capacity is met and then shall maintain a waitlist to maximize program participation.

(B) Pursuant to the timeline established pursuant to subsection (A), the department shall ensure the following:

(1) applications must be processed in the order in which they are received, within each of the priority and general application windows;

(2) after the conclusion of the application window for current participants and their siblings, a priority application window for new

program participants must be open for students who meet the following criteria:

(a) has a parent or guardian who is an active-duty member of the Armed Forces of the United States and will be living in South Carolina as a result of their duty station;

(b) has a household income that does not exceed three hundred percent of the federal poverty guidelines; or

(c) attended a public school in the previous academic year;

(3) once the priority application windows have closed, the general application window must open for any student who did not meet the early application window criteria; and

(4) within thirty days of submission of all required documentation, award letters must be enrolled and issued, and the student's online account must be created.

(C) Before awarding a scholarship, the department must obtain evidence of all other student eligibility criteria set forth in Section 59-8-110.

(D) The department shall approve an initial application for scholarship if:

(1) the parent submits an application for a scholarship in accordance with the application and procedures established by the department;

(2) the student on whose behalf the parent is applying is an eligible student;

(3) funds are available for the ESTF; and

(4) the parent annually attests to the following:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

(c) to use the scholarship for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

(d) not to enroll their scholarship student in a public school as a full-time student in the resident school, as defined in this chapter;

(e) not to participate in a home instruction program under Section 59-65-40, 59-65-45, or 59-65-47;

(f) that includes parental acknowledgement that the nonpublic school education service providers are not subject to IDEA and are not required to offer the same services as the public school system to which their child is zoned for attendance. A parent does have the ability to

request an evaluation and determination of possible eligibility from their resident school district; and

(g) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA.

(E) The department shall make available on its website in a conspicuous location information in conformity with 34 C.F.R. Sections 300.130 through 300.144, Assistance to States for the Education of Children with Disabilities, explaining to parents the rights of children with disabilities under IDEA both in public schools and as parentally placed students in private schools.

(F) Personal deposits into an ESTF account are prohibited.

(G) Funds received pursuant to this section do not constitute taxable income to the parent of the scholarship student or to the student.

(H) A parent's signed agreement under subsection (D)(4) satisfies the state's compulsory attendance law pursuant to Section 59-65-10.

(I) The State Board of Education may promulgate regulations for the administration of the program as may be applicable.

(J) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.

(K) Students must be considered enrolled in the program until the parent notifies the department of a decision to terminate participation or the department determines that the student is no longer eligible.

Education Scholarship Trust Fund, establishment, corpus, trustee created

SECTION 3. Section 59-8-120 of the S.C. Code is amended to read:

Section 59-8-120. (A)(1) There is established at the department, the "South Carolina Education Scholarship Trust Fund" that is separate and distinct from the general fund, consisting of monies appropriated to the department to provide scholarships to eligible students for qualifying expenses. The funds and assets of the South Carolina Education Scholarship Trust Fund are not funds of the State but are instead held in

trust. The monies placed into and accumulated in the fund constitute the trust corpus, to be used only for the purposes outlined in this act; the scholarship recipients are the trust beneficiaries who hold equitable title to the scholarship funds allocated to them from the fund and are the direct beneficiaries of the trust; and the trustee selected by the State Superintendent of Education as described in this section is the trustee of the trust who may distribute funds only in a way consistent with this act and as directed by a beneficiary. The fund must receive and hold all monies allocated for it as well as all earnings until disbursed as provided in this section. Monies deposited in the South Carolina Education Scholarship Trust Fund may not revert to the general fund or be appropriated by the General Assembly for any other purpose. If the South Carolina Education Scholarship Trust Fund program ceases for any reason, then the trustee shall deposit all remaining amounts in the trust fund to a specific education account separate from the general fund designated by the General Assembly.

(2) The State Superintendent of Education shall appoint the Trustee of the South Carolina Education Scholarship Trust Fund to serve at will. The trustee may not be a public entity or an employee of any public entity. The trustee may be either an individual or entity and shall have, in the state superintendent's sole discretion, the necessary expertise and good reputation to serve as the trustee. The trustee must have, at a minimum, at least five years' experience as a trustee of a registered nonprofit organization, public trust or nonfamilial trust whose assets exceed five million dollars or a master's degree in accounting, public administration, or other related field. The trustee must not have filed for bankruptcy pursuant to Title 11, Chapters 7 or 13 of the United States Bankruptcy Code or been convicted of criminal fraud, tax fraud, embezzlement, conversion, money laundering, theft crimes, or any crime that is recognized as a felony under state or federal law. The trustee shall file a statement of economic interest pursuant to Article 7, Chapter 13, Title 8 of the South Carolina Code of Laws. The trustee shall be bound by all duties of trustees under South Carolina law, unless such duties conflict with the requirements of this chapter, in which case the requirements of this chapter control. The state superintendent shall have the authority to remove the trustee. Upon removal the State Superintendent of Education shall provide notification to the Chairman of the Senate Education Committee, the Chairman of the Senate Finance Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the House Ways and Means Committee.

(B) The trustee shall hold, manage, control, and administer the monies

placed into or accruing within the fund and disburse scholarships awarded pursuant to this section and as directed by the parent. Information contained in or produced from a tax return, document, or magnetically or electronically stored data used by the department in the exercise of its duties as provided in this chapter must remain confidential and is exempt from disclosure pursuant to the Freedom of Information Act. Personally identifiable information, as described in the Family Educational Rights and Privacy Act, of children applying for or receiving scholarships must remain confidential and is not subject to disclosure pursuant to the Freedom of Information Act.

(C) Upon request of the department, the State Treasurer shall transfer seven thousand five hundred dollars per scholarship student for the 2025-2026 School Year to the Education Scholarship Trust Fund. For all subsequent school years, the allocation must be equivalent to the allocation used in the previous year, increased by the percentage increase in the average per pupil funding from state sources as provided by the Office of Revenue and Fiscal Affairs for the prior fiscal year, unless an increased or decreased limit is authorized in the annual general appropriations act.

(D) The department shall create an individual online ESTF account for each scholarship student.

(1) The parent must be able to access the individual online account for the scholarship student using a secure portal.

(2) The individual scholarship student's account must be created within thirty days of the application approval.

(E) The trustee shall make payments to an individual scholarship student's account from the ESTF on a quarterly basis with the first payment being distributed by July thirty-first of each year.

(F) Prior to depositing each payment into the student's online account, the department shall verify that the student is not enrolled as a full-time student in his resident school using the forty-five, ninety, one hundred thirty-five, and one hundred seventy day student counts and provide that information to the trustee.

(G) Education service providers may not refund, rebate, or share a student's scholarship funds directly with a parent or the scholarship student. The funds in an account may only be used for qualifying expenses as defined in this chapter and provided by the department.

(H) Neither the South Carolina Education Scholarship Trust Fund nor an individual student's account constitutes a debt of the State or any political subdivision thereof, including school districts. The South Carolina Education Scholarship Trust Fund and individual student accounts must be held and apply solely toward carrying out the purposes

of this chapter.

Education Scholarship Trust Fund payments

SECTION 4. Section 59-8-125 of the S.C. Code is amended to read:

Section 59-8-125. (A) The department shall develop an online electronic system for payment for services authorized by participating parents pursuant to this chapter and the guidelines provided by the department. Parents may not be reimbursed for out-of-pocket expenses.

(B) The trustee shall transfer to the department an amount from the ESTF to cover the costs of overseeing the accounts, administering the program, and the payment of the trustee's fee as provided in this section, up to a limit of five percent. Annually, on or before December thirty-first, the department shall notify the respective Chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous fiscal year.

(C) The department shall enter into a contract with the trustee to perform the services contemplated by this act. The contract shall include terms of its performance and the fee or the method of calculating the fee that the department will pay to the trustee. The contract's terms and fee structure shall, in the state superintendent's sole discretion, be commercially reasonable. The department shall pay the trustee's fee upon receipt of the invoice from the trustee.

(D) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school, a scholarship student no longer is an eligible student, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school is considered to have returned to a public school for the purpose of determining the end of the term.

(E) The trustee may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must revert to the ESTF.

(F) Unused funds must be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program.

(G) Only one account may be established for a scholarship student.

Scholarship terminations, parental notice obligation

SECTION 5. Section 59-8-130 of the S.C. Code is amended to read:

Section 59-8-130. If a scholarship student's program of academic instruction is terminated for any reason before the end of the semester or school year and the student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the account revert to the ESTF.

Scholarship participants, number limits, increases, review eliminated

SECTION 6. Section 59-8-135 of the S.C. Code is amended to read:

Section 59-8-135. Beginning with the 2024-2025 School Year, the annual number of eligible students is limited by the following capacity:

(1) in School Year 2025-2026, the program is limited to ten thousand scholarship students; and

(2) in School Year 2026-2027, and for all subsequent school years, the program shall be made available to at least fifteen thousand scholarship students but may be increased through an allocation in the general appropriations act at the direction of the General Assembly, based upon previously unmet demand for scholarships as evidenced by the prior year's applications.

Education service providers, participation requirements

SECTION 7. Section 59-8-140 of the S.C. Code is amended to read:

Section 59-8-140. (A)(1) The department must develop an application approval process for participation in the ESTF program for education service providers, including eligible schools.

(2) The department must require an independent school that applies to be an education service provider to be located in the State, to have an educational curriculum that includes courses set forth in the state's diploma requirements and to meet the compulsory attendance and State Board of Education approval requirements in Section 59-65-10.

(3) An education service provider that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department. The education service provider reapplying shall certify to the department that it

continues to meet all program requirements. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

(4) An education service provider that is denied approval pursuant to this section 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.

(5) The department shall publish on its website a comprehensive list of approved education service providers. The list must include the name, address, telephone number, and website address for each education service provider.

(B) New education service providers may be added to the list of approved providers on a rolling basis. The providers will be added to the comprehensive list available on the department's website.

(C) The department may bar an education service provider from the program if the department establishes that the education service provider has:

(1) failed to comply with the accountability standards established in this section; or

(2) failed to provide the scholarship student with the educational services funded by the account.

(D) The department shall create procedures to ensure that a fair process exists to determine whether an education service provider should be barred from receiving payments from accounts.

(1) If the department decides to bar an education service provider from the program, it shall notify affected students and their parents of this decision as quickly as possible.

(2) Education service providers may appeal the department's decision to bar the education service provider from receiving payments from accounts pursuant to the Administrative Procedures Act.

(E) All employees at an online education service provider who are employed in same or similar roles as defined in Section 63-7-310 shall be considered persons required to report and must complete the training programs required pursuant to Section 63-7-310(A) and hold all the same rights, responsibilities, and potential penalties as defined in Sections 63-7-315, 63-7-320, 63-7-350, 63-7-360, 63-7-370, 63-7-380, 63-7-390, 63-7-400, 63-7-430, 63-7-440, and receive information pursuant to Section 63-7-450.

State Department of Education, administrative requirements

SECTION 8. Section 59-8-145 of the S.C. Code is amended to read:

Section 59-8-145. (A) The department shall adopt procedures to inform students and their parents annually of their eligibility for the program.

(B) The department shall adopt procedures to annually inform scholarship students and their parents of the approved education service providers.

(C) The department shall provide to parents of a scholarship student written instructions for the allowable uses of an account and the responsibilities of parents and the duties of the department.

(D) The department may declare that a student is ineligible for continuation in the program due to substantial misuse of their account funds.

(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of education service providers, education trust fund, and scholarship accounts on an annual basis

(F) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

(G) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each fiscal year, and the number of students not accepted into the program each fiscal year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report on the previous fiscal year to the General Assembly by December thirty-first of each year.

State Department of Education, information posting and applicant support duties

SECTION 9. Chapter 8, Title 59 of the S.C. Code is amended by adding:

Section 59-8-147. (A) The department shall prominently post, on the main page of the South Carolina Department of Education website, advertisement of and access to the application for the program. The department shall be responsible for facilitating access to the application and supporting applicants throughout the application process.

(B) In the event that an application is submitted and is substantially complete but found to contain errors including, but not limited to, errors of minor omission and misspelling, the submitting party must be notified and given two weeks to correct the errors before a final decision is made regarding the acceptance or denial of the application. If space in the program is limited, preference will be given to applicants whose applications are on hold due to error until the two weeks allotted for correction have passed.

Education service providers, background checks, bond requirements

SECTION 10. Section 59-8-150 of the S.C. Code is amended to read:

Section 59-8-150. (A) To ensure equitable treatment and personal safety of all scholarship students, all education service providers shall:

- (1) comply with all applicable health and safety laws or codes;
- (2) hold a valid occupancy permit if required by the municipality in which the education service provider is located;
- (3) not unlawfully discriminate on the basis of race, color, or national origin. This item shall not be interpreted to preclude any independent or religious educational provider from exercising an exemption allowed under federal law;
- (4) conduct and maintain records of completed criminal background checks on employees. An education service provider that is not an accredited or licensed school must submit documentation of completed background checks to the department as part of their initial application. All education service providers must exclude from employment anyone who:
 - (a) is not permitted by state law to work in a school;
 - (b) reasonably might pose a threat to the safety of students; or
 - (c) is listed on federal, state, or other central child abuse registries.

(B) To ensure that funds are spent appropriately, all education service providers shall:

- (1) provide parents with an invoice, for services purchased, or a receipt for goods purchased for all qualifying expenses; and
- (2) demonstrate their financial viability by filing a surety bond with the department prior to the start of the school year if they are to receive fifty thousand dollars or more during the school year. After their first school year of participation the surety bond is required of education service providers who exceed fifty thousand dollars in qualifying

expenses received in the previous school year.

(C) In order to allow parents and the public to measure the achievements of the program, academic progress must be documented annually for each scholarship student. Students with an Individualized Education Plan that cannot be accommodated with standardized testing are excluded from the requirements of item (1). Education service providers that provide academic instruction must monitor the progress of students with significant cognitive disabilities through alternative assessments including portfolios.

(1) Education service providers that provide full-time academic instruction shall:

(a) ensure that each scholarship student in grades three through eight takes the annual state summative assessment or alternative summative assessment required of students in public schools in this State;

(b) in lieu of the assessments required by subitem (a) ensure that each scholarship recipient in grades three through eight takes a nationally norm-referenced summative assessment annually or a formative assessment at the beginning of the school year, at the end of the first semester, and at the end of the school year. The assessment must be approved by the department, aligned with state standards, and include a linking study;

(c) ensure that each scholarship student in grades nine through twelve takes a department-approved, nationally norm-referenced assessment, formative assessment, or assessment that demonstrates the student's college or career readiness. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement;

(d) collect high school graduation information of scholarship students for reporting to the department as required in this section; and

(e) ensure that the parent or guardian of a scholarship student taking the assessments above receives a written report of the student's performance on each assessment. The report must include the student's score on the assessment and an indication of how the student's assessment performance compares to other South Carolina students.

(2) The department shall ensure that the education service provider has access to and is trained in administering the state assessments required in item (1)(a) and (b). The department shall assume any costs associated with training, administering, or taking assessments with no charges to the provider or students.

(3) For the purpose of evaluating program effectiveness, education service providers that provide full-time academic instruction shall ensure that results in item (1) are:

(a) provided to the parent of a scholarship student and must be provided to the department on an annual basis, beginning with the first year of program implementation; and

(b) disaggregated by grade level, gender, family income level, race, and English-learner status.

(4) The department, or the appropriate organization chosen by the department, if any, must be informed of the scholarship student's graduation from high school.

(D) The department shall:

(1) comply with all student privacy laws;

(2) collect all test results; and

(3) annually provide individual student assessment results and information to the Education Oversight Committee. The transmission of the information must be made in a manner that safeguards the data to ensure student privacy.

(E) The Education Oversight Committee shall:

(1) comply with all student privacy laws;

(2) report on and publish associated learning gains and graduation rates to the public by means of a state website with data aggregated by grade level, gender, family income level, number of years participating in the program, and race and a report for any participating school if at least fifty-one percent of the total enrolled students in the private school participated in the program in the prior school year or if there are at least thirty participating students who have scores for tests administered. If the Education Oversight Committee determines that the thirty participating-student cell size may be reduced without disclosing the personally identifiable information of a participating student, the Education Oversight Committee may reduce the participating-student cell size, but the cell size may not be reduced to fewer than ten participating students;

(3) evaluate and report the academic performance of scholarship students compared to similar public school populations; and

(4) collaborate with the department to develop and administer an annual parental satisfaction survey for all parents of scholarship students on issues relevant to the program, to include effectiveness and length of the program participation. Results of this survey must be provided to the General Assembly by December thirty-first of each year.

(F) An education service provider, not a public school, is not an agent of the state or federal government, therefore:

(1) the department or any other state agency may not regulate the educational program beyond what is set forth in this chapter of an approved education provider that accepts funds from an account;

(2) the creation of the program does not expand the regulatory authority of the State, its officers, or a school district to impose regulation of education service providers beyond those necessary to enforce the requirements of the program;

(3) the freedom of education service providers to provide for the educational needs of scholarship students without governmental control must not be abridged;

(4) an education service provider that accepts payment from an ESTF account pursuant to this chapter is not an agent of the state or federal government; and

(5) education service providers shall not be required to alter their creeds, practices, admissions policy, or curriculum in order to accept payments from an ESTF account.

(G) A person paid by, contracted with, employed by, or having a financial interest in an education service provider shall not be allowed to serve on the board of an organization contracting for services with the department as defined in Section 59-8-115(J), serve on the board of a vendor or private management firm contracted to manage accounts as defined in Section 59-8-125(C), on the board of any other provider of contracted-for services under Section 59-8-110(12) or under Section 59-8-120(H), or on the ESTF Review Panel. Any education service provider violating this subsection shall be barred from participating in the program for two years and shall return any funds received under the program to the ESTF.

(H) A person serving as a board member or director of an education service provider shall have a fiduciary duty to the provider and shall avoid any conflicts of interest with the provider.

(I) No member of the General Assembly or their immediate family, as defined by Section 8-13-100(18), may have a financial interest in an education service provider. This does not prevent a member or their immediate family from qualifying under the provisions of this chapter to participate in the ESTF program.

(J) A person shall not serve in a position of leadership with an education service provider who has been convicted of a financial crime.

Education Scholarship Trust Fund review panel

SECTION 11. Section 59-8-160 of the S.C. Code is amended to read:

Section 59-8-160. (A) There is created the "ESTF Review Panel" that shall serve as an advisory panel to the department.

(B) The review panel shall consist of ten members, pursuant to the

following:

- (1) the Governor, or his designee, who shall serve as the chair of the panel;
- (2) three members to be appointed by the Governor;
- (3) one member appointed by the Speaker of the House of Representatives;
- (4) one member appointed by the President of the Senate;
- (5) one member appointed by the Chairman of the House of Representatives Education and Public Works Committee;
- (6) one member appointed by the Chairman of the Senate Education Committee; and
- (7) two parents of scholarship students to be appointed by the Governor.

(C) The review panel may advise the department on whether certain expenses meet the requirements to be considered a qualified expense under this chapter when requested by the department. The review panel periodically may make recommendations to the General Assembly about improving the program.

(D) Members shall serve at the pleasure of their appointing authority. In making appointments to the panel, the appointing authorities, as appropriate, shall consider legal, financial, accounting, and marketing experience and race, gender, and other demographic factors to ensure nondiscrimination, inclusion, and representation of all segments of the State to the greatest extent possible.

(E) Members may not receive mileage or per diem.

Interdistrict student transfer policies

SECTION 12. Section 59-8-165 of the S.C. Code is amended to read:

Section 59-8-165. The department shall develop model guidelines for interdistrict transfers to assist local boards of trustees in establishing an interdistrict enrollment policy. The model guidelines shall serve as the minimum standard, ensuring a baseline of expectations for all districts. Each local policy shall be based on an evaluation of available data reflecting student, school, district, and community needs to ensure access and efficient resource allocation. The policy must include and describe the application requirements, timelines, communication plans, capacity standards, approval and denial criteria, priorities of acceptance, and transportation. Capacity standards are required to be based on objective measures such as facility constraints, staffing levels, and class size limits. A school district may, but is not required to, expand capacity

at a school or in a program to accommodate increased demand for interdistrict transfers. Each district shall review and publicly post available capacity for interdistrict student transfers on its website and update this information at least annually. School districts are not required to provide transportation but must disclose their transportation policy. Districts may establish cost-sharing agreements for interdistrict students who require transportation. All school districts must have an interdistrict policy in place within one hundred twenty days of the publication of the model guidelines by the department. Any school district with an existing interdistrict policy must review and ensure compliance with this section within sixty days of its enactment. The department shall review all local interdistrict transfer policies to ensure alignment with the model guidelines. If a district fails to meet minimum standards, the department may withhold administrative funding until the district demonstrates full compliance. The provisions of this chapter do not restrict a school district's ability to enact or enforce an intradistrict student transfer policy.

Interdistrict student transfer policies, High School League transfer eligibility exemption

SECTION 13. Section 59-8-170 of the S.C. Code is amended to read:

Section 59-8-170. A student transferring from one public high school to another public high school in grades nine through eleven or from one public middle school to another public middle school in grades six through eight pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer student from participating in an interscholastic sport upon transfer. After the initial transfer, any subsequent transfer by a student to another public school shall be subject to the South Carolina High School League eligibility rules.

Education Lottery fund allocation recipients, Education Scholarship Trust Fund included

SECTION 14. Section 59-150-350(D) of the S.C. Code is amended to read:

(D) At the beginning of the first fiscal year after the state lottery becomes operational, the Comptroller General shall certify the amount of net proceeds including investment earnings on the net proceeds

credited to and accrued in the Education Lottery Account during the preceding fiscal year. The sum of certified net proceeds and investment earnings must be designated as annual lottery proceeds. Appropriations from the Education Lottery Account must be allocated only for educational purposes and educational programs by the General Assembly in its annual general appropriations bill or any bill appropriating monies for previous or current fiscal years. Funds made available from the Education Lottery Account must be used to provide Palmetto Fellows Scholarships to all eligible applicants, to provide LIFE Scholarships for eligible resident students attending four-year public institutions in those amounts provided by law; to the South Carolina State Library for public library state aid, to be distributed to county public libraries on a per capita basis and to be used for educational technology delivery, upgrade, and maintenance; to the Commission on Higher Education for tuition assistance at state technical colleges and two-year public institutions; for the SC HOPE Scholarship Program; to the Department of Education for school-based grants for pilot programs, to include programs providing deregulation as requested by school districts with an overall absolute or improved designation of average or better, with first priority given to schools reported as average, below average, or unsatisfactory in accordance with the Education Accountability Act; to the Department of Education to fund homework centers, and these funds must be allocated to the local school districts based on a per pupil basis and may be used for salaries for certified teachers and for transportation costs, provided that priority in the distribution of funds must be given to schools designated as below average or unsatisfactory in accordance with the Education Accountability Act; to the Commission on Higher Education for higher education assistance, including need-based grants, grants to teachers for advanced education with priority to annual grants earmarked for teachers working toward their masters' degrees or advanced education in their areas of certification, or both; for the National Guard Tuition Repayment Program; and funding for elementary and secondary public education as determined pursuant to the Education Accountability Act of 1998 and education improvement legislation enacted into law after the effective date of this chapter; new programs enacted by the General Assembly for public institutions of higher learning, including public four-year colleges and universities and their branches and two-year colleges, as defined in Section 59-103-5, and state technical colleges, which programs may include the creation of endowed chairs at the state's universities, with an emphasis in the areas of, but not limited to, engineering, computer science, and the sciences; to the State Department of Education for the

purchase or repair of school buses; to the South Carolina Educational Television Commission for digitalization; to the South Carolina Education Scholarship Trust Fund; to the Commission on Higher Education to administer a construction and renovation fund for the historically black colleges and universities, and to the Higher Education Tuition Grants Commission to administer tuition grants. The proportion of total recurring general fund and special fund revenues of the State expended for the total of public elementary, secondary, and higher education allocations in any fiscal year must not be less than the proportions in the fiscal year immediately before the fiscal year in which education revenues are first received from a state lottery, and must not be reduced or supplanted later by revenues received from a state lottery.

Severability

SECTION 15. 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 16. This act takes effect upon approval by the Governor. Current eligible participants may continue receiving benefits under the Education Scholarship Trust Fund, until the end of the 2024-2025 School Year.

Ratified the 6th day of May, 2025

Approved the 7th day of May, 2025

No. 12

(R41, H3196)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “EDUCATOR ASSISTANCE ACT” BY ADDING SECTION 59-101-145 SO AS TO AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS FOR THE PREPARATION AND OPENING OF SCHOOLS; BY

AMENDING SECTION 59-25-160, RELATING TO ACTIONS CONSTITUTING JUST CAUSE GROUNDS FOR TEACHER CERTIFICATE REVOCATION OR SUSPENSION PURPOSES, SO AS TO INCLUDE BREACH OF CONTRACT; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AND TO PROVIDE AN EXEMPTION FROM BREACH OF CONTRACT FINDINGS FOR TEACHERS WHO MOVE TO BONA FIDE RESIDENCES IN NONCONTIGUOUS COUNTIES DURING THE CONTRACT TERM, AMONG OTHER THINGS; BY AMENDING SECTION 59-26-40, RELATING TO CONTINUING CONTRACT STATUS FOR TEACHERS, SO AS TO REQUIRE COMPLETION OF COLLEGIAL PROFESSIONAL DEVELOPMENT, AND TO PROVIDE EMPLOYING DISTRICTS SHALL AWARD CREDITS FOR PROFESSIONAL TEACHING CERTIFICATE RENEWAL TO CONTINUING CONTRACT TEACHERS WHO SUCCESSFULLY COMPLETE SUCH COLLEGIAL PROFESSIONAL DEVELOPMENT; BY AMENDING SECTION 59-26-45, RELATING TO RETIRED EDUCATOR TEACHING CERTIFICATES, SO AS TO MAKE SUCH CERTIFICATES LIFETIME IN DURATION INSTEAD OF RENEWABLE, TO PROVIDE SUCH TEACHERS MAY TEACH ON A FULL-TIME BASIS OR PART-TIME BASIS, AND TO EXEMPT SUCH TEACHERS FROM CERTIFICATE RENEWAL REQUIREMENTS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION, AND INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

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

Citation

SECTION 1. This act may be cited as the “Educator Assistance Act.”

Data collection and reporting

SECTION 2. Article 1, Chapter 101, Title 59 of the S.C. Code is amended by adding:

Section 59-101-145. The State Department of Education, in collaboration with the Education Oversight Committee, is authorized to use data that is already being collected through current processes to report on the in-state and out-of-state college enrollment, college persistence, and postsecondary completion of South Carolina's high school graduates. The department shall work to streamline data collection timelines and processes to reduce the burden and increase the efficiency of such data collection and reporting.

Unused leave

SECTION 3. Section 59-25-47 of the S.C. Code is amended to read:

Section 59-25-47. (A) A local school district board of trustees or, in the case of a charter school, the governing body of a charter school, is authorized to adopt a policy consistent with the school district or, in the case of a charter school, the school budget, providing that all certified and noncertified public school teachers identified in the Professional Certified Staff listing, certified special school classroom teachers, certified school librarians, certified school counselors, and career specialists who are employed by a school district or a charter school who earn, but do not use sick and annual leave in excess of ninety days, may be eligible to receive payment at the end of each fiscal year for these earned days in excess of ninety days for each excess day at a district's or charter school's established rate of substitute pay for their individual job classification, or another amount, subject to approval by the local school board, or, in the case of a charter school, the governing body of the charter school. This provision applies only to sick leave and annual leave in excess of ninety days that is accrued after July 1, 2018.

(B) A local school district board of trustees or, in the case of a charter school, the governing body of a charter school, must adopt a policy enabling all district or charter school employees to contribute any unused sick or annual leave in excess of sixty days to a sick leave bank that is made available to all district or charter school employees. Such policy must include criteria for employee eligibility to apply for use of the sick leave bank, procedures for review of applications for use of the sick leave bank, and criteria for the maximum number of days an employee

may access from the sick leave bank during a single fiscal year.

(C) Notwithstanding any provision contained in this section, this section does not and may not be construed to amend or to repeal:

(1) the rights of a school district, charter school, or legislative delegation to set or restrict any existing teacher incentive payment programs; or

(2) any existing teacher incentive payment programs provided by current law or any existing limitation on the fiscal autonomy of a school district or charter school that is more restrictive than any incentives provided in subsection (A).

(D) A local district, prior to the effective date of this act, who has implemented a leave bank policy or a policy that advances the full annual leave balance to a new employee with the first payroll disbursement shall be exempt from the requirements of this section.

Teacher assignment notification requirements

SECTION 4. Section 59-25-410 of the S.C. Code is amended to read:

Section 59-25-410. (A) The boards of trustees of the several school districts annually before May first shall decide and notify, in writing through the superintendent, a teacher, whom the district employs concerning his employment for the ensuing year. If a board of trustees fails to provide notification as provided in this section, the Department of Education shall assess a penalty of ten thousand dollars to be deducted from a district's state allocated funding per occurrence. If the board of trustees fails to notify a teacher who has been employed by a school district for a majority of the current school year of his status for the ensuing year, the teacher is considered to be reemployed for the ensuing year and the board shall issue a contract to him as though the board had reemployed him in the usual manner. The board of trustees must comply with the reporting requirements created by the Department of Education to ensure compliance with this section.

(B) The written notification of reemployment must include a projected minimum salary schedule for the district for the coming school year as well as an agreement to provide a final salary schedule as soon as practicable upon completion of annual state and local appropriations processes. The district upon request shall provide a teacher with the factors used to determine their pay category on the salary schedule. The written notification of employment should indicate downward adjustments to the projected minimum salary schedule only in the event of a loss or reduction in the amount of state, local, or federal funding

anticipated by the district at the time of adoption of the projected minimum salary schedule.

(C) No later than fourteen calendar days before students are scheduled to return to school at the start of the school year, the superintendent, principal, where applicable, or supervisor shall notify the teacher of his tentative assignment for the ensuing school year. Once assigned to a school, the teacher shall not be reassigned to work at another location in the district unless the superintendent can demonstrate the need for reassignment. A teacher must be afforded written notice of at least five school days in advance of the reassignment unless the superintendent demonstrates that advance notice cannot be accomplished because of a critical student need or the teacher requested the reassignment. The local board of trustees must be notified in writing of all teacher reassignments.

(D) This section does not apply to a teacher whose contract of employment or dismissal is under appeal under Section 59-25-450.

(E) For purposes of this article, "teacher" means an employee possessing a professional certificate issued by the State Department of Education, except an employee working pursuant to a multiyear contract, employed by any school district to teach students in an academic setting.

Teacher professional development and staff workdays

SECTION 5. Section 59-1-425(A) of the S.C. Code is amended to read:

(A) A local school district board of trustees of the State has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and must consist of a minimum of one hundred eighty instructional days covering at least nine calendar months. A local school district board of trustees may offer the required instructional days at any time during the school year, consistent with the law. Except as may be waived in this section or accompanying regulations, a local school district shall provide at least one thousand eighty instructional hours over the statutory school term. The opening date for students must not be before the third Monday in August, except for schools operating on a year-round modified school calendar. Four days must be used for collegial professional development based upon the educational standards as required by Section 59-18-300. The professional development must address, at a minimum, academic achievement standards including strengthening teachers' knowledge in their content area, teaching techniques, and assessment. Districts must verify completion of the professional development required in this section annually when reporting the number of days worked by each

certified employee to the Department of Education. At least two days must be designated as staff workdays for the preparation of opening of schools. On these days, teachers and instructional assistants must be afforded time that is self-directed and free from assigned meetings or training in order to evaluate student academic data and to plan and prepare instructional materials and classroom spaces for the start of the school year. The remaining four days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.

“Just cause” basis for teacher certificate suspension or revocation

SECTION 6. Section 59-25-160 of the S.C. Code is amended to read:

Section 59-25-160. “Just cause” may consist of any one or more of the following:

- (1) incompetence;
- (2) wilful neglect of duty;
- (3) wilful violation of the rules and regulations of the State Board of Education;
- (4) unprofessional conduct;
- (5) drunkenness;
- (6) cruelty;
- (7) crime against the law of this State or the United States;
- (8) immorality;
- (9) any conduct involving moral turpitude;
- (10) dishonesty;
- (11) evident unfitness for position for which employed;
- (12) sale or possession of narcotics; or
- (13) breach of contract.

Breach of contract, exclusions

SECTION 7. Section 59-25-530 of the S.C. Code is amended to read:

Section 59-25-530. (A) Any educator who fails to comply with the provisions of his contract without the written consent of the school board is considered to be in breach of contract. Notwithstanding Section 59-25-150, a breach of contract resulting from the execution of an employment contract with another board within the State without the consent of the board first employing the educator makes void any

subsequent contract with any other school district in South Carolina. Upon the formal complaint of the school board, substantiated by conclusive evidence, the state board may suspend or revoke the educator's certificate. The state board shall not hear a complaint from a school board pursuant to this section unless it is received within sixty days of the breach of contract. The period for educator certificate suspension due to breach of contract must begin on the date such contract is breached with the district and run for a period of time deemed appropriate by the State Board of Education, not to exceed six months from the date of breach. During this suspension period, the educator may not be signed to an employment contract by any public school board in South Carolina. The department shall provide notification of the suspension to other state educator licensing authorities.

(B) An educator who has a bona fide residence change to a noncontiguous county during the term of the educator's contract is not considered to be in breach of contract as provided in this section. An educator has the burden of proving a bona fide residence change to the local school board. Factors to consider in determining a bona fide residence change shall include, but are not limited to, the following:

- (1) address on legal documents and bank accounts;
- (2) qualification for the reduced four percent property tax assessment on a primary residence;
- (3) address on driver's license or official identification cards; and
- (4) voter registration address.

Continuing contract level teachers, professional development

SECTION 8. Section 59-26-40(J) of the S.C. Code is amended to read:

(J) After successfully completing an induction contract period, not to exceed three years, and an annual contract period, a teacher shall become eligible for employment at the continuing contract level. This contract status is transferable to any district in this State. A continuing contract teacher shall have full procedural rights that currently exist under law relating to employment and dismissal. A teacher employed under a continuing contract must be evaluated on a continuous basis and complete annual collegial professional development as required under Section 59-1-425(A). At the discretion of the local district and based on an individual teacher's needs and past performance, the evaluation may be formal or informal. Formal evaluations must be conducted with a process developed or adopted by the local district in accordance with State Board of Education regulations. The formal process also must

include an individualized professional growth plan established by the school or district. Professional growth plans must be supportive of district strategic plans and school renewal plans. Informal evaluations which should be conducted for accomplished teachers who have consistently performed at levels required by state standards, must be conducted with a goals-based process in accordance with State Board of Education regulations. The professional development goals must be established by the teacher in consultation with a building administrator and must be supportive of district strategic plans and school renewal plans. The employing district must award credits toward renewal of a professional teaching certificate for a teacher employed at the continuing contract level who successfully completes the annual professional development activities required under this section and Section 59-1-425(A), consistent with State Board of Education regulations for the renewal of a professional certificate.

Lifetime retired educator certificates

SECTION 9. Section 59-26-45 of the S.C. Code is amended to read:

Section 59-26-45. (A) A retired educator certificate is a lifetime certificate established in regulation by the State Board of Education that allows a retired South Carolina educator to be eligible to maintain certification for the purpose of returning to employment with a school district on a temporary or full-time basis. A person is initially eligible for a South Carolina retired educator certificate if he:

(1) held a valid South Carolina renewable, professional educator certificate at the time of retirement;

(2) is either a:

(i) retired member of the South Carolina Retirement System; or

(ii) current or former participant in the State Optional Retirement Program who would have met the eligibility requirements for retirement under the South Carolina Retirement System had he participated in that system rather than the State Optional Retirement Program;

(3) does not hold another valid South Carolina educator certificate and has never held a valid South Carolina educator certificate that has been suspended, revoked, or voluntarily surrendered; and

(4) meets all other qualifications to serve as a certified educator as specified in state statute, regulation, and guidelines.

(B) An individual meeting the eligibility requirements and desirous of a retired educator certificate must submit the request in the manner specified in regulation and guidelines.

(1) A retired educator certificate approved and issued is valid for five years from the date of each issuance.

(2) Once issued, a retired educator in good standing must provide written notification of their desire to continue an active certificate to the department at the end of every five-year period.

(3) Department guidelines shall include the timeline, forms, and a process for submitting a request to maintain an active retired educator certificate.

(C) Any new certificate is invalidated upon issuance of any other South Carolina educator certificate.

(D) An educator who works under the retired certificate must work under the agreement and rate of pay established for this purpose by the hiring district. Section 59-25-150 shall apply to any retired educator certificate.

(E) A retired educator certificate is not subject to requirements for professional certificate renewal established by regulations of the State Board of Education.

(F) Nothing in this section exempts an educator from taking part in professional development that is required by a local school district.

(G) The State Board of Education shall develop regulations for, and the department shall establish guidelines and procedures for, the implementation of this section.

Repeals

SECTION 10. Sections 59-101-130 and 59-101-140 of the S.C. Code are repealed.

Severability

SECTION 11. 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, delayed implementation

SECTION 12. This act takes effect July 1, 2025. Section 59-25-410(A) shall have a delayed implementation date of July 1, 2026.

Ratified the 6th day of May, 2025

Approved the 7th day of May, 2025

No. 13

(R29, S164)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 1-23-115, 1-23-120, AND 1-23-125, ALL RELATING TO THE REQUIREMENTS AND PROCEDURES FOR REGULATIONS, ALL SO AS TO PROVIDE FOR THE TOLLING OF THE PERIOD OF LEGISLATIVE REVIEW FROM THE SECOND FRIDAY IN MAY THROUGH THE SECOND MONDAY THE FOLLOWING JANUARY, AND TO PROVIDE FOR A ONE-HUNDRED-TEN-DAY LEGISLATIVE REVIEW PERIOD.

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

Regulations, one-hundred-ten-day legislative review period

SECTION 1. Section 1-23-115(A) of the S.C. Code is amended to read:

(A) Upon written request by two members of the General Assembly, made before submission of a promulgated regulation to the General Assembly for legislative review, a regulation that has a substantial economic impact must have an assessment report prepared pursuant to this section and in accordance with the procedures contained in this article. In addition to any other method as may be provided by the General Assembly, the legislative committee to which the promulgated regulation has been referred, by majority vote, may send a written notification to the promulgating agency informing the agency that the

committee cannot approve the promulgated regulation unless an assessment report is prepared and provided to the committee. The written notification tolls the running of the one-hundred-ten-day legislative review period, and the period does not begin to run again until an assessment report prepared in accordance with this article is submitted to the committee. Upon receipt of the assessment report, additional days must be added to the days remaining in the one-hundred-ten-day review period, if less than twenty days, to equal twenty days. A copy of the assessment report must be provided to each member of the committee.

Regulations, one-hundred-ten-day legislative review period

SECTION 2. Section 1-23-120(C) and (D) of the S.C. Code is amended to read:

(C) Upon receipt of the regulation, the President and Speaker shall refer the regulation for review to the standing committees of the Senate and House which are most concerned with the function of the promulgating agency. A copy of the regulation or a synopsis of the regulation must be given to each member of the committee, and Legislative Council shall notify all members of the General Assembly when regulations are submitted for review either through electronic means or by addition of this information to the website maintained by the Legislative Services Agency, or both. The committees to which regulations are referred have one hundred ten days from the date regulations are submitted to the General Assembly to consider and take action on these regulations. However, if a regulation is referred to a committee and no action occurs in that committee on the regulation within sixty calendar days of receipt of the regulation, the regulation must be placed on the agenda of the full committee beginning with the next scheduled full committee meeting.

(D) If a joint resolution to approve a regulation is not enacted within one hundred ten days after the regulation is submitted to the General Assembly or if a joint resolution to disapprove a regulation has not been introduced by a standing committee to which the regulation was referred for review, the regulation is effective upon publication in the State Register. Upon introduction of the first joint resolution disapproving a regulation by a standing committee to which the regulation was referred for review, the one-hundred-ten-day legislative review period for automatic approval is tolled. A regulation may not be filed under the emergency provisions of Section 1-23-130 if a joint resolution to disapprove the regulation has been introduced by a standing committee

to which the regulation was referred. Upon a negative vote by either the Senate or House of Representatives on the resolution disapproving the regulation and the notification in writing of the negative vote to the Speaker of the House of Representatives and the President of the Senate by the Clerk of the house in which the negative vote occurred, the remainder of the period begins to run. If the remainder of the period is less than ninety days, additional days must be added to the remainder to equal ninety days. The introduction of a joint resolution by the committee of either house does not prevent the introduction of a joint resolution by the committee of the other house to either approve or disapprove the regulations concerned. A joint resolution approving or disapproving a regulation must include:

- (1) the synopsis of the regulation as required by subsection (B)(4);
- (2) the summary of the final assessment report prepared by the office pursuant to Section 1-23-115 or, as required by subsection (B)(5), the statement or explanation that an assessment report is not required or is exempt.

Regulations, one-hundred-ten-day legislative review period

SECTION 3. Section 1-23-120(E) of the S.C. Code is amended to read:

(E) The one-hundred-ten-day legislative review period begins on the date the regulation is filed with the President and Speaker. The legislative review period is tolled from the second Friday in May through the second Monday the following January.

Regulations, one-hundred-ten-day legislative review period

SECTION 4. Section 1-23-120(F) of the S.C. Code is amended to read:

(F) Any member of the General Assembly may introduce a joint resolution approving or disapproving a regulation thirty days following the date the regulations concerned are referred to a standing committee for review and no committee joint resolution approving or disapproving the regulations has been introduced and the regulations concerned have not been withdrawn by the promulgating agency pursuant to Section 1-23-125, but the introduction does not toll the one-hundred-ten-day legislative review period for automatic approval.

Regulations, one-hundred-ten-day legislative review period

SECTION 5. Section 1-23-125(C) of the S.C. Code is amended to read:

(C) The notification tolls the one-hundred-ten-day legislative review period for automatic approval, and when an agency withdraws regulations from the General Assembly prior to the time a committee resolution to approve or disapprove the regulation has been introduced, the remainder of the period begins to run only on the date the regulations are resubmitted to the General Assembly. Upon resubmission of the regulations, additional days must be added to the days remaining in the legislative review period for automatic approval, if less than twenty days, to equal twenty days, and a copy of the amended regulation must be given to each member of the committee. If an agency decides to take no action pursuant to subsection (B)(3), it shall notify the committee in writing, and the remainder of the period begins to run only upon this notification.

Application

SECTION 6. The provisions of Chapter 23, Title 1, as amended by this act, are applicable to regulations filed with the President of the Senate and Speaker of the House of Representatives on and after January 14, 2025.

Time effective

SECTION 7. This act takes effect upon approval by the Governor.

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 14

(R28, S103)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-17-510, RELATING TO THE PROHIBITION AGAINST MISLEADING OR DECEPTIVE PRACTICES, LABELING, OR MISREPRESENTING PRODUCTS THAT ARE CELL-CULTURED MEATS, SO AS TO DEFINE “CELL-CULTIVATED FOOD PRODUCT” AND REQUIRE THE ACCURATE LABELING OF CELL-CULTIVATED FOOD PRODUCTS.

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

Definitions, prohibitions

SECTION 1. Section 47-17-510 of the S.C. Code is amended to read:

Section 47-17-510. (A) For the purposes of this section:

(1) “artificial or cell-cultivated food product” means any food product developed in a laboratory or facility and grown from a biopsy of living animal cells including, but not limited to, livestock, poultry, fish, crustaceans, or other animal protein; and

(2) “sells, or holds or offers for sale” does not include retail sales except under the circumstances where a retailer is also the manufacturer.

(B) It shall be unlawful for any person to label any artificial or cell-cultivated food product as beef, poultry, fish, crustacean, or any other animal protein that the artificial or cell-cultivated food product may resemble for the purposes of advertising, manufacturing, selling, or holding or offering for sale in this State.

(C) No person who advertises, manufactures, sells, or holds or offers for sale any artificial or cell-cultivated food product in this State shall engage in a misleading or deceptive practice related to an artificial or cell-cultivated food product including, but not limited to, misrepresenting an artificial or cell-cultivated food product as being derived from harvested production beef, poultry, fish, crustacean, or other animal protein. The front of all artificial or cell-cultivated food product packaging must contain a conspicuous label that indicates that the artificial or cell-cultivated food product is not beef, poultry, fish, crustacean, or any other animal protein that the artificial or cell-cultivated food product may resemble.

(D) Each package that violates a provision of this section shall be a separate and distinct offense.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 15

(R30, S165)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA CONSERVATION EDUCATION ACT” BY ADDING SECTION 50-9-980 SO AS TO ESTABLISH THE SOUTH CAROLINA CONSERVATION EDUCATION FUND AND THE PURPOSE FOR WHICH REVENUES IN THE FUND MAY BE EXPENDED.

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

Citation

SECTION 1. This act may be cited as the “South Carolina Conservation Education Act.”

South Carolina Conservation Education Fund

SECTION 2. Article 9, Chapter 9, Title 50 of the S.C. Code is amended by adding:

Section 50-9-980. (A) The South Carolina Conservation Education Fund is established for the purpose of connecting youth with nature through classroom and outdoor natural resource conservation education.

(B) The fund is eligible to receive appropriations of state general

funds, federal funds, local government funds, donations, gifts, and grants.

(C) Revenues for the fund must be remitted to the State Treasurer and credited to an account that is separate and distinct from the general fund. Balances in the fund must be retained and carried forward annually and interest earned on balances in the fund must be credited to the fund.

(D) Revenues from the fund must only be used by the department for the purpose of connecting youth with nature through classroom and outdoor natural resource conservation education programs approved by the department, to include, but is not limited to:

(1) funding for natural resource conservation education classes and programs approved by the department; and

(2) funding for youth to attend outdoor natural resource conservation education programs approved by the department.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 16

(R32, S219)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-5-2730, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN STATE WATERS, SO AS TO PROVIDE FOR THE SEASON, CATCH LIMITS, AND MINIMUM SIZES FOR CERTAIN SPECIES UNDER THE SNAPPER-GROUPER FISHERY MANAGEMENT PLAN.

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

Federal fishing regulations declared to be law of State, exceptions

SECTION 1. Section 50-5-2730 of the S.C. Code is amended to read:

Section 50-5-2730. (A) Unless otherwise provided by law, any regulations promulgated by the federal government under the Fishery Conservation and Management Act (PL 94-265) or the Atlantic Tuna Conservation Act (PL 94-70) which establishes seasons, fishing periods, gear restrictions, sales restrictions, or bag, catch, size, or possession limits on fish are declared to be the law of this State and apply statewide including in state waters.

(B) This provision does not apply to:

(1) black sea bass (*Centropristis striata*) whose lawful catch limit is five fish per person per day or the same as the federal limit for black sea bass, whichever is higher. The lawful minimum size for black sea bass is thirteen inches total length and there is no closed season;

(2) red snapper (*Lutjanus campechanus*) whose lawful catch limit is two fish per person per day. The lawful minimum size for red snapper is twenty inches total length and there is no closed season; or

(3) all other species under the Snapper-Grouper Fishery Management Plan. The lawful catch limit for a species under that plan is the limit as published in the 2024-2025 South Carolina Hunting and Fishing Laws and Regulations Guide, or the federal limit for the species, whichever is higher. The lawful minimum size limit for a species under that plan is the size as published in the 2024-2025 South Carolina Hunting and Fishing Laws and Regulations Guide, or the federal limit for the species, whichever is lower. There is no closed season.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 17

(R33, S220)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-21-10, RELATING TO DEFINITIONS, SO AS TO DEFINE TERMS; BY AMENDING SECTION 38-21-30, RELATING TO THE AUTHORITY OF INSURERS TO INVEST IN SECURITIES OF SUBSIDIARIES, SO AS TO INCLUDE HEALTH MAINTENANCE ORGANIZATIONS; BY AMENDING SECTION 38-21-70, RELATING TO CONTENTS OF STATEMENTS, SO AS TO FURTHER EXPLAIN THE REQUIREMENTS OF REPORTING THE DESCRIPTION OF TRANSACTIONS; BY AMENDING SECTION 38-21-90, RELATING TO APPROVAL BY COMMISSIONERS OF ACQUISITION OF CONTROL, SO AS TO REQUIRE THE PERSON ACQUIRING CONTROL OF A DOMESTIC INSURER TO MAINTAIN OR RESTORE CAPITAL; BY AMENDING SECTION 38-21-160, RELATING TO INFORMATION WHICH NEED NOT BE DISCLOSED IN REGISTRATION STATEMENTS, SO AS TO DESIGNATE THAT THE DEFINITION DOES NOT APPLY FOR OTHER PURPOSES; BY AMENDING SECTION 38-21-225, RELATING TO THE ANNUAL ENTERPRISE RISK REPORT, SO AS TO IDENTIFY EXEMPTIONS FOR FILING THE GROUP CAPITAL CALCULATION AND TO REQUIRE FILING RESULTS OF THE LIQUIDITY STRESS TEST FOR SOME INSURERS; BY AMENDING SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS WITHIN INSURANCE SYSTEMS, SO AS TO OUTLINE RESPONSIBILITIES OF THE DIRECTOR, AMONG OTHER THINGS; BY AMENDING SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REQUIRE THE DIRECTOR TO KEEP GROUP CAPITAL CALCULATIONS, GROUP CAPITAL RATIO AND LIQUIDITY STRESS TEST RESULTS, AND SUPPORTING DISCLOSURES CONFIDENTIAL, AND TO ADD REFERENCES TO THIRD-PARTY CONSULTANTS; BY AMENDING SECTION 38-12-30, RELATING TO DEFINITIONS, SO AS TO ADD AFFILIATES AND SUBSIDIARIES TO THE DEFINITION OF "PERSON"; TO AMEND SECTION 38-12-220, RELATING TO RESTRICTIONS ON INVESTMENTS, SO AS TO INCLUDE AFFILIATES AND SUBSIDIARIES; AND BY AMENDING

SECTION 38-12-430, RELATING TO ASSET LIMITATIONS FOR INSURER HOLDINGS, SO AS TO INCLUDE AFFILIATES AND SUBSIDIARIES.

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

Definitions

SECTION 1. Section 38-21-10 of the S.C. Code is amended to read:

Section 38-21-10. In this chapter, unless the context otherwise requires:

(1) An “affiliate” of, or person “affiliated” with, a specific person means a person who directly, or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with the person specified.

(2) The term “control” (including the terms “controlling,” “controlled by,” and “under common control with”) means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control is presumed to exist if any person, directly, or indirectly, owns, controls, holds with the power to vote, or holds proxies representing ten percent or more of the voting securities of any other person. This presumption may be rebutted by a showing made in the manner provided by Section 38-21-220 that control does not exist in fact. The director or his designee may determine, after furnishing all persons in interest notice and opportunity to be heard and making specific findings of fact to support his determination, that control exists in fact, notwithstanding the absence of a presumption to that effect.

(3) The term “director” means the Director of the South Carolina Department of Insurance or his designee.

(4) The term “group-wide supervisor” means the regulatory official authorized to engage in conducting or coordinating group-wide supervision activities who is determined or acknowledged by the director pursuant to Section 38-21-295 to have sufficient significant contacts with the internationally active insurance group.

(5) “Group Capital Calculation instructions” means the Group Capital Calculation instructions as adopted by the NAIC and as amended by the NAIC from time to time in accordance with the procedures adopted by

the NAIC.

(6) An “insurance holding company system” consists of two or more affiliated persons, one or more of which is an insurer.

(7) The term “insurer” has the same meaning as set forth in Section 38-1-20 except that it does not include (a) agencies, authorities, or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state or (b) nonprofit medical and hospital service associations.

(8) The term “internationally active insurance group” means an insurance holding company system that includes an insurer registered pursuant to Sections 38-21-143 through 38-21-240 and meets the following criteria:

(a) premiums written in at least three countries;

(b) the percentage of gross premiums written outside the United States is at least ten percent of the insurance holding company system’s total gross written premiums; and

(c) based on a three-year rolling average, the total assets of the insurance holding company system are at least fifty billion dollars or the total gross written premiums of the insurance holding company systems are at least ten billion dollars.

(9) “NAIC” means the National Association of Insurance Commissioners.

(10) “NAIC Liquidity Stress Test Framework” is a separate NAIC publication which includes a history of the NAIC’s development of regulatory liquidity stress testing, the Scope Criteria applicable for a specific data year, and the Liquidity Stress Test instructions and reporting templates for a specific data year, such Scope Criteria, instructions and reporting template being as adopted by the NAIC and as amended by the NAIC from time to time in accordance with the procedures adopted by the NAIC.

(11) A “person” means an individual, a corporation, a partnership, an association, a joint stock company, a trust, an unincorporated organization, any similar entity, or any combination of the foregoing acting in concert, but does not include any joint venture partnership exclusively engaged in owning, managing, leasing, or developing real or tangible personal property.

(12) “Scope criteria,” as detailed in the NAIC Liquidity Stress Test Framework, are the designated exposure bases along with minimum magnitudes thereof for the specified data year, used to establish a preliminary list of insurers considered scoped into the NAIC Liquidity Stress Test Framework for that data year.

(13) A “securityholder” of a specified person is one who owns any security of that person, including common stock, preferred stock, debt obligations, and any other security convertible into or evidencing the right to acquire any of the foregoing.

(14) A “subsidiary” of a specified person is an affiliate controlled by that person directly, or indirectly through one or more intermediaries.

(15) The term “voting security” includes any security convertible into or evidencing a right to acquire a voting security.

(16) “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.

(17) A “supervisory college” is a meeting or joint meeting of insurance regulators or supervisors with company officials where the topic of discussion is regulatory oversight of one specific insurance group that is writing significant amounts of insurance in other jurisdictions. It may involve detailed discussions about financial data, corporate governance, and enterprise risk management functions. Supervisory colleges are intended to facilitate the oversight of internationally active insurance companies at the group level.

Authority of insurers to invest in securities of subsidiaries

SECTION 2. Section 38-21-30 of the S.C. Code is amended to read:

Section 38-21-30. In addition to investment in common stock, preferred stock, debt obligations, and other securities permitted under this title, a domestic insurer may also:

(1) invest, in common stock, preferred stock, debt obligations, and other securities of one or more subsidiaries, amounts which do not exceed the lesser of ten percent of the insurer’s assets or fifty percent of the insurer’s surplus as regards policyholders if, after these investments, the insurer’s surplus as regards policyholders must be reasonable in relation to the insurer’s outstanding liabilities and adequate to meet its financial needs. In calculating the amount of the investments, investments in domestic or foreign insurance subsidiaries and health maintenance organizations must be excluded, and there must be included (a) total net monies or other consideration expended and obligations

assumed in the acquisition or formation of a subsidiary, including all organizational expenses and contributions to capital and surplus of the subsidiary whether or not represented by the purchase of capital stock or issuance of other securities, and (b) all amounts expended in acquiring additional common stock, preferred stock, debt obligations, and other securities and all contributions to the capital or surplus of a subsidiary after its acquisition or formation;

(2) invest any amount in common stock, preferred stock, debt obligations, and other securities of one or more subsidiaries engaged or organized to engage exclusively in the ownership and management of assets authorized as investments for the insurer if each subsidiary agrees to limit its investments in any asset so that the investments will not cause the total investment of the insurer to exceed any of the investment limitations specified in item (1) or in the investment laws or regulations of this State. For the purpose of this item, "the total investment of the insurer" includes (a) any direct investment by the insurer in an asset, and (b) the insurer's proportionate share of any investment in an asset by a subsidiary of the insurer, which must be calculated by multiplying the amount of the subsidiary's investment by the percentage of the ownership of the subsidiary;

(3) with the approval of the director or his designee, invest any greater amount in common stock, preferred stock, debt obligations, or other securities of one or more subsidiaries if after such investment the insurer's surplus as regards policyholders will be reasonable in relation to the insurer's outstanding liabilities and adequate to its financial needs.

Contents of statement

SECTION 3. Section 38-21-70(A)(2) of the S.C. Code is amended to read:

(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, (including pledge of the insurer's stock, or the stock of any of its subsidiaries or controlling affiliates), 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.

Approval by commissioners of acquisition of control, hearing

SECTION 4. Section 38-21-90(C) of the S.C. Code is amended to read:

(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) In connection with a change of control of a domestic insurer, any determination by the director or his designee that the person acquiring control of the insurer is required to maintain or restore the capital of the insurer to the level required by the laws and regulations of this State must be made no later than sixty days after the date of notification of the change in control submitted pursuant to Section 38-21-60.

(3) 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.

Information which need not be disclosed in registration statement

SECTION 5. Section 38-21-160 of the S.C. Code is amended to read:

Section 38-21-160. No information need be disclosed on the registration statement filed pursuant to Section 38-21-140 if the information is not material for the purposes of this chapter. Unless the department by regulation or by order of the director or his designee provides otherwise, sales, purchases, exchanges, loans or extension of credit, investments, or guarantees involving one-half of one percent or

less of an insurer's admitted assets as of the previous December thirty-first are not considered material for purposes of Sections 38-21-140 through 38-21-240. The definition of materiality provided in this section does not apply for purposes of the Group Capital Calculation or the Liquidity Test Framework.

Annual enterprise risk report

SECTION 6. Section 38-21-225 of the S.C. Code is amended to read:

Section 38-21-225. (A) 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.

(B) Except as provided below, the ultimate controlling person of every insurer subject to registration must file concurrently with the registration an annual group capital calculation as directed by the lead state commissioner. The report must be completed in accordance with NAIC Group Capital Calculation instructions, which may permit the lead state commissioner to allow a controlling person that is not the ultimate controlling person to file the group capital calculation. The report must be filed with the lead state commissioner of the insurance holding company system as determined by the director in accordance with the procedures within the Financial Analysis Handbook adopted by the NAIC. The following insurance holding company systems are exempt from filing the group capital calculation:

(1) an insurance holding company system that has only one insurer within its holding company structure, that only writes business in its domestic state, and assumes no business from any other insurer;

(2) an insurance holding company system that is required to perform a group capital calculation specified by the United States Federal Reserve Board. The lead state commissioner must request the calculation from the Federal Reserve Board under the terms of information-sharing agreements in effect. If the Federal Reserve Board cannot share the calculation with the lead state commissioner, the insurance holding company system is not exempt from the group capital calculation filing;

(3) an insurance holding company system whose non-U.S. group-wide supervisor is located within a reciprocal jurisdiction as described in Section 38-9-200 that recognizes the U.S. state regulatory approach to group supervision and group capital;

(4) an insurance holding company system:

(a) that provides information to the lead state that meets the requirements for accreditation under the NAIC financial standards and accreditation program, either directly or indirectly through the group-wide supervisor, who has determined such information is satisfactory to allow the lead state to comply with the NAIC group supervision approach, as detailed in the NAIC Financial Analysis Handbook, and

(b) whose non-U.S. group-wide supervisor that is not in a reciprocal jurisdiction recognizes and accepts, as specified by the director in regulation, the Group Capital Calculation as the worldwide group capital assessment for U.S. insurance groups who operate in that jurisdiction.

(5) Notwithstanding the provisions of this subsection, a lead state commissioner must require the group capital calculation for U.S. operations of any non-U.S.-based insurance holding company system where, after any necessary consultation with other supervisors or officials, it is deemed appropriate by the lead state commissioner for prudential oversight and solvency monitoring purposes or for ensuring the competitiveness of the insurance marketplace.

(6) Notwithstanding the exemptions from filing the group capital calculation stated in this section, the lead state commissioner has the discretion to exempt the ultimate controlling person from filing the annual group capital calculation or to accept a limited group capital filing or report in accordance with criteria as specified by the director in regulation.

(7) If the lead state commissioner determines that an insurance holding company system no longer meets one or more of the requirements for an exemption from filing the group capital calculation under this section, the insurance holding company system must file the group capital calculation at the next annual filing date unless given an extension by the lead state commissioner based on reasonable grounds shown.

(C) The ultimate controlling person of every insurer subject to registration and also scoped into the NAIC Liquidity Stress Test Framework must file the results of a specific year's Liquidity Stress Test. The filing must be made to the lead state insurance 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. The NAIC Liquidity Stress Test Framework includes Scope Criteria applicable to a specific data year. These Scope Criteria are reviewed at least annually by the Financial Stability Task Force or its successor. Any change to the NAIC Liquidity Stress Test Framework or to the data year for which the Scope Criteria are to be measured must be effective on January first of the year following the calendar year when such changes are adopted. Insurers meeting at least one threshold of the Scope Criteria are considered scoped into the NAIC Liquidity Stress Test Framework for the specified data year unless the lead state insurance commissioner, in consultation with the NAIC Financial Stability Task Force or its successor, determines the insurer should not be scoped into the framework for that data year. Similarly, insurers that do not trigger at least one threshold of the Scope Criteria are considered scoped out of the NAIC Liquidity Stress Test Framework for the specified data year, unless the lead state insurance commissioner, in consultation with the NAIC Financial Stability Task Force or its successor, determines the insurer should be scoped into the framework for that data year.

(1) The lead state commissioner, in consultation with the Financial Stability Task Force or its successor, and as part of the annual determination for an insurer, will consider the insurer's recent status to avoid having insurers scoped in and out of the NAIC Liquidity Stress Test Framework on a frequent basis.

(2) The performance of, and filing of the results from, a specific year's Liquidity Stress Test must comply with the NAIC Liquidity Stress Test Framework's instructions and reporting templates for that year and any lead state insurance commissioner determinations, in consultation with the Financial Stability Task Force or its successor, provided within the framework.

Standards for transactions within insurance holding company system

SECTION 7. Section 38-21-250 of the S.C. 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.

(7) If an insurer subject to this act is deemed by the director to be in a hazardous financial condition as defined by Sections 38-5-120 and 38-9-330 or a condition that would be grounds for supervision, conservation, or a delinquency proceeding, then the director may require the insurer to secure and maintain either a deposit, held by the director, or a bond, as determined by the insurer at the insurer's discretion, for the protection of the insurer for the duration of the contracts or agreements, or the existence of the condition for which the director required the deposit or the bond. In determining whether a deposit or a bond is required, the director should consider whether concerns exist with respect to the affiliated person's ability to fulfill the contracts or agreements if the insurer were to be put into liquidation. Once the insurer is deemed to be in a hazardous financial condition or a condition that would be grounds for supervision, conservation, or a delinquency proceeding, and a deposit or bond is necessary, the director has discretion to determine the amount of the deposit or bond, not to exceed the value of the contracts or agreements in any one year, and whether such deposit or bond should be required for a single contract, multiple contracts, or a contract only with a specific person.

(8) All records and data of the insurer held by an affiliate are and remain the property of the insurer, are subject to control of the insurer, are identifiable, and are segregated or readily capable of segregation, at no additional cost to the insurer, from all other persons' records and data. This includes all records and data that are otherwise the property of the insurer, in whatever form maintained including, but not limited to, claims and claim files, policyholder lists, application files, litigation files, premium records, rate books, underwriting manuals, personnel records, financial records, or similar records within the possession,

custody, or control of the affiliate. At the request of the insurer, the affiliate must provide that the receiver can obtain a complete set of all records of any type that pertain to the insurer's business; obtain access to the operating systems on which the data is maintained; obtain the software that runs those systems either through assumption of licensing agreements or otherwise; and restrict the use of the data by the affiliate if it is not operating the insurer's business. The affiliate must provide a waiver of any landlord lien or other encumbrance to give the insurer access to all records and data in the event of the affiliate's default under a lease or other agreement.

(9) Premiums or other funds belonging to the insurer that are collected by or held by an affiliate are the exclusive property of the insurer and are subject to the control of the insurer. Any right of offset in the event an insurer is placed into receivership must be subject to Chapter 27, Title 38.

(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 as of the thirty-first day of December next preceding;

(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.

(F) Any affiliate that is party to an agreement or contract with a domestic insurer that is subject to subsection (B)(4) is subject to the jurisdiction of any supervision, seizure, conservatorship, or receivership proceedings against the insurer and to the authority of any supervisor, conservator, rehabilitator, or liquidator for the insurer appointed pursuant to Chapters 26 and 27, Title 38 for the purpose of interpreting, enforcing, and overseeing the affiliate's obligations under the agreement or contract to perform services for the insurer that:

(1) are an integral part of the insurer's operations including, but not limited to, management, administrative, accounting, data processing, marketing, underwriting, claims handling, investment, or any other similar functions; or

(2) are essential to the insurer's ability to fulfill its obligations under insurance policies.

(G) The director may require that an agreement or contract pursuant to subsection (B)(4) for the provision of services described in subsection (F)(1) and (2) specify that the affiliate consents to the jurisdiction as set forth in subsection (F).

Confidential information

SECTION 8. Section 38-21-290 of the S.C. 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 are recognized by the State as being proprietary and 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.

(1) For purposes of the information reported and provided to the department pursuant to Section 38-21-225(C), the director must maintain the confidentiality of the group capital calculation and group capital ratio produced within the calculation and any group capital information received from an insurance holding company supervised by the Federal Reserve Board or any U.S. group-wide supervisor.

(2) For purposes of the information reported and provided to the department pursuant to Section 38-21-225(C) the director must maintain the confidentiality of the Liquidity Stress Test results and supporting disclosures and any Liquidity Stress Test information received from an insurance holding company supervised by the Federal Reserve Board and non-U.S. group-wide supervisors.

(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), including proprietary and trade secret documents and materials with other state, federal, and international regulatory agencies, with the NAIC and any third-party consultants designated by the director or his designee, 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 proprietary and trade secret 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) must enter into written agreements with the NAIC and any third-party consultant designated by the director or his designee 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 or a third-party consultant designated by the director or his designee pursuant to this chapter, including procedures and protocols for sharing by the NAIC with other state, federal, or international regulators. The agreement must provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the documents, materials, or other information and has verified in writing the legal authority to maintain such confidentiality;

(b) specify that ownership of information shared with the NAIC or third-party consultant 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) excluding documents, materials, or information reported pursuant to Section 38-21-225(C) prohibit the NAIC or third-party consultant designated by the commissioner from storing the information

shared pursuant to this act in a permanent database after the underlying analysis is completed;

(d) require prompt notice to be given to an insurer whose confidential information in the possession of the NAIC or third-party consultant designated by the director or his designee pursuant to this chapter is subject to a request or subpoena to the NAIC or a third-party consultant designated by the director or his designee for disclosure or production;

(e) require the NAIC or third-party consultant designated by the director or his designee 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; and

(f) for documents, materials, or information reporting pursuant to Section 38-21-255(C), in the case of an agreement involving a third-party consultant, provide for notification of the identity of the consultant to the applicable insurers.

(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.

(G) The Group Capital Calculation and resulting Group Capital Ratio required pursuant to Section 38-21-225(B) and the Liquidity Stress Test along with its results and supporting disclosures required pursuant to Section 38-12-225(C) are regulatory tools for assessing group risks and capital adequacy and group liquidity risks, respectively, and are not intended as a means to rank insurers or insurance holding company systems generally. Therefore, except as otherwise may be required under the provisions of this act, the making, publishing, disseminating, circulating, or placing before the public, or causing directly or indirectly to be made, published, disseminated, circulated, or placed before the

public in a newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any radio or television station or any electronic means of communication available to the public, or in any other way as an advertisement, announcement, or statement containing a representation or statement with regard to the Group Capital Calculation, Group Capital Ratio, the Liquidity Stress Test results, or supporting disclosures for the liquidity stress test of any insurer or any insurer group, or of any component derived in the calculation by any insurer, broker, or other person engaged in any manner in the insurance business would be misleading and is prohibited; provided, however, that if any materially false statement with respect to the Group Capital Calculation, resulting Group Capital Ratio, an inappropriate comparison of any amount to an insurer's or insurance group's Group Capital Calculation or resulting Group Capital Ratio, Liquidity Stress Test result, supporting disclosures for the Liquidity Stress Test, or an inappropriate comparison of any amount to an insurer's or insurance group's Liquidity Stress Test result or supporting disclosures is published in any written publication and the insurer is able to demonstrate to the director with substantial proof the falsity of such statement or the inappropriateness, as the case may be, then the insurer may publish announcements in a written publication if the sole purpose of the announcement is to rebut the materially false statement.

Definitions

SECTION 9. Section 38-12-30(64) of the S.C. Code is amended to read:

(64) "Person" means an individual, a business entity, a multilateral development bank, or a government or quasi-governmental body, such as a political subdivision or a government sponsored enterprise, and the affiliates and subsidiaries of any such individual, business entity, bank, or governmental or quasi-governmental body.

Restrictions on investments

SECTION 10. Section 38-12-220(A)(1) and (2) of the S.C. Code is amended to read:

(1) Except as otherwise provided in this chapter, an insurer may not acquire an investment pursuant to this chapter if as a result of and after giving effect to the investment the insurer holds more than five percent

of its admitted assets in investments of all kinds issued, assumed, accepted, insured, or guaranteed by a single person, including its affiliates and subsidiaries. This limitation applies to aggregate amounts invested in or held directly or indirectly in a single person or business entity by an insurer, its affiliates, and subsidiaries.

(2) This limitation does not apply to the aggregate amounts insured by a single financial guaranty insurer with the highest generic rating issued by a nationally recognized statistical rating organization.

Asset limitations for insurer holdings

SECTION 11. Section 38-12-430(A)(1) of the S.C. Code is amended to read:

(1) Except as otherwise provided in this chapter, an insurer may not acquire an investment pursuant to this chapter if as a result of and after giving effect to the investment the insurer holds more than five percent of its admitted assets in investments of all kinds issued, assumed, accepted, insured, or guaranteed by a single person, including its affiliates and subsidiaries. This limitation applies to aggregate amounts invested in or held directly or indirectly in a single person or business entity by an insurer, its affiliates, and subsidiaries.

Time effective

SECTION 12. This act takes effect upon approval by the Governor.

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 18

(R34, S275)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-27-10, RELATING TO ELECTRIC VEHICLE DEFINITIONS, SO AS TO ADD DEFINITIONS FOR “DIRECT-CURRENT-FAST-CHARGING STATION,” “ELECTRIC VEHICLE,” AND “ELECTRIC VEHICLE CHARGING PROVIDER”; AND BY AMENDING SECTION 58-27-1060, RELATING TO ELECTRIC VEHICLE CHARGING STATIONS, SO AS TO PROVIDE THAT ELECTRIC UTILITIES OR OTHER PROVIDERS THAT OFFER ELECTRIC VEHICLE CHARGING STATIONS DIRECTLY TO THE PUBLIC SHALL DO SO ON A FAIR, REASONABLE, AND NONDISCRIMINATORY BASIS AND SHALL NOT PROVIDE AN UNREASONABLE ADVANTAGE FOR DIRECT-CURRENT-FAST-CHARGING STATIONS; AND TO REGULATE REVENUE.

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

Definitions

SECTION 1. Section 58-27-10 of the S.C. Code is amended by adding:

(12) “Direct-current-fast-charging station” means an electric vehicle charging system capable of delivering electricity at a minimum of fifty kilowatts or greater direct current to an electric vehicle’s rechargeable battery at a voltage of two hundred volts or greater and is separate and distinct from make-ready infrastructure.

(13) “Electric vehicle” means a motor vehicle that is propelled by one or more electric motors using energy stored in the form of a rechargeable battery.

(14) “Electric vehicle charging provider” means the owner of an electric vehicle charging station.

Electric vehicle charging stations

SECTION 2. Section 58-27-1060 of the S.C. Code is amended to read:

Section 58-27-1060. (A) A person or corporation who uses an

electric vehicle charging station to resell electricity to the public for compensation is not an electrical utility if:

(1) the person or corporation has procured the electricity from an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative that is authorized to engage in the retail sale of electricity within the territory in which the electric vehicle charging service is provided;

(2) the person or corporation furnishes electricity exclusively for the charging of plug-in electric vehicles; and

(3) the charging station is immobile.

(B) Nothing in this section shall be construed to limit the ability of an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative to provide and appropriately charge for the make-ready infrastructure required to serve the electrical load of electric vehicle charging stations to furnish electricity to electric vehicle charging providers for charging electric vehicles, or to utilize any state or federal grant funding. Any increases in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility.

(C) An electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative that provides, owns, operates, or maintains a direct-current-fast-charging station for direct public use shall offer fair, reasonable, and nondiscriminatory rates and services to all entities providing similar services and shall not act in a manner that provides an unreasonable advantage for its direct-current-fast-charging stations.

(D) Revenue received by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative or its subsidiary or affiliate from electric services other than direct-current-fast-charging stations, shall not, directly or indirectly, subsidize investments in direct-current-fast-charging stations owned or operated by such entities.

(E) Nothing in subsection (C) or (D) shall be construed to apply to a direct-current-fast-charging station that was constructed, provided by, owned, operated, or maintained by an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an electric cooperative prior to the effective date of this act.

(F) Nothing in subsection (D) shall be construed to apply to direct-current-fast-charging stations that are not public facing and located on the premises of an electrical utility, a municipality, a consolidated political subdivision, the Public Service Authority, or an

electric cooperative for the sole purpose of serving its own electric vehicles or electric vehicles owned by its employees.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 19

(R35, S276)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-11-400, 63-11-410, AND 63-11-420, ALL RELATING TO THE SOUTH CAROLINA CHILDREN'S ADVOCACY MEDICAL RESPONSE SYSTEM ACT, SO AS TO RENAME THE ACT THE "SOUTH CAROLINA CHILD ABUSE AND NEGLECT NETWORK" AND TO MAKE CONFORMING CHANGES.

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

South Carolina Child Abuse and Neglect Network

SECTION 1. Sections 63-11-400 through 63-11-420 of the S.C. Code are amended to read:

Section 63-11-400. This article may be cited as the "South Carolina Child Abuse and Neglect Network."

Section 63-11-410. There is created the South Carolina Child Abuse and Neglect Network, a program to provide coordination and administration of medical service resources to those entities responding to cases of suspected child abuse or neglect. The program is administered by the University of South Carolina School of Medicine.

Section 63-11-420. For purposes of this article:

- (1) "Child" has the same meaning as provided for in Section 63-7-20.
- (2) "Child abuse or neglect" has the same meaning as provided for in Section 63-7-20.
- (3) "Children's advocacy centers" has the same meaning as provided for in Section 63-11-310.
- (4) "Program" means the South Carolina Child Abuse and Neglect Network, created pursuant to this article.
- (5) "Healthcare provider" means a physician, advanced practice registered nurse, or physician assistant licensed to practice in this State pursuant to Article 1, Chapter 47, Title 40, Article 1, Chapter 33, Title 40, and Article 7, Chapter 47, Title 40, respectively.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 20

(R36, S307)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 36 TO TITLE 56 SO AS TO DEFINE CERTAIN TERMS, TO ESTABLISH GUIDELINES FOR THE OPERATION OF PEER-TO-PEER CAR SHARING PROGRAMS, AND TO ESTABLISH INSURANCE AND LIABILITY PROCEDURES; AND TO PROVIDE THE DEPARTMENT OF INSURANCE SHALL PROMULGATE REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS ACT.

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

Peer-to-Peer car sharing

SECTION 1. Title 56 of the S.C. Code is amended by adding:

CHAPTER 36**Peer-to-Peer Car Sharing**

Section 56-36-10. As used in this chapter:

(1) “Car sharing delivery period” means the period of time during which a shared vehicle is being delivered to the location for transfer of possession of the shared vehicle pursuant to the agreement.

(2) “Car sharing period” means the period of time from:

(a) the car sharing delivery period until the car sharing termination time; or

(b) if there is no car sharing delivery period, the car sharing start time until the car sharing termination time.

(3) “Car sharing program agreement” or “agreement” means the terms and conditions that govern the use, duration of time, and location for transfer of possession of a shared vehicle through a peer-to-peer car sharing program.

(4) “Car sharing start time” means the time when the shared vehicle becomes subject to the control of the shared vehicle driver at or after the time the reservation of a shared vehicle is scheduled to begin as documented in the records of a peer-to-peer car sharing program.

(5) “Car sharing termination time” means the earliest of the following events:

(a) the expiration of the agreed-upon period of time established for the use of a shared vehicle according to the terms of the car sharing program agreement, provided that the shared vehicle is delivered to the location agreed upon in the car sharing program agreement;

(b) when the shared vehicle is returned to a location as alternately agreed upon by the shared vehicle owner and shared vehicle driver as communicated through a peer-to-peer car sharing program, which alternatively agreed upon location shall be incorporated into the car sharing program agreement; or

(c) when the shared vehicle owner or owner’s designee takes possession and control of the shared vehicle.

(6) “Peer-to-peer car sharing” means the authorized use of a shared vehicle by an individual other than the vehicle’s owner through a peer-to-peer car sharing program pursuant to the provisions of this chapter.

(7) “Peer-to-peer car sharing program” or “program” means a business platform that connects vehicle owners with drivers to enable the sharing of vehicles for financial consideration.

(8) “Peer-to-peer car sharing transaction” means the payment of monetary consideration from a shared vehicle driver in exchange for the use of a shared vehicle for peer-to-peer car sharing.

(9) “Shared vehicle” means a vehicle that is available for sharing through a peer-to-peer car sharing program.

(10) “Shared vehicle driver” means an individual who has been authorized to drive the shared vehicle pursuant to a valid car sharing program agreement.

(11) “Shared vehicle owner” means the registered owner of a shared vehicle or his designee.

Section 56-36-20. (A) Except as provided in subsection (B), a peer-to-peer car sharing program shall assume liability of a shared vehicle owner for any death, bodily injury, or property damage to third parties or uninsured motorist losses that are proximately caused by the operation of a shared vehicle during the car sharing period in the amounts stated in the car sharing program agreement. These amounts shall not be less than the amounts specified in Section 38-77-140 and Section 38-77-150.

(B) Notwithstanding the definition of “car sharing termination time” in Section 56-36-10, the assumption of liability pursuant to subsection (A) does not apply if:

(1) the shared vehicle owner makes an intentional or fraudulent material misrepresentation or omission to the program before the car sharing period in which the loss occurred; or

(2) the shared vehicle driver and shared vehicle owner conspire to have the driver fail to return the shared vehicle in violation of the agreement.

(C) Notwithstanding the definition of “car sharing termination time” in Section 56-36-10, the assumption of liability under subsection (A) applies to death, bodily injury, and property losses by damaged third parties required by Section 38-77-140 and uninsured motorist losses by damaged third parties required by Section 38-77-150.

(D) A peer-to-peer car sharing program shall ensure that, during each car sharing period, the shared vehicle owner and the shared vehicle driver are each insured under a motor vehicle insurance policy that provides insurance coverage in amounts no less than the minimum amounts set forth in Section 38-77-140; and

(1) recognizes that the shared vehicle insured under the policy is

made available and used through a peer-to-peer car sharing program; or
(2) does not exclude the use of a shared vehicle by a shared vehicle driver.

(E) The insurance coverage required under subsection (D) may be satisfied by motor vehicle liability insurance maintained by:

- (1) a shared vehicle owner;
- (2) a shared vehicle driver;
- (3) a peer-to-peer car sharing program; or
- (4) any combination of a shared vehicle owner, shared vehicle driver, or a peer-to-peer car sharing program.

(F) The insurance described in subsection (E) that is satisfying the insurance requirement of subsection (D) shall be primary during each car sharing period. If a claim occurs in another state with minimum financial responsibility limits higher than those set forth in Section 38-77-140 and Section 38-77-150 during the car sharing period, then the coverage maintained under subsection (E) shall satisfy the difference in minimum coverage amounts up to the applicable policy limits.

(G) The insurer or peer-to-peer car sharing program providing the coverage under subsection (D) or (E) shall assume primary liability for a claim when:

- (1) a dispute exists regarding who was in control of the shared vehicle at the time of the loss and the peer-to-peer car sharing program does not have available, did not retain, or fails to provide the information required by subsection (M); or
- (2) a dispute exists regarding whether the shared vehicle was returned to the alternatively agreed upon location as required under Section 56-36-10(6)(b).

(H) If insurance maintained by a shared vehicle owner or shared vehicle driver in accordance with subsection (E) has lapsed or does not provide the required coverage, then insurance maintained by a peer-to-peer car sharing program shall provide the coverage required by subsection (D) beginning with the first dollar of a claim and shall have the duty to defend such claim except under circumstances as set forth in subsection (B).

(I) Coverage under an automobile insurance policy maintained by the peer-to-peer car sharing program shall not be dependent on another automobile insurer first denying a claim nor shall another automobile insurance policy be required to first deny a claim.

(J) Nothing in this chapter limits:

- (1) the liability of the peer-to-peer car sharing program for any act or omission of the peer-to-peer car sharing program that results in injury to any person as a result of the use of a shared vehicle through a

peer-to-peer car sharing program; or

(2) the ability of the peer-to-peer car sharing program, by contract, to seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss resulting from a breach of the car sharing program agreement.

(K) When a shared vehicle owner registers with a peer-to-peer car sharing program and before the shared vehicle owner makes the shared vehicle available for sharing, the peer-to-peer car sharing program shall notify the owner that, if the shared vehicle has a lien against it, the use of the shared vehicle through a peer-to-peer car sharing program, including use without physical damage coverage, may violate the terms of the contract with the lienholder.

(L)(1) An authorized insurer that writes motor vehicle liability insurance in this State may exclude any and all coverage and the duty to defend or indemnify for any claim afforded under a shared vehicle owner's motor vehicle liability insurance policy including, but not limited to:

- (a) liability coverage for death, bodily injury, and property damage;
- (b) uninsured and underinsured motorist coverage;
- (c) medical payments coverage;
- (d) comprehensive physical damage coverage; and
- (e) collision physical damage coverage.

(2) Nothing in this chapter invalidates or limits an exclusion contained in a motor vehicle liability insurance policy, including any insurance policy in use or approved for use that excludes coverage for motor vehicles made available for rent, sharing, or hire or for any business use.

(3) Nothing in this chapter invalidates, limits, or restricts an insurer's ability under existing law to underwrite any insurance policy. Nothing in this chapter invalidates, limits, or restricts an insurer's ability under existing law to cancel and non-renew policies.

(M)(1)(a) A peer-to-peer car sharing program shall collect and verify records pertaining to the use of a shared vehicle including, but not limited to:

- (i) times used;
- (ii) car sharing period pickup and drop off locations;
- (iii) fees paid by the shared vehicle driver; and
- (iv) revenues received by the shared vehicle owner.

(b) Upon request, the program shall provide that information to facilitate a claim coverage investigation, settlement, negotiation, or litigation to:

- (i) the shared vehicle owner;
- (ii) the shared vehicle owner's insurer; and
- (iii) the shared vehicle driver's insurer.

(2) The peer-to-peer car sharing program shall retain the records for no less than the duration of the applicable personal injury statute of limitations.

(N) A peer-to-peer car sharing program and a shared vehicle owner shall be exempt from vicarious liability consistent with 49 U.S.C. Section 30106 and under any state or local law that imposes liability solely based on vehicle ownership.

(O) A motor vehicle insurer that defends or indemnifies a claim against a shared vehicle that is excluded under the terms of its policy shall have the right to seek recovery against the motor vehicle insurer of the peer-to-peer car sharing program if the claim is:

(1) made against the shared vehicle owner or the shared vehicle driver for loss or injury that occurs during the car sharing period; and

(2) excluded under the terms of its policy.

(P)(1) A peer-to-peer car sharing program shall have an insurable interest in a shared vehicle during the car sharing period.

(2) Nothing in this section requires a peer-to-peer car sharing program to maintain the coverage mandated by this section.

(3) A peer-to-peer car sharing program may own and maintain as the named insured one or more policies of motor vehicle liability insurance that provides coverage for:

(a) liabilities assumed by the peer-to-peer car sharing program under a car sharing program agreement;

(b) any liability of the shared vehicle owner;

(c) damage or loss to the shared motor vehicle; or

(d) any liability of the shared vehicle driver.

Section 56-36-30. (A) Each car sharing program agreement made in this State shall disclose to the shared vehicle owner and the shared vehicle driver:

(1) any right of the peer-to-peer car sharing program to seek indemnification from the shared vehicle owner or the shared vehicle driver for economic loss sustained by the peer-to-peer car sharing program resulting from a breach of the terms and conditions of the car sharing program agreement;

(2) that a motor vehicle liability insurance policy issued to the shared vehicle owner for the shared vehicle or to the shared vehicle driver does not provide a defense or indemnification for any claim asserted by the peer-to-peer car sharing program;

(3) that the peer-to-peer car sharing program's insurance coverage on the shared vehicle owner and the shared vehicle driver is in effect only during each car sharing period and that, for any use of the shared vehicle by the shared vehicle driver after the car sharing termination time, the shared vehicle driver and the shared vehicle owner may not have insurance coverage;

(4) the daily rate, fees, and, if applicable, any insurance or protection package costs that are charged to the shared vehicle owner or the shared vehicle driver;

(5) that the shared vehicle owner's motor vehicle liability insurance may not provide coverage for a shared vehicle;

(6) an emergency telephone number to personnel capable of fielding roadside assistance and other customer service inquiries; and

(7) whether there are conditions under which a shared vehicle driver must maintain a personal automobile insurance policy with certain applicable coverage limits on a primary basis in order to book a shared motor vehicle.

(B)(1) A peer-to-peer car sharing program may not enter into a car sharing program agreement with a driver unless the driver who will operate the shared vehicle:

(a) holds a valid driver's license issued under the provisions of Chapter 1, Title 56, that authorizes the driver to operate vehicles of the class of the shared vehicle; or

(b) is a nonresident who:

(i) is at least the same age as that required of a resident to drive; and

(ii) has a driver's license issued by the driver's resident state or country that authorizes the driver in that state or country to drive vehicles of the class of the shared vehicle.

(2) A peer-to-peer car sharing program shall keep record of:

(a) the name and address of the shared vehicle driver;

(b) the number of the driver's license of the shared vehicle driver and each other person who will operate the shared vehicle; and

(c) the place of issuance of the driver's license.

(C) A peer-to-peer car sharing program shall have sole responsibility for any equipment, such as a GPS system or other special equipment that is put in or on the vehicle to monitor or facilitate the car sharing transaction and shall agree to indemnify and hold harmless the vehicle owner for any damage to or theft of such equipment during the sharing period not caused by the vehicle owner. The peer-to-peer car sharing program has the right to seek indemnity from the shared vehicle driver for any loss or damage to such equipment that occurs during the sharing

period.

(D)(1) When a vehicle owner registers as a shared vehicle owner with a peer-to-peer car sharing program and before the shared vehicle owner makes the shared vehicle available on the peer-to-peer car sharing program, the peer-to-peer car sharing program shall:

(a) verify that the shared vehicle does not have any safety recalls for which repairs have not been made; and

(b) notify the owner of the requirement under subsection (D)(2), (3), and (4).

(2) If the shared vehicle owner has actual notice of a safety recall on the shared vehicle, then the shared vehicle owner may not make the shared vehicle available on the peer-to-peer car sharing program until the safety recall repair is complete.

(3) If a shared vehicle owner receives actual notice of a safety recall on the shared vehicle while the shared vehicle is available on the peer-to-peer car sharing program and in the shared vehicle owner's possession, then the owner shall remove the shared vehicle as available on the peer-to-peer car sharing program as soon as practicably possible after receiving notice and until the safety recall repair is complete.

(4) If a shared vehicle owner receives actual notice of a safety recall while the shared vehicle is in the possession of a shared vehicle driver, then the shared vehicle owner shall notify the peer-to-peer car sharing program about the safety recall as soon as practicably possible after receiving notice of the safety recall so that the shared vehicle owner may address the safety recall repair.

Section 56-36-50. The provisions of Section 38-43-500 and Chapter 31, Title 56 are not applicable to this chapter.

Department of Insurance regulations

SECTION 2. The Department of Insurance shall promulgate any regulations as may be necessary to implement the provisions of this act.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 21

(R37, S345)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-510, RELATING TO THE PROHIBITION AGAINST BAITING WILD TURKEYS, SO AS TO EXEMPT CERTAIN PERSONS WHO ARE TWO HUNDRED YARDS OR MORE FROM A BAITED AREA MANAGED FOR THE RESTORATION AND SUSTAINABILITY OF WILD BOBWHITE QUAIL.

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

Prohibition against baiting wild turkeys, definitions, exception

SECTION 1. Section 50-11-510 of the S.C. Code is amended to read:

Section 50-11-510. (A) It is unlawful for a person to:

(1) hunt or take or attempt to hunt or take a wild turkey by means of, or aid or use of, bait or baiting; or

(2) hunt or take or attempt to hunt or take a wild turkey on or over any baited area.

(B) As used in this section:

(1) "bait" or "baiting" means placing salt, corn, grain, or other foodstuffs that constitute a lure, attraction, or enticement for wild turkeys over an area where hunters are attempting to take them; and

(2) "baited area" means an area where salt, corn, grain, or other foodstuffs capable of luring, attracting, or enticing wild turkeys is placed. The area remains a baited area for ten days following complete

consumption or removal of all bait.

(C) It is not a violation of this section if a person hunts or takes or attempts to hunt or take a wild turkey over a baited area for wild bobwhite quail, and is located on a property that is permitted by the department for the restoration and sustainability of wild bobwhite quail. The property must not be leased for turkey hunting, and there must be no commercial hunts for wild turkey on the property. A permit issued by the department for the restoration and sustainability of wild bobwhite quail:

(1) must contain conditions in conformance with best practices for managing wild bobwhite quail habitat; and

(2) is contingent on the receipt and approval of a wild bobwhite quail management plan that must be updated no less than every five years.

(D) The department may revoke a permit issued under subsection (C) if a permit condition is violated.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 22

(R38, S367)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO CHAPTER 21, TITLE 50 ENTITLED "ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS" SO AS TO PROVIDE THAT ABANDONED VESSELS, DERELICT VESSELS, AND SUNKEN VESSELS ARE PUBLIC NUISANCES; TO DEFINE TERMS; TO ESTABLISH THE PENALTIES FOR A PERSON THAT CAUSES OR ALLOWS A VESSEL TO BECOME AN ABANDONED VESSEL OR A DERELICT VESSEL AND THE PENALTIES FOR

INTENTIONALLY OR RECKLESSLY CAUSING A VESSEL TO SINK; TO EXTEND THE CORPORATE LIMITS OF CERTAIN MUNICIPALITIES FOR THE PURPOSE OF ENFORCING THE ARTICLE; TO ESTABLISH THE PROCEDURE FOR DECLARING CERTAIN VESSELS ABANDONED OR DERELICT; TO REQUIRE THE REMOVAL OF A DERELICT VESSEL WITHIN FOURTEEN DAYS AND TO PROVIDE FOR ITS REMOVAL; AND TO REQUIRE THE DEVELOPMENT AND MAINTENANCE OF A WEBSITE AND APPLICATION FOR THE REPORTING OF CERTAIN VESSELS; BY REPEALING SECTION 50-21-190 RELATING TO ABANDONED WATERCRAFT; BY REPEALING SECTION 50-23-205 RELATING TO THE SEIZURE OF CERTAIN WATERCRAFT; AND BY REPEALING SECTION 50-21-10(1) RELATING TO THE DEFINITION OF ABANDON.

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

Abandoned vessels, derelict vessels, and sunken vessels

SECTION 1. Chapter 21, Title 50 of the S.C. Code is amended by adding:

Article 2

Abandoned Vessels, Derelict Vessels, and Sunken Vessels

Section 50-21-200. Abandoned vessels, derelict vessels, and sunken vessels are declared to be public nuisances that must be abated as provided in this article.

Section 50-21-210. (A) For the purposes of this article:

(1) "Abandoned vessel" means a vessel that:

- (a) is wrecked or junked;
- (b) does not have a visible identifier; and
- (c) remains on the waters of the State, or on public property adjacent thereto, for at least ten consecutive days from the day an abandoned vessel notice is posted on the vessel.

(2) "Derelict vessel" means a vessel that:

- (a) is wrecked or junked;
- (b) has a visible identifier; and
- (c) remains on the waters of the State, or on public property

adjacent thereto, for at least twenty-one consecutive days from the day a derelict vessel notice is posted on the vessel.

(3) “Junked” means substantially stripped of vessel components, or spaces on the vessel that are designed to be enclosed are open to the elements.

(4) “Registered owner” means a person listed as the owner on a state’s vessel registration records or on a United States Coast Guard certificate of documentation.

(5) “Responsible party” means a person who has the rights to the possession and use of a vessel.

(6) “Visible identifier” means:

(a) a hull identification number;

(b) a vessel registration number of this State or another state; or

(c) a vessel name and home port.

(7) “Wrecked” means listing due to water intake or hull damage, or aground and cannot be extracted without mechanical assistance.

Section 50-21-220. (A) It is unlawful for a person to cause or allow a vessel to become an abandoned vessel or a derelict vessel. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars, imprisoned for not more than sixty days, or both. In addition, the person is liable for all costs arising from the removal and disposal of the vessel from the waters of the State, or public property adjacent thereto.

(B) It is unlawful for a person to intentionally or recklessly cause a vessel to sink on the waters of the State. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than ten thousand dollars, imprisoned for not more than sixty days, or both. In addition, the person is liable for all costs arising from the removal and disposal of the vessel from the waters of the State. This subsection does not apply to a person who sinks a vessel pursuant to the department’s artificial reef program.

(C) Fines collected under this section must be used by the department for the removal and disposal of abandoned vessels, derelict vessels, and sunken vessels.

(D) The magistrate court is vested with jurisdiction for cases arising under this article.

Section 50-21-230. Notwithstanding Section 5-7-140(B), the corporate limits of a municipality bordering on the high-water mark of a navigable body of water are extended outward by one mile for the purpose of enforcing this article.

Section 50-21-240. (A) The department, or a local law enforcement agency with jurisdiction, upon locating a vessel that is wrecked or junked, must determine whether the vessel has a visible identifier.

(1) If the vessel has a visible identifier, then the department or local law enforcement agency must:

(a) post a derelict vessel notice that contains the information provided in subsection (B);

(b) take reasonable steps within twenty-four hours of the posting of the notice to identify the registered owner, and if identified, must provide written notice to the registered owner's last known address, and notice by telephone or e-mail, if known to the department. The notice must include, but is not limited to, the information provided on the derelict vessel notice and a brief description of the vessel's location; and

(c) submit a derelict vessel report within twenty-four hours of the posting of the notice using the application or website maintained by the Department of Environmental Services under Section 50-21-290.

(2) If the vessel does not have a visible identifier, then the department or local law enforcement agency must:

(a) post an abandoned vessel notice that contains the information provided in subsection (C); and

(b) submit an abandoned vessel report within twenty-four hours of the posting of the notice using the application or website maintained by the Department of Environmental Services under Section 50-21-290.

(B) A derelict vessel notice posted in accordance with this section must provide at least:

(1) a citation to this article;

(2) the date the notice is posted;

(3) a statement that the vessel must be removed within twenty-one days from the date the notice is posted, or it will be declared a derelict vessel and be subject to removal and disposal by any person; and

(4) the date the vessel will be declared a derelict vessel.

(C) An abandoned vessel notice posted in accordance with this section must provide at least:

(1) a citation to this article;

(2) the date the notice is posted;

(3) a statement that the vessel must be removed within ten days from the date the notice is posted, or it will be declared an abandoned vessel and be subject to removal and disposal by any person; and

(4) the date the vessel will be declared an abandoned vessel.

(D) A vessel that is listing or taking on water at the time a notice is to be posted on the vessel may be relocated by the department or a local law enforcement agency without liability to a responsible party.

Section 50-21-250. The department, or a local law enforcement agency with jurisdiction, must remove a derelict vessel notice if within fourteen days of the posting of the notice a responsible party provides a bona fide plan of removal to the department. If the vessel remains wrecked or junked thirty days from the date the notice was posted, then another derelict vessel notice must be posted on the vessel, and no additional bona fide plan of removal may be submitted.

Section 50-21-260. (A) An abandoned vessel or a derelict vessel is subject to removal at any time by any person without liability to a responsible party. A person who removes and disposes of an abandoned vessel or a derelict vessel may commence a civil action against a responsible party within three years of the removal and disposal to recover:

- (1) the cost of the removal and disposal; and
- (2) the attorney's fees and court costs incurred in bringing the action.

(B) The civil action provided in this section is in addition to and supplemental of any rights of salvage that may be available under maritime law.

Section 50-21-270. (A) A sunken vessel in the waters of the State must be removed by a responsible party:

- (1) before the date the vessel will be declared a derelict vessel or an abandoned vessel, as appropriate, if the vessel received an abandoned vessel notice or a derelict vessel notice prior to sinking; or

- (2) within twenty-one days of the day the vessel sunk, or within forty-five days if a bona fide plan of removal is provided to the department within twenty-one days of the day the vessel sunk, if the vessel did not receive an abandoned vessel notice or a derelict vessel notice prior to sinking.

(B) A sunken vessel that remains in the waters of the State after the applicable time period for its removal by a responsible party expires is subject to removal at any time by any person without liability to a responsible party. A person who removes and disposes of a sunken vessel after the expiration of the applicable time period may commence a civil action against a responsible party within three years of the removal and disposal to recover:

- (1) the cost of the removal and disposal; and
- (2) the attorney's fees and court costs incurred in bringing the action.

(C) The civil action provided in this section is in addition to and

supplemental of any rights of salvage that may be available under maritime law.

(D) The provisions of this section do not apply to a vessel that is submerged archaeological historic property, as defined in Section 54-7-620.

Section 50-21-290. The Department of Environmental Services, in cooperation with the department, must develop and maintain an application and website for law enforcement and the public to report vessels that are wrecked, junked, or that have sunk.

Repeal

SECTION 2. Sections 50-21-190 and 50-23-205 of the S.C. Code are repealed.

Repeal

SECTION 3. Section 50-21-10(1), providing for the definition of "abandon," is repealed.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 23

(R39, S425)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-795 SO AS TO PROVIDE EACH PUBLIC SCHOOL DISTRICT ANNUALLY SHALL IDENTIFY THE NUMBER OF ITS STUDENTS WHO LIVE IN POVERTY AND INCREASE ACCESS TO FREE SCHOOL

BREAKFASTS AND LUNCHES FOR THESE STUDENTS, TO PROVIDE CRITERIA FOR DETERMINING ELIGIBILITY, TO PROVIDE RELATED REQUIREMENTS OF SCHOOL DISTRICTS, SCHOOLS, AND SCHOOL BOARDS, AND TO PROVIDE THE REQUIREMENTS OF THIS ACT SHALL BE SUSPENDED IF CERTAIN FEDERAL FUNDING IS SUSPENDED OR DISCONTINUED.

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

Expanded access, school district requirements, suspension mechanism

SECTION 1. Article 7, Chapter 63, Title 59 of the S.C. Code is amended by adding:

Section 59-63-795. (A) Each public school district annually shall identify the number of its students who live in poverty and increase access to free school breakfasts and lunches for these students. This number must be obtained from the annual State Aide to Classrooms formulation in the annual state budget. For purposes of this section, "students in poverty" means students who:

- (1) qualify for Medicaid benefits;
- (2) qualify for the Supplemental Nutrition Assistance Program (SNAP) benefits;
- (3) qualify for Temporary Assistance for Needy Families (TANF) benefits; or
- (4) are homeless, transient, or in foster care.

(B) The local board of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school breakfasts and lunches served, pursuant to the Community Eligibility Provision (CEP) in Section 1759(a) of Title 42 of the United States Code, shall adopt a resolution indicating its degree of participation, if any, in CEP. If a district is unable to participate in CEP because participation would cause a financial hardship, its board shall adopt a resolution stating that it is unable to participate in CEP and demonstrate the financial hardship. The resolution must be published on a public meeting agenda concurrently with the proposed district budget as an action item. A majority of the board members is required to approve any resolution under this subsection. The requirements of this subsection shall be suspended if CEP is suspended or discontinued by federal action.

(C) A district shall ensure that the parents or guardians of students eligible for free and reduced lunch receive the necessary applications and instructions and, upon request, are provided with assistance in completing the paperwork. If a student is unable to pay for a meal or accrues meal debt, the student's district or school may not publicly identify or penalize the student in any way including, but not limited to, denying meals, serving alternative meals, discarding meals after serving them to the student, requiring chores or work in exchange for meals, prohibiting participation in extracurricular activities, denying participation in graduation, withholding diplomas, or refusing transcript requests. Communications from the district or school regarding any meal debt owed only may be directed to the parent or guardian of the student and may be sent home through the student.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 24

(R42, H3333)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS; AND BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR REDEVELOPMENT PROJECTS BY MUNICIPALITY, SO AS TO PROVIDE WHEN CERTAIN OBLIGATIONS MUST BE ISSUED.

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

Redevelopment projects

SECTION 1. Section 31-12-30(6) of the S.C. Code is amended to read:

(6) “Redevelopment project” means buildings, improvements, including street improvements, water, sewer and storm drainage facilities, parking facilities, and recreational facilities. A project or undertaking authorized under Section 6-21-50 also may qualify as a redevelopment project under this chapter. All such projects may be owned by the authority, the municipality, the county, or other appropriate public body. This term includes portions of the redevelopment project located outside the redevelopment project area so long as they provide needed infrastructure support for the redevelopment project area or the municipality makes specific findings of benefit to the redevelopment project area. A redevelopment project for purposes of this chapter also includes affordable housing projects where all or a part of new property tax revenues generated in the tax increment financing district are used to provide or support publicly and privately owned affordable housing in the district or is used to provide infrastructure projects to support publicly and privately owned affordable housing in the district. The term “affordable housing” as used herein means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed eighty percent of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD).

Obligations

SECTION 2. Section 31-12-210(F) of the S.C. Code is amended to read:

(F) The obligations must be issued not later than thirty-five years after the adoption of an ordinance by the municipality pursuant to Section 31-12-280 concurring in an authority’s redevelopment plan.

Time effective

SECTION 3. This act takes effect July 1, 2025.

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 25

(R43, H3432)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-6-20, RELATING TO NONVESTED PROPERTY INTEREST OR POWER OF APPOINTMENT, SO AS TO INCREASE THE TIME AN INTEREST CAN VEST FROM NINETY YEARS TO THREE HUNDRED SIXTY YEARS; BY AMENDING SECTION 27-6-40, RELATING TO REFORMATION OF PROPERTY DISPOSITIONS, SO AS TO INCREASE THE TIME LIMIT FROM NINETY YEARS TO THREE HUNDRED SIXTY YEARS; BY AMENDING SECTION 62-7-504, RELATING TO DISCRETIONARY TRUSTS, SO AS TO PROVIDE CERTAIN SITUATIONS IN WHICH A BENEFICIARY OF A TRUST MAY NOT BE CONSIDERED A SETTLOR; BY AMENDING SECTION 62-7-505, RELATING TO CREDITORS' CLAIMS AGAINST A SETTLOR, SO AS TO PROVIDE THAT CERTAIN AMOUNTS PAID TO TAXING AUTHORITIES MAY NOT BE CONSIDERED AN AMOUNT THAT MAY BE DISTRIBUTED FOR THE SETTLOR'S BENEFIT; AND BY ADDING SECTION 62-7-508 SO AS TO PROVIDE FOR CERTAIN GRANTOR TRUST REIMBURSEMENTS.

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

Nonvested property interests

SECTION 1. Section 27-6-20 of the S.C. Code is amended to read:

Section 27-6-20. (A) A nonvested property interest is invalid unless:

(1) when the interest is created, it is certain to vest or terminate no later than twenty-one years after the death of an individual then alive; or

(2) the interest either vests or terminates within three hundred sixty years after its creation.

(B) A general power of appointment not presently exercisable because of a condition precedent is invalid unless:

(1) when the power is created, the condition precedent is certain to be satisfied or become impossible to satisfy no later than twenty-one years after the death of an individual then alive; or

(2) the condition precedent either is satisfied or becomes impossible to satisfy within three hundred sixty years after its creation.

(C) A nongeneral power of appointment or a general testamentary power of appointment is invalid unless:

(1) when the power is created, it is certain to be irrevocably exercised or to terminate no later than twenty-one years after the death of an individual then alive; or

(2) the power is irrevocably exercised or terminates within three hundred sixty years after its creation.

(D) In determining whether a nonvested property interest or a power of appointment is valid under subsection (A)(1), (B)(1), or (C)(1), the possibility that a child will be born to an individual after the individual's death is disregarded.

(E) If, in measuring a period from the creation of a trust or other property arrangement, language in a governing instrument seeks to disallow the vesting or termination of any interest or trust beyond, seeks to postpone the vesting or termination of any interest or trust until, or seeks to operate in effect in any similar fashion upon, the later of: (1) the expiration of a period of time not exceeding twenty-one years after the death of a specified life or the survivor of specified lives, or upon the death of a specified life or the death of the survivor of specified lives in being at the creation of the trust or other property arrangement or (2) the expiration of a period of time that exceeds or might exceed twenty-one years after the death of the survivor of lives in being at the creation of the trust or other property arrangement, that language is inoperative to the extent it produces a period of time that exceeds twenty-one years after the death of the survivor of the specified lives.

Reformation of property dispositions

SECTION 2. Section 27-6-40 of the S.C. Code is amended to read:

Section 27-6-40. Upon the petition of an interested person, a court shall reform a disposition in the manner that most closely approximates the transferor's manifested plan of distribution and is within the three hundred sixty years permitted by this chapter if:

(1) a nonvested property interest or a power of appointment becomes invalid under Section 27-6-20;

(2) a class gift is not but may become invalid under Section 27-6-20 and the time has arrived when the share of any class member is to take effect in possession or enjoyment; or

(3) a nonvested property interest that is not validated by Section 27-6-20(A)(1) can vest but not within three hundred sixty years after its creation.

Discretionary trusts

SECTION 3. Section 62-7-504 of the S.C. Code is amended by adding:

(g) With respect to an irrevocable trust, whether created on, before, or after January 1, 2025, a beneficiary of a trust may not be considered to be a settlor, to have made a voluntary or involuntary transfer of the beneficiary's interest in the trust, or to have the power to make a voluntary or involuntary transfer of the beneficiary's interest in the trust merely because the beneficiary, in any capacity, holds or exercises a testamentary power of appointment.

Spendthrift provisions

SECTION 4. Section 62-7-505 of the S.C. Code is amended to read:

Section 62-7-505. (a) Whether or not the terms of a trust contain a spendthrift provision, the following rules apply:

(1) During the lifetime of the settlor, the property of a revocable trust is subject to claims of the settlor's creditors.

(2) With respect to an irrevocable trust, whether created on, before, or after January 1, 2025:

(A) except as otherwise provided in this section, a creditor or assignee of the settlor may reach the maximum amount that can be distributed to or for the settlor's benefit. If a trust has more than one settlor, the amount the creditor or assignee of a particular settlor may

reach may not exceed the settlor's interest in the portion of the trust attributable to that settlor's contribution; and

(B) notwithstanding subitem (A), the trustee's discretionary authority to pay directly to the taxing authorities or to reimburse the settlor for any tax on trust income or trust principal that is payable by the settlor under the law imposing the tax may not be considered to be an amount that can be distributed to or for the settlor's benefit.

(3) After the death of a settlor, and subject to the settlor's right to direct the source from which liabilities will be paid, and except to the extent state or federal law exempts any property of the trust from claims, costs, expenses, or allowances, the property held in a revocable trust at the time of the settlor's death is subject to claims of the settlor's creditors, costs of administration of the settlor's estate, the expenses of the settlor's funeral and disposal of remains, and statutory allowances to a surviving spouse and children to the extent the settlor's probate estate is inadequate to satisfy those claims, costs, expenses, and allowances, unless barred by Section 62-3-801, et seq.

(b) For purposes of this section:

(1) a beneficiary who is a trustee of a trust, but who is not the settlor of the trust, cannot be treated in the same manner as the settlor of a revocable trust if the beneficiary-trustee's power to make distributions to the beneficiary-trustee is limited by an ascertainable standard related to the beneficiary-trustee's health, education, maintenance, and support;

(2) the assets in a trust that are attributable to a contribution to an inter vivos marital deduction trust described in either Section 2523(e) or (f) of the Internal Revenue Code of 1986, after the death of the spouse of the settlor of the inter vivos marital deduction trust are deemed to have been contributed by the settlor's spouse and not by the settlor;

(3) that portion of a trust, whether created on, before, or after January 1, 2025, that can be distributed to or for the settlor's benefit solely because the settlor's interest in the trust was created by the settlor's spouse or by any third party, whether through the exercise of a power of appointment or otherwise is considered to have been contributed to the trust by the person exercising the power of appointment or otherwise creating the interest and not by the settlor.

Grantor trust reimbursements

SECTION 5. Chapter 7, Title 62 of the S.C. Code is amended by adding:

Section 62-7-508. (A)(1) Except as otherwise provided under the

terms of a trust, if all or any portion of the trust is treated as being owned by a person under Section 671 of the Internal Revenue Code or any similar federal, state, or other tax law, the trustee of such trust may, in the trustee's sole discretion, reimburse the person being treated as the owner for any amount of the person's personal federal, state, or other income tax liability which is attributable to the inclusion of the trust's income, capital gains, deductions, or credits in the calculation of the person's taxable income. In the trustee's sole discretion, the trustee may pay such tax reimbursement amount, determined without regard to any other distribution or payment made from trust assets, to the person directly or to the appropriate taxing authority.

(2) A life insurance policy held in the trust, the cash value of any such policy, or the proceeds of any loan secured by an interest in the policy may not be used for such reimbursement or such payment if the person being treated of the owners of such trust is an insured of such policy.

(B) This section applies to all trusts that are governed by the laws of this State or that have a principal place of administration within this State, whether created on, before, or after January 1, 2025, unless:

(1) the trust contains a provision prohibiting the trustee from reimbursing the grantor or paying taxes on behalf of the grantor;

(2) the trustee provides written notification that the trustee intends to irrevocably elect out of the application of this section at least ninety days before the effective date of such election which notice period may be waived by the persons to whom notice is required to the person treated as the owner of all or a portion of the trust under Section 671 of the Internal Revenue Code or any similar federal, state, or other tax law and to all persons who have the ability to remove and replace the trustee; or

(3) applying this section would prevent a contribution to the trust from qualifying for, or would reduce, a federal tax benefit, including a federal tax exclusion or deduction, which was originally claimed or could have been claimed for the contribution, including:

(a) an exclusion under Sections 2503(b) or 2503(c) of the Internal Revenue Code;

(b) a marital deduction under Sections 2056, 2056A, or 2523 of the Internal Revenue Code;

(c) a charitable deduction under Sections 170(a), 642(c), 2055(a), or 2522(a) of the Internal Revenue Code; or

(d) direct skip treatment under Section 2642(c) of the Internal Revenue Code.

(C) A trustee may not exercise, or participate in the exercise of, the powers granted by this section with respect to any trust if any of the

following applies:

(1) the trustee is treated as the owner of all or part of such trust under Section 671 of the Internal Revenue Code or any similar federal, state, or other tax law;

(2) the trustee is a beneficiary of such trust; or

(3) the trustee is a related or subordinate party, as defined in Section 672(c) of the Internal Revenue Code, with respect to a person described in item (1) or (2) who is treated as the owner of all or part of such trust under Section 671 of the Internal Revenue Code or any similar federal, state, or other tax law or with respect to a beneficiary of such trust.

(D) If the terms of a trust require the trustee to act at the direction or with the consent of a trust advisor, a protector, or any other person, or that the decisions addressed in this section be made directly by a trust advisor, a protector, or any other person, the powers granted by this section to the trustee must instead or also be granted, as applicable under the terms of the trust, to the advisor, protector, or other person subject to the limitations set forth in subsection (C), which must be applied as if the advisor, protector, or other person were a trustee.

(E) A person may not be considered a beneficiary of a trust solely by reason of the application of this section, including for purposes of determining the elective share.

(F) The provisions of Section 62-7-109 regarding notices and the sending of documents to persons under this article apply for the purposes of notices and the sending of documents under this section.

Time effective

SECTION 6. This act takes effect upon approval by the Governor.

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 26

(R44, H3472)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF ESTATES TO FORTY-FIVE THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND SUMMARY ADMINISTRATIVE PROCEDURES, SO AS TO INCREASE THE LIMIT OF ESTATES TO FORTY-FIVE THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVES, SO AS TO INCREASE THE LIMIT OF ESTATES TO FORTY-FIVE THOUSAND DOLLARS; AND BY AMENDING SECTION 62-2-401, RELATING TO EXEMPT PROPERTIES, SO AS TO INCREASE THE LIMIT OF EXEMPT PROPERTIES TO FORTY-FIVE THOUSAND DOLLARS.

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

Collection of personal property by affidavit

SECTION 1. Section 62-3-1201 of the S.C. Code is amended to read:

Section 62-3-1201. (a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock, or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or the instrument evidencing the debt, obligation, stock, or chose in action to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor. Before this affidavit may be presented to collect the decedent's personal property, it must:

(1) state that the value of the entire probate estate (the decedent's property passing under the decedent's will plus the decedent's property passing by intestacy), wherever located, less liens and encumbrances, does not exceed forty-five thousand dollars;

(2) state that thirty days have elapsed since the death of the decedent;

(3) state that no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction;

(4) state that the claiming successor, which for the purposes of this section includes a person who remitted payment for reasonable funeral expenses, is entitled to payment or delivery of the property;

(5) be approved and countersigned by the probate judge of the county of the decedent's domicile at the time of his death, or if the decedent was not domiciled in this State, in the county in which the property of the decedent is located, and only upon the judge's satisfaction that the successor is entitled to payment or delivery of the property; and

(6) be filed in the probate court for the county of the decedent's domicile at the time of his death, or, if the decedent was not domiciled in this State, in the county in which property of the decedent is located.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (a).

Small estates, summary administrative procedure

SECTION 2. Section 62-3-1203 of the S.C. Code is amended to read:

Section 62-3-1203. (a) If it appears from the inventory and appraisal that the value of the entire probate estate (the decedent's property passing under the decedent's will plus the decedent's property passing by intestacy), less liens and encumbrances, does not exceed forty-five thousand dollars and exempt property, costs and expenses of administration, reasonable funeral expenses, and reasonable and necessary medical and hospital expenses of the last illness of the decedent, the personal representative, after publishing notice to creditors pursuant to Section 62-3-801, but without giving additional notice to creditors, may immediately disburse and distribute the estate to the persons entitled thereto and file a closing statement as provided in Section 62-3-1204.

(b) If it appears from an appointment proceeding that (1) the appointed personal representative, individually or in the capacity of a fiduciary, is either the sole devisee under the probated will of a testate decedent or the sole heir of an intestate decedent, or (2) the appointed personal representatives, individually or in their capacity as a fiduciary, are the sole devisees under the probated will of a testate decedent or the sole

heirs of an intestate decedent, the personal representative, after publishing notice to creditors as under Section 62-3-801, but without giving additional notice to creditors may immediately disburse and distribute the estate to the persons entitled thereto and file a closing statement as provided in Section 62-3-1204.

Small estates, closing by sworn statement of personal representative

SECTION 3. Section 62-3-1204 of the S.C. Code is amended to read:

Section 62-3-1204. (a) Unless prohibited by order of the court and except for estates being administered under Part 5 (Sections 62-3-501 et seq.), after filing an inventory with the court, and paying any court fees due, the personal representative may close an estate administered under the summary procedures of Section 62-3-1203 by filing with the court, at any time after disbursement and distribution of the estate, a verified statement stating that:

(1) either

(i) to the best knowledge of the personal representative, the value of the entire probate estate (the decedent's property passing under the decedent's will plus the decedent's property passing by intestacy), less liens and encumbrances, did not exceed forty-five thousand dollars and exempt property, costs, and expenses of administration, reasonable funeral expenses, and reasonable and necessary medical and hospital expenses of the last illness of the decedent; or

(ii) the estate qualifies for summary administration according to the provisions of subsection (b) of Section 62-3-1203;

(2) the personal representative has fully administered the estate by disbursing and distributing it to the persons entitled thereto;

(3) the personal representative has sent a copy of the closing statement to all distributees of the estate and to all creditors or other claimants of whom the personal representative is aware and whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected.

(b) If no unresolved claims, actions or proceedings involving the personal representative are pending in any court one year after the date of the decedent's death, the appointment of the personal representative terminates.

Exempt property

SECTION 4. Section 62-2-401 of the S.C. Code is amended to read:

Section 62-2-401. The surviving spouse of a decedent who was domiciled in this State is entitled from the estate to a value not exceeding forty-five thousand dollars in excess of any security interests therein in household furniture, automobiles, furnishings, appliances, and personal effects. If there is no surviving spouse, minor or dependent children of the decedent are entitled jointly to the same value. If encumbered chattels are selected and if the value in excess of security interests, plus that of other exempt property, is less than forty-five thousand dollars, or if there is not forty-five thousand dollars worth of exempt property in the estate, the spouse or children are entitled to other assets of the estate, if any, to the extent necessary to make up the forty-five thousand dollar value. Rights to exempt property and assets needed to make up a deficiency of exempt property have priority over all claims against the estate except claims described in Section 62-3-805(a)(1). These rights are in addition to any right of homestead and personal property exemption otherwise granted by law but are chargeable against and not in addition to any benefit or share passing to the surviving spouse or children by the will of the decedent unless otherwise provided, by intestate succession, or by the elective share. Any surviving spouse or minor or dependent children of the decedent who fails to survive the decedent by one hundred twenty hours is deemed to have predeceased the decedent for purposes of this section.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 27

(R45, H3947)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-57-340, RELATING TO BIENNIAL CONTINUING EDUCATION REQUIREMENTS FOR LICENSURE RENEWAL BY THE REAL ESTATE COMMISSION, SO AS TO PROVIDE NONRESIDENT BROKERS AND NONRESIDENT ASSOCIATES WHO SUCCESSFULLY SATISFY CONTINUING EDUCATION REQUIREMENTS OF THEIR JURISDICTION OF RESIDENCE MAY BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS OF THIS STATE WITH APPROVAL OF THE COMMISSION; AND BY ADDING SECTION 40-57-345 SO AS TO PROVIDE CERTAIN LICENSEES WITH AN EXPIRED LICENSE MAY APPLY FOR LICENSE RENEWAL IF THEY WERE IN GOOD STANDING, WERE LICENSED IN THIS STATE FOR AT LEAST TWENTY-FIVE YEARS, AND WERE AT LEAST SIXTY-FIVE YEARS OF AGE AT THE TIME OF EXPIRATION, TO PROVIDE SUCH APPLICANTS FOR RENEWAL MUST PAY A RENEWAL FEE, AND TO EXEMPT LICENSEES MEETING THESE REQUIREMENTS FROM CONTINUING EDUCATION REQUIREMENTS.

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

Continuing education requirements for nonresident brokers and associates

SECTION 1. Section 40-57-340(B)(1) of the S.C. Code is amended to read:

(1) Exempt from the biennial continuing education required by subsection (A) are:

(a) an associate who successfully completes a post-licensing course or takes a broker course is exempt for the renewal period during which the course was taken;

(b) a licensee while on inactive status;

(c) a broker or associate with twenty-five years or more of licensure in South Carolina who is sixty-five years of age or more may apply for an age and experience-based full continuing education waiver,

and upon granting of the waiver, is exempt from the continuing education requirements of this chapter;

(d) a broker or associate with a minimum of twenty-five years of licensure in South Carolina who may apply to be granted an experience-based partial continuing education waiver, and upon granting of the waiver, is required to complete only a mandatory four-hour core course biennially to maintain active licensure; or

(e) a nonresident broker or a nonresident associate who has successfully satisfied the continuing education requirements of their jurisdiction of residence may be exempt with approval of the commission.

Expired license renewals, fees, continuing education exemption

SECTION 2. Chapter 57, Title 40 of the S.C. Code is amended by adding:

Section 40-57-345. An individual with an expired license who, at the time of expiration, was in good standing, has twenty-five years or more of licensure in South Carolina, and who is sixty-five years of age, may apply to the Real Estate Commission for a renewal of the expired license. The applicant must pay the renewal fee as provided by law. Upon renewal, the licensee is exempt from continuing education requirements as provided by law.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 28

(R46, S77)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVESTREAM OR ALTERNATE ELECTRONIC MEANS TRANSMISSION OF SUCH MEETINGS, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO REQUIRE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JANUARY 1, 2026.

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

School board meeting livestream mandate, policies, funding

SECTION 1. Chapter 19, Title 59 of the S.C. Code is amended by adding:

Section 59-19-85. (A) Each public school governing body, including the governing bodies of charter schools and special schools, must make reasonable efforts to ensure the entirety of all meetings subject to the provisions of the South Carolina Freedom of Information Act are open and accessible to the public and also available by means of live video and audio electronic access, hereafter referred to as livestream access, except during a lawful executive session.

(B) If a governing body cannot provide such livestream access to the public despite making reasonable efforts to restore livestream access during the meeting, it must make a clear audio and video recording of the meeting in its entirety available on its website as soon as practicable and in no more than seven days after the meeting.

(C) The State Board of Education shall adopt, and revise as necessary, a model livestream meeting policy suitable for governing bodies of public schools, including charter and special schools, to comply with provisions in this section. The policy must include, at a minimum:

(1) resources, recommendations, and best practices facilitating requirements for all portions of livestreamed meetings to be visible and audible in real time and subsequently posted on applicable websites no more than two business days of the meeting;

(2) suggested approaches for developing and implementing ability and expanding or improving existing livestream capacity;

(3) publicizing availability of livestreamed meetings;

(4) allowances for executive sessions;

(5) penalties for policy violations or noncompliance not to exceed one percent of state funds to the district, charter school, or special school, with escalating tiers based on frequency, duration, and severity; and

(6) the process for allowing a governing body with evidence of limited or no broadband access to request approval from the State Board of Education for up to an additional twelve months to comply with provisions in this section.

(D)(1) Each public school governing body, including the governing bodies of charter schools and special schools, shall adopt a local policy applicable to its meetings within three months after adoption of the model policy by the State Board of Education. A local policy must include, at a minimum, the State Board of Education model policy.

(2) If the State Board of Education adopts a revision to the model policy, then the public school governing body shall adopt and incorporate the revision into its local policy within three months after the adoption of the revision by the State Board of Education.

(3) A public school governing body only may adopt or revise its local policy at a regularly scheduled meeting, which must be successfully livestreamed.

(4) A public school governing body may not adopt or follow a livestream policy that prevents or impedes in-person participation by the public.

(5) Within thirty days after adoption of a local policy or revision to the policy, a public school governing body shall submit a copy of the policy or revision to the State Superintendent of Education for State Board of Education approval.

(E) Funding by the State will be provided to those school districts without streaming capabilities as of the beginning of the 2024-2025 school year.

Implementation deadline

SECTION 2. The provisions of this act must be implemented by January 1, 2026.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 29

(R47, S78)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL AWARD YEARS OF EXPERIENCE CREDIT FOR CERTAIN RELEVANT NON-TEACHING OCCUPATIONAL EXPERIENCE TO CERTIFICATES OF EDUCATORS WHO SATISFY CERTAIN REQUIREMENTS, AND TO PROVIDE SUCH EXPERIENCE CREDIT MAY BE AWARDED SOLELY FOR THE PURPOSE OF ADVANCEMENT ON THE TEACHER SALARY SCHEDULE, TO PROVIDE OTHER EXISTING CERTIFICATION REQUIREMENTS REMAIN UNCHANGED BY THIS ACT; AND TO PROVIDE DIRECTIVES TO THE STATE DEPARTMENT OF EDUCATION CONCERNING THE IMPLEMENTATION OF THIS ACT.

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

Non-teaching occupational experience credit, requirements, eligibility, scope limitations

SECTION 1. Chapter 25, Title 59 of the S.C. Code is amended by adding:

Section 59-25-60. (A) When reviewing an application by an individual for an educator certificate, the State Department of Education shall award years of experience on the educator certificate for

non-teaching occupational experience in, or related to, the content field of the certificate for which the individual qualifies. One year of experience credit may be awarded for every two years of full-time relevant occupational experience completed by the individual. Years of experience shall be awarded solely for the purpose of advancement on the teacher salary schedule. Except for individuals seeking work-based certification, educator experience credit and relevant occupational experience eligible for educator experience credit must have been earned after the conferral of a bachelor's degree from a college or university meeting State Board of Education accreditation requirements. To be eligible for years of experience on the educator certificate, the individual must complete and submit a verification of relevant occupational experience form developed by the State Department of Education with the application for an educator certificate.

(B) Individuals who entered the teaching profession prior to July 1, 2025, with non-teaching occupational experience in, or related to, the content field of their teaching certificate may complete and submit the verification of relevant occupational experience form to the State Department of Education to have additional years of experience added to their certificate for the purposes of advancing on the teacher salary schedule. If additional years of experience are awarded, the eligible individual is entitled to have his pay adjusted at the beginning of the next school year, from the effective date of the adjustment, to reflect the new experience step on the employing district's salary schedule. However, the individual is not entitled to retroactive pay for the increased years of experience during prior years of teaching or for any purpose other than advancement on the teacher salary schedule.

(C) Nothing in this section alters any existing requirements for receiving an educator certificate. Individuals with the occupational experience identified in subsection (A) must still meet all other existing requirements in order to receive an educator certificate.

(D) Nothing in this section shall be interpreted as allowing additional years of experience to be awarded for purposes other than advancement on the teacher salary schedule. Years of experience awarded pursuant to this section for relevant occupational experience are not considered service credit for the purposes of the state retirement or state health plans administered by PEBA.

State Department of Education directive

SECTION 2. The State Department of Education shall not add a full-time equivalent (FTE) position or partial FTE to evaluate and

process certification requests as required to implement the provisions of this act.

State Department of Education directive

SECTION 3. The State Department of Education shall develop guidelines for purposes of implementation of this act and make available the non-teaching occupational experience verification form described in this act no later than one hundred eighty days after the approval by the Governor.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 30

(R48, S79)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-18-1115 SO AS TO ESTABLISH A FIVE-YEAR PILOT PROGRAM TO PERMIT PUBLIC SCHOOL DISTRICTS TO HIRE NONCERTIFIED TEACHERS IN A RATIO UP TO TEN PERCENT OF THE ENTIRE TEACHING STAFF OF THE DISTRICT, AND TO PROVIDE RELATED PARTICIPATION AND IMPLEMENTATION REQUIREMENTS, AMONG OTHER THINGS; AND BY ADDING SECTION 23-3-90 SO AS TO PROVIDE REQUIREMENTS FOR STATE AGENCY REQUESTS OF CRIMINAL HISTORY RECORD CHECKS.

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

Noncertified Teacher Pilot Program, requirements, duration, implementation

SECTION 1. Chapter 18, Title 59 of the S.C. Code is amended by adding:

Section 59-18-1115. (A) The Department of Education is directed to establish a five-year pilot program by May 1, 2025, that will permit a school to hire noncertified teachers in a ratio of up to ten percent of its entire teaching staff. This pilot does not include individuals seeking employment as work-based, career, and technical education teachers. The State Board of Education, through the Department of Education, shall approve guidelines that at a minimum include the following:

- (1) the requirement that a noncertified teacher must possess a suitable baccalaureate or graduate degree for the position he is hired to teach and must have at least five years of relevant workplace experience;
- (2) procedures for requiring noncertified teachers to participate in the evaluation process pursuant to Section 59-26-30(B)(4) and (5);
- (3) initial and ongoing training and support requirements; and
- (4) the requirement that a noncertified teacher must demonstrate enrollment in an educator certification program within three years of employment, including any state-approved alternative or traditional route program.

(B) Participation in the pilot program is optional, and the decision to participate rests solely with the Department of Education and the school principal, upon approval of the district superintendent. Participating schools and districts are encouraged to collaborate on recruitment, training, and implementation of the pilot program and to assist the Department of Education with establishing best practices.

(C) The Department of Education shall establish a separate code in the professional coding system to capture noncertified teachers and shall continue to report this information on school report cards.

(D) Beginning November 1, 2026, the Department of Education shall submit an annual report that includes recommendations for improving, expanding, or continuing the pilot program to the General Assembly. The annual status report submitted by November 1, 2029, shall include a recommendation regarding continuance of the program beyond June 30, 2030.

(E)(1) The Department of Education shall establish procedures for the registration, clearance, and approval of all noncertified teachers working in any public school pursuant to this section. Teachers shall submit the required documentation and fees to the Department of Education, which

shall include, but are not limited to:

- (a) a completed registration form;
- (b) any associated fee; and
- (c) transcripts, which shall be subject to review.

(2) An individual applying for registration as a noncertified teacher must undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division, and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal record checks must be reported to the Department of Education. The South Carolina Law Enforcement Division and the Federal Bureau of Investigation are authorized to retain the fingerprints for identification and certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The Department of Education shall keep information received pursuant to this section confidential, except that such information may be disclosed to the State Board of Education as may be necessary. The results of these criminal record checks must not be shared outside the department.

(3) An individual whose South Carolina educator certificate has been suspended or revoked shall not be employed as a noncertified teacher during the term of suspension or revocation. If a noncertified teacher is dismissed, resigns, or is otherwise separated from employment with a district following allegations of misconduct, the district superintendent shall report to the Chair of the State Board of Education and the State Superintendent of Education the educator's name and registration information. Upon a finding of just cause as defined in Section 59-25-160, the State Board of Education is authorized to revoke the noncertified teacher's registration.

(F) The Department of Education shall not add a full-time equivalent (FTE) position or partial FTE position to implement the provisions of this section.

State agency criminal history record check requests

SECTION 2. Chapter 3, Title 23 of the S.C. Code is amended by adding:

Section 23-3-90. (A) Notwithstanding any other provision of law, this section governs the authorizations and procedures that apply when an agency in this State is authorized by statute to request state and federal criminal history record checks to be conducted by the State Law

Enforcement Division (SLED) and the Federal Bureau of Investigations (FBI), supported by fingerprints.

(B) SLED is authorized to retain these fingerprints and to provide notification to authorized recipients of any criminal history record changes. Retained fingerprints may be searched by future submissions to SLED, including latent fingerprint searches, and appropriate responses may be sent to authorized recipients.

(C) SLED, upon the request of an authorized recipient, may submit fingerprints collected to the FBI's Next Generation Identification (NGI) system and the FBI is authorized to retain these fingerprints within the NGI system. Retained fingerprints may be searched by future submissions to the NGI system, including latent fingerprint searches, and appropriate responses may be sent to SLED and authorized recipients.

(D) The results of these criminal history record checks and notifications must only be reported to SLED and authorized recipients and cannot be further disseminated.

(E) SLED may charge a reasonable fee for the collection and retention of fingerprints. SLED may charge an additional reasonable fee to agencies who elect to receive notifications from the NGI system.

(F) The following definitions apply to this section:

(1) "Agency" means offices, departments, bureaus, and other subdivisions associated with a particular government agency's organizational structure.

(2) "Authorized recipients" means the agency authorized to receive criminal history record information (CHRI) by a statute that has been approved by the FBI pursuant to Pub. L. 92-544 or any other applicable federal law.

Construction of act

SECTION 3. Nothing contained in this section may be construed to repeal, replace, or preclude application of any other statute.

Time effective, Pilot Program expiration

SECTION 4. This act takes effect upon approval by the Governor. SECTION 1 of this bill shall remain in effect until June 30, 2030, unless extended by the General Assembly.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 31

(R49, S89)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO REVISE THE COUNCIL'S MISSION, TO INCREASE THE MEMBERSHIP ON THE COUNCIL, TO MANDATE THAT THE COUNCIL MEETS AT LEAST ONE TIME EACH CALENDAR YEAR, AND TO MAKE CONFORMING CHANGES.

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

Military Affairs Advisory Council

SECTION 1. Section 25-11-100 of the S.C. Code is amended to read:

Section 25-11-100. (A) There is hereby established the South Carolina Military Affairs Advisory Council for the purpose of sustaining and expanding the military presence in South Carolina. The council shall coordinate with military communities to support mission readiness for installations and improve the quality of life for service members and their families. The council shall coordinate efforts among the public and the private sectors to maintain the significant presence of the United States Department of Defense and the United States Department of Homeland Security in South Carolina. The council shall advise the secretary, Governor, and the General Assembly on any issues and strategies related to military base closures, realignments, and mission changes.

(B)(1) The council shall be comprised of the following members or their designees:

- (a) South Carolina Adjutant General;
 - (b) Secretary of the South Carolina Department of Commerce;
 - (c) Executive Director of the South Carolina Chamber of Commerce;
 - (d) Chief Executive Officer of the Aiken Chamber of Commerce;
 - (e) Chief Executive Officer of the Beaufort Chamber of Commerce;
 - (f) Chief Executive Officer of the Charleston Metro Chamber of Commerce;
 - (g) Chief Executive Officer of the Columbia Chamber of Commerce;
 - (h) Chief Executive Officer of the Sumter Chamber of Commerce;
 - (i) Chairperson of the Aiken County Council;
 - (j) Chairperson of the Beaufort County Council;
 - (k) Chairperson of the Berkeley County Council;
 - (l) Chairperson of the Dorchester County Council;
 - (m) Chairperson of the Charleston County Council;
 - (n) Chairperson of the Richland County Council;
 - (o) Chairperson of the Sumter County Council;
 - (p) Chairperson of the Edgefield County Council;
 - (q) Mayor of North Augusta;
 - (r) Mayor of Beaufort;
 - (s) Mayor of Charleston;
 - (t) Mayor of Columbia;
 - (u) Mayor of North Charleston;
 - (v) Mayor of Port Royal;
 - (w) Mayor of Sumter;
 - (x) one or more members of the Senate or the House of Representatives appointed by the Governor; and
 - (y) six at-large members appointed by the Governor who have demonstrated experience in one or more of the following areas: economic development, defense industry, military installation operation, environmental issues, finance, local government, or senior military leadership, of whom:
 - (i) five shall represent, respectively, the five military counties of Aiken, Beaufort, Charleston, Richland, and Sumter, and each shall reside in the military county that he is appointed to represent; and
 - (ii) the sixth at-large member shall serve as the task force chairman.
- (2) The secretary may designate any one of the members of the council as its vice chairman.

(C) Staff support and other resources as necessary may be provided through funding by the General Assembly and/or other resources, which shall be administered by the department to assist the council in carrying out the directives of this section.

(D) The council's executive committee shall consist of the chairman; vice chairman, if any; Adjutant General, or his designee; Secretary of Commerce, or his designee; and the five at-large council members who represent the five military counties of Aiken, Beaufort, Charleston, Richland, and Sumter.

(E) The council executive committee shall also act as an executive advisory committee to the secretary and the General Assembly on various military matters that affect this State and shall coordinate an annual meeting between the secretary, Governor, military commanders, and General Assembly members geographically representing military communities to discuss items of interest to all parties and exchange pertinent information on the current climate and challenges facing our state's military installations and their personnel.

(F) Upon the approval of the secretary, the council may pursue specialists to provide information and assistance, develop strategic plans, and assist in executing strategies to support military installations and their related military communities to maximize the potential for increased investment by the United States Department of Defense or other defense-related federal agencies and defense-related businesses in this State.

(G) The council shall convene no less than once every calendar year at such times as requested by the council's chairperson, secretary, or the Governor.

(H) Members of the executive committee shall be recommended by the county legislative delegation to the Governor for consideration for appointment.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 32

(R50, S101)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-80-10, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA FIREFIGHTERS EMPLOYMENT AND REGISTRATION ACT, SO AS TO REVISE THE DEFINITION OF “FIRE DEPARTMENT”; BY AMENDING SECTION 40-80-40, RELATING TO FIREFIGHTER REGISTRATION REQUIREMENTS, SO AS TO MAKE A TECHNICAL CLARIFICATION; AND BY AMENDING SECTION 40-80-50, RELATING TO FIREFIGHTER REGISTRATION INFORMATION AND DOCUMENTATION REQUIREMENTS, SO AS TO DELETE THE REQUIREMENT THAT A DRIVER’S LICENSE REQUIRED FOR DOCUMENTATION MUST BE ISSUED BY THIS STATE.

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

Definitions

SECTION 1. Section 40-80-10(B) of the S.C. Code is amended to read:

(B) For purposes of this chapter:

(1) “Employer” means any fire department which puts an individual or employee in service as a firefighter or assigns any person to work or to official duties as a firefighter whether or not the firefighter receives financial compensation.

(2) “Employment date” means the date the fire chief certifies the firefighter has been added to the fire department’s roster as a recruit or is trained and prepared to perform firefighting duties.

(3) “Fire chief” means the highest ranking officer or official in charge of a fire department, whether or not called by some other title.

(4) “Fire department” means any legally organized fire department or fire service in this State that:

(a) engages in fire suppression and other related fire service activities;

(b) provides fire protection to a dedicated response district, other than their own property, and must be officially recognized, created, or chartered by a town, municipality, county, or the State;

(c) has a Public Protection Classification (PPC) rating through the Insurance Services Office (ISO). This rating may be as an individual department or in conjunction with neighboring districts;

(d) is dispatched by a 911 dispatch center or a local government-owned Public Safety Answering Point (PSAP). Effective no later than July 1, 2026, the fire department must be verified by the State Fire Marshal's Office and issued a valid South Carolina Fire Department (SCFD) number and is eligible for a National Emergency Response Information System (NERIS) number; and

(e) is registered and maintains a roster of its members with both the State Fire Marshal and the South Carolina State Firefighters' Association.

(5) "Firefighter" means any person, male or female, paid or unpaid, who engages in rescue, fire suppression, or related activities under the supervision of a fire chief or fire department.

(6) "Firefighting duties" means duties relating to rescue, fire suppression, public safety, and related activities as assigned by a fire chief.

Registration requirements

SECTION 2. Section 40-80-40(C) of the S.C. Code is amended to read:

(C) A firefighter who works for or serves more than one fire department must be registered by each fire department.

Registration information and documentation requirements

SECTION 3. Section 40-80-50 of the S.C. Code is amended to read:

Section 40-80-50. Upon recommendation of a fire chief or other employer, the Office of the State Fire Marshal must register each firefighter subject to the provisions of Sections 40-80-30 and 40-80-40. The Office of the State Fire Marshal must maintain as minimum information on each firefighter the complete name, the date of birth, the social security number, a valid driver's license number, the employer, and the date of employment or membership. The Office of the State Fire Marshal must notify the chief of the employing fire department or other employer of the registration. This notification may be transmitted electronically or in written form. The fire chief must utilize forms as required and provided by the Office of the State Fire Marshal.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 33

(R51, S171)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 75, TITLE 39 SO AS TO PROVIDE REQUIREMENTS FOR WASTE TIRE MANIFESTS AND RELATED PROVISIONS; BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 39 SO AS TO PROHIBIT THE INSTALLATION OF UNSAFE USED TIRES, AND RELATED PROVISIONS; BY AMENDING SECTION 44-96-170, RELATING TO WASTE TIRES, SO AS TO PROVIDE THAT A COUNTY MAY CHARGE UP TO FOUR HUNDRED DOLLARS AS A TIPPING FEE; BY AMENDING SECTION 44-96-170, RELATING TO WASTE TIRES, SO AS TO AMEND THE COLLECTION OF THE FEE TO INCLUDE USED TIRES, TO PROVIDE FOR THE APPLICATION OF THE WASTE TIRE FEE AND RELATED WASTE TIRE FUNDS, TO REMOVE THE REBATE PROVISIONS, AND TO PROVIDE FOR THE DEVELOPMENT OF A STATEWIDE MARKET INFRASTRUCTURE FOR TIRE-DERIVED PRODUCTS; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CONFORMING CHANGES.

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

Waste tire hauling and unsafe tires

SECTION 1. Chapter 75, Title 39 of the S.C. Code is amended by adding:

Article 3

Waste Tire Hauling

Section 39-75-100. For the purposes of this chapter:

(1) "Department" means the Department of Environmental Services.

(2) "Manifest" means a record that contains all information required by the department including, but not limited to, an accurate measurement of the number of tires being transported, the type or types of tires, the date the tires originated from or reached their destination, and the origin and intended final destination of the tires, in a format approved by the department.

(3) "Waste tire" has the same meaning as in Section 44-96-40(67).

(4) "Waste tire facility" means a waste tire collection, disposal, processing, or recycling facility as defined in Section 44-96-40(68), waste tire site as defined in Section 44-96-40(70), or a waste tire treatment site as defined in Section 44-96-40(71).

(5) "Waste tire generator" means any person whose action or process produces a waste tire.

(6)(a) "Waste tire hauler" means a person engaged in picking up or transporting fifteen or more waste tires at a time for the purpose of collection, storage, processing, or disposal at a waste tire facility. A waste tire hauler must comply with the manifest requirements contained in this article and display a decal as provided in Section 39-75-140.

(b) "Waste tire hauler" does not apply to a person hauling waste tires pursuant to a municipality's sanctioned tire clean-up event, to a county's waste tire clean-up enforcement efforts, as provided in Section 44-96-170(D), the South Carolina Department of Transportation, or to a person hauling regrooved or regroovable tires as provided in Article 1, Chapter 39 of this title.

Section 39-75-110. (A) A waste tire hauler transporting waste tires for handling, altering, storage, recycling, or disposal must complete a manifest and submit it to the department as provided in subsection (B)(2) of this section. The manifest must also be readily accessible in the transporting vehicle during transportation by paper copy or electronic means. The manifest shall be shown upon demand to any representative of the department or law enforcement.

(B)(1) For each load of waste tires, a waste tire hauler shall provide the completed manifest in a format approved by the department to the waste tire generator, or to the waste tire facility, at the time of transfer.

(2) A waste tire hauler must maintain a copy of each completed

manifest or the completed manifest information in a manner approved by the department for a period of time required by the department, and shall submit to the department a legible copy of each manifest or the manifest information, in a format required by the department including, but not limited to, an electronic format, no later than sixty days after the completed waste tire transfer on a schedule determined by the department. The manifest or manifest information submitted to the department shall contain the signed acknowledgment of the waste tire facility from or to which waste or used tires were transferred.

Section 39-75-120. (A) A waste tire generator or a waste tire facility that transfers or receives waste tires from a waste hauler that was transported with a manifest pursuant to this article shall maintain copies of the manifest or manifest information in a format required by the department, and any other information the department deems necessary to track the flow of waste tires through the State, for each load of waste tires transferred or received. This information must be retained for a period of three years and must be made available to the department for review at the department's request. The copy submitted to the department shall contain the approval of each transporter and the generator or facility operator.

(B) Each waste tire generator or facility that transfers waste tires to a waste tire hauler or that receives waste tires from a waste tire hauler that were transported with a manifest pursuant to this section shall check that the information on the manifest or in the manifest information recorded by the waste tire hauler is correct at the time of transfer in a manner required by the department.

Section 39-75-130. (A) The department shall develop and implement a system for auditing manifests submitted to the department pursuant to this article, for the purpose of enforcing this article. The department shall continuously conduct random sampling and matching of manifests submitted by any person generating waste, hauling waste, or operating waste tire facilities, to assure compliance with this section.

(B)(1) The department may require any waste tire generator, waste tire hauler, or operator of a waste tire facility who is subject to the manifest requirements of this section to record, maintain, and submit the required manifest information in an electronic format, in lieu of maintaining and submitting a paper copy of the manifest.

(2) A waste tire generator, waste tire hauler, or operator of a waste tire facility who is subject to this article may submit the electronic manifest reports to the department on a schedule determined by the

department.

Section 39-75-140. (A) A waste tire hauler must affix to its hauling vehicle a decal displaying the waste tire hauler's registration or identification number and the decal's expiration date. The decal must be conspicuously displayed on the rear of the vehicle. The decal shall be designed and issued by the department to the waste tire haulers upon approval of applications for registration or renewal as provided in regulation. The department may charge a fee to defray the cost of the decal.

(B) A waste tire hauler transferring waste tires with an expired decal shall be subject to a delinquency penalty fee to the department of:

- (1) if the waste tire hauler is delinquent less than fifteen days, ten dollars;
- (2) if the waste tire hauler is delinquent by fifteen days but less than thirty days, twenty-five dollars;
- (3) if the waste tire hauler is delinquent by more than thirty days but less than ninety days, fifty dollars; or
- (4) if the waste tire hauler is delinquent by more than ninety days, seventy-five dollars.

Section 39-75-150. The department and the Department of Revenue shall work collaboratively to share data regarding fee collection, waste tire hauling, and disposal practices to ensure compliance with waste tire hauling requirements.

Article 5

Unsafe Used Tires

Section 39-75-200. It is unlawful for a person to install an unsafe used tire onto a passenger car or light truck in this State.

Section 39-75-210. (A) For the purposes of this article, "unsafe" means an inspection of the exterior or inner lining of the tire reveals:

- (1) tread depth is worn to two thirty-seconds of an inch or less on any area of the tire;
- (2) damage exposing the reinforcing plies of the tire, including cuts, cracks, bulges, or punctures;
- (3) an improper repair that includes any repair to the tire in the belt edge area, a repair to the sidewall or bead area of the tire, or a puncture repair of damage that is larger than three-eighths of an inch in size;

(4) evidence of prior use of a temporary tire sealant without evidence of a subsequent properly-performed repair;

(5) a defaced or removed United States Department of Transportation tire identification number usually located on the sidewall of the tire;

(6) inner liner or bead damage, such as a blistered liner or inner cracks; or

(7) indication of internal separation, such as bulges, carcass-to-belt, or belt-to-belt separation.

(B) A recalled tire whose sale is prohibited by federal law is also considered “unsafe” for the purposes of this article.

Section 39-75-220. The provisions of this article do not apply to:

(1) a business selling used tires for retreading;

(2) a business or individual buying and selling motor vehicles or its parts, when the tires were mounted on the motor vehicle at the time the motor vehicle was bought, unless they are also engaged in the business of installing unmounted used tires onto a passenger car or light truck; or

(3) tires intended solely for agricultural use or for off the road use.

Section 39-75-230. The provisions contained in this article do not limit the liability pursuant to Chapter 73, Title 15 for businesses that sell used tires in violation of this chapter.

Section 39-75-240. Nothing in this article may be construed to create a private cause of action for negligence per se nor may it be construed to impair, limit, or affect common law rights or other statutory theories.

Waste tire fees

SECTION 2. Section 44-96-170(E) and (F) of the S.C. Code are amended to read:

(E) Counties are prohibited from imposing an additional fee on waste tires generated within the county. However, a county may impose an additional fee on waste tires, heavy equipment tires, and oversized tires that have a greater diameter than the largest tire with a Department of Transportation number. A fee may be charged on waste tires generated outside of South Carolina. Counties may require fleets to provide documentation for proof of purchase on in-state tires. For tires not included in documentation, an additional tipping fee may be charged. Counties may charge a tipping fee of up to four hundred dollars a ton for

waste tires originating outside of the State, for non-USDOT tires, and for those tires submitted to the county for disposal for which no fee has been paid otherwise.

(F) Counties may charge a tipping fee of up to four hundred dollars per ton for waste tires sold or used in the county when, by local ordinance, the county prohibits the acceptance of tires with documentation. When waste tires are accepted by a county, and proper documentation is provided, counties may charge a tipping fee of up to one hundred fifty dollars per ton for tires.

Used tire fees

SECTION 3. Section 44-96-170(N) through (S) of the S.C. Code are amended to read:

(N)(1) There is imposed a fee of two dollars for each new and used tire sold with a Department of Transportation number to the ultimate consumer, whether or not the tire is mounted by the seller. This fee is applicable to all unmounted tire sales. The wholesaler or retailer receiving new tires from unlicensed wholesalers is responsible for paying the fee imposed by this subsection. This fee shall not be collected on farm or agricultural tires, including tires designed for use in the production of farm products as defined in Section 46-1-75(E)(1).

(2) The Department of Revenue shall administer, collect, and enforce the tire recycling fee in the same manner that the sales and use taxes are collected pursuant to Chapter 36 of Title 12. The fee imposed by this subsection must be remitted on a monthly basis.

(3) The department shall deposit all fees collected to the credit of the State Treasurer who shall establish a separate and distinct account from the state general fund.

(4) The State Treasurer shall distribute one and one-half dollars for each tire sold, less applicable credit, refund, and discount, to each county based upon the population in each county according to the most recent United States Census. The county shall use these funds for collection, processing, or recycling of waste tires generated within the State.

(5) The remaining portion of the tire recycling fee is to be credited to the Solid Waste Management Trust Fund by the State Treasurer for the Waste Tire Grant Trust Fund, established under the administration of the Department of Environmental Services.

(6) The General Assembly shall review the waste tire disposal recycling fee every five years.

(7) For purposes of this subsection, "tire wholesaler" means any

person who sells or offers to sell new or used tires or tubes to tire retailers or other volume buyers for passenger and commercial vehicles to retailers. A tire wholesaler shall not engage in retail sales.

(O)(1) The department shall maintain the list of facilities known as the Waste Tire Facility List.

(2) The Waste Tire Facility List shall include department-permitted waste tire processing facilities that fulfill the requirements of a waste tire recycling facility, as defined in Section 44-96-40(68)(d), and facilities located outside of South Carolina that are permitted or approved by the host state and that also fulfill the requirements of a waste tire recycling facility, as defined in Section 44-96-40(68)(d).

(3) The department shall remove from the Waste Tire Facility List any facility whose permit has been revoked or suspended, until the permit has been reinstated by the department or host state. Retailers may contract with a waste tire hauler to collect, transport, and deliver waste tires to a department-permitted waste tire facility in accordance with the manifest requirements as provided in Article 3, Chapter 75 of Title 39.

(P)(1) The Office of Solid Waste Reduction and Recycling of the Department of Environmental Services may provide grants from the Waste Tire Trust Fund to counties which have exhausted all funds remitted to counties under Section 44-96-170(N), to regions applying on behalf of those counties and to local governments within those counties to assist in:

(a) constructing, operating, or contracting with waste tire processing or recycling facilities;

(b) removing or contracting for the removal of waste tires for processing or recycling;

(c) performing or contracting for the performance of research designed to facilitate waste tire recycling;

(d) the purchase or use of recycled products or materials made from waste tires generated in this State; or

(e) recruiting industries that utilize waste tires for alternative productive uses including, but not limited to, rubber modified asphalt to keep waste tires out of the solid waste stream.

(2) Grants from the Waste Tire Trust Fund may also be awarded to businesses or manufacturers that generate or process waste tires to develop, create, or otherwise utilize waste tires for alternative productive uses or tire-derived products including, but not limited to, rubber modified asphalt.

(3) Any business or manufacturer awarded a grant from the Waste Tire Fund must also satisfy relevant job creation requirements included in Section 12-6-3360.

(Q)(1) Waste tire grants must be awarded on the basis of written grant request proposals submitted to and approved, not less than annually, by the committee consisting of ten members appointed by the director of the department representing:

- (a) the South Carolina Tire Dealers and Retreaders Association;
- (b) the South Carolina Association of Counties;
- (c) the South Carolina Association of Regional Councils;
- (d) the Department of Environmental Services;
- (e) the South Carolina Tire Manufacturers Council;
- (f) the South Carolina Department of Commerce;
- (g) a public interest environmental organization;
- (h) the South Carolina Department of Natural Resources;
- (i) the Office of the Governor; and
- (j) the South Carolina Municipal Association.

(2) Members of the committee shall serve for terms of three years and until their successors are appointed and qualify.

(3) Vacancies must be filled in the manner of original appointment for the unexpired portion of the term. The representative of the department shall serve as chairman. The committee shall review grant requests and proposals and make recommendations on grant awards to the State Solid Waste Advisory Council. Grants must be awarded by the State Solid Waste Advisory Council.

(R)(1) Notwithstanding subsection (N), the department may use funds from the Waste Tire Trust Fund to fund activities of the department to implement provisions of this section to promote the recycling of waste tires and to develop a sustainable statewide market infrastructure for tire-derived products as provided in item (2).

(2) The department shall collaborate with the South Carolina Department of Commerce to identify, pursue, and develop a statewide market infrastructure for tire-derived products. The departments shall:

- (a) develop a state plan for the efficient and effective management of waste tires with priority focus on market development;
- (b) develop a comprehensive and diversified approach to market development for targeting higher end uses for waste tires and a circular tire economy in consultation with representatives from:

- (i) the South Carolina Department of Transportation;
- (ii) the state's asphalt paving industry;
- (iii) the Recycling Market Development Advisory Council pursuant to Section 13-1-380;
- (iv) county governments;
- (v) state public colleges and universities;
- (vi) waste tire recyclers;

(vii) new tire retailers and processors;
(viii) South Carolina's tire manufacturers;
(ix) United States' tire manufacturers; and
(x) other appropriate stakeholders as determined by the department.

(c) promote the economic and environmental benefits of waste tire recycling; and

(d) establish specific goals and objectives for the State to achieve to align with national percentages in reuse markets.

(3) The use of these funds must be reviewed annually by the Waste Tire Committee and the Solid Waste Advisory Council. The Recycling Market Development Advisory Council and the Solid Waste Advisory Council also may make recommendations to the department for use of these funds.

(S) The department shall establish by regulation recordkeeping and reporting requirements for waste tire haulers, as provided in Sections 39-75-110 and 39-75-140, and collection, processing, recycling, and disposal facilities.

Code Commissioner note

SECTION 4. The Code Commissioner is directed to change the following headings in the S.C. Code:

(1) Chapter 75, Section 39-75-10 through 39-75-50, shall be styled as "Article 1, Regrooved and Regroovable Tires"; and

(2) Chapter 75, Title 39 shall be styled as "Tires."

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 34

(R52, S176)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-2-30, RELATING TO REQUIREMENTS FOR USE OF PROFESSIONAL DESIGNATIONS FOR CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTS, SO AS TO APPLY THESE REQUIREMENTS TO USAGES IN ELECTRONIC FILES AND METADATA; BY AMENDING SECTION 40-2-35, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF ACCOUNTANCY, SO AS TO REVISE THE EDUCATIONAL AND EXPERIENCE REQUIREMENTS, TO REVISE REQUIREMENTS CONCERNING THE UNIFORM CERTIFIED PUBLIC ACCOUNTANT EXAM REQUIREMENTS; BY AMENDING SECTION 40-2-40, RELATING TO ENTITIES REQUIRED TO REGISTER WITH THE BOARD TO PRACTICE AS CERTIFIED PUBLIC ACCOUNTING FIRMS, SO AS TO REQUIRE SUCH REGISTRATION OF FIRMS THAT PERFORM COMPILATION SERVICES, AND TO PROVIDE OWNERSHIP OF SUCH FIRMS MAY BE HELD THROUGH A REVOCABLE GRANTOR TRUST; BY AMENDING SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO ADD REVIEW AND PROVIDE INPUT ON PROPOSED LEGISLATIVE CHANGES RELATED TO THE PRACTICE OF ACCOUNTING AS A POWER OF THE BOARD; BY AMENDING SECTION 40-2-80, RELATING TO INVESTIGATIONS OF COMPLAINTS OR OTHER INFORMATION SUGGESTING VIOLATIONS, SO AS TO PROVIDE INSPECTOR-INVESTIGATORS MUST HAVE BEEN LICENSED AS CERTIFIED PUBLIC ACCOUNTANTS FOR AT LEAST THE PREVIOUS FIVE YEARS; BY AMENDING SECTION 40-2-240, RELATING TO REQUIREMENTS FOR PERSONS LICENSED IN OTHER JURISDICTIONS TO OBTAIN LICENSURE BY THE BOARD, SO AS TO PROVIDE RECIPROCITY LICENSURE REQUIREMENTS; BY AMENDING SECTION 40-2-245, RELATING TO REQUIREMENTS FOR PERSONS LICENSED IN OTHER JURISDICTIONS TO PRACTICE IN THIS STATE WITHOUT LICENSURE BY THE BOARD, SO AS TO REVISE THE REQUIREMENTS; AND BY REPEALING SECTION 40-2-20(18)

RELATING TO DEFINITIONS CONCERNING THE BOARD OF ACCOUNTANCY, SECTION 40-2-35(H) RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF ACCOUNTANCY, AND SECTION 40-2-35(I) RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF ACCOUNTANCY.

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

Definition, erroneous cross-reference corrected

SECTION 1. Section 40-2-20(2) of the S.C. Code is amended to read:

(2)(a) “Attest” means providing the following services:

(i) any audit or other engagement to be performed in accordance with the Statements on Auditing Standards (SAS);

(ii) any review of a financial statement to be performed in accordance with the Statements on Standards for Accounting and Review Services (SSARS);

(iii) any examination of prospective financial information to be performed in accordance with the Statements on Standards for Attestation Engagements (SSAE);

(iv) any engagement to be performed in accordance with Public Company Accounting Oversight Board (PCAOB) Auditing Standards; or

(v) any examination, review, or agreed upon procedure to be performed in accordance with the SSAE, other than an examination described in subsubitem (iii).

(b) Any standards specified in this definition shall be adopted by reference by the board pursuant to rulemaking and shall be those developed for general application by national accountancy organizations, such as the AICPA or the PCAOB.

Definition revised

SECTION 2. Section 40-2-20(23) of the S.C. Code is amended to read:

(23) “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, electronic file, metadata tag, or any other device tending to indicate that the person is a certified public accountant.

Definition deleted, reserved

SECTION 3. Section 40-2-20(33) of the S.C. Code is amended to read:

(33) Reserved.

Professional designation usage requirements

SECTION 4. Section 40-2-30(E) of the S.C. Code is amended to read:

(E) A firm may not provide attest services or assume or use the title "Certified Public Accountants," "Public Accountants," or the abbreviations "CPAs" and "PAs," or any other title, designation, words, letters, abbreviation, sign, card, electronic file, metadata tag, or any other device indicating the firm is a CPA firm unless:

(1) the firm holds a valid registration issued under this chapter or is exempt from the registration requirement by operation of subsection (I);

(2) ownership of the firm is in accordance with Section 40-2-40(C) and implementing regulations promulgated by the board, unless the firm is exempt from the registration requirement by operation of subsection (I); and

(3) owners who are not certified public accountants must be permitted to use the titles "principal," "partner," "owner," "officer," "member," or "shareholder" but must not hold themselves out to be certified public accountants.

Educational and experience requirements for licensure

SECTION 5. Section 40-2-35(C) of the S.C. Code is amended to read:

(C) To meet the educational requirement for licensure, the applicant must:

(1) have a baccalaureate degree or higher from an accredited

institution;

(2) in addition to, or concurrently with, the degree in item (1), complete at least twenty-four semester credit hours, or the equivalent, of accounting courses at the junior level or above, that cover some or all of the following subject matter content:

- (a) financial accounting for business organizations;
- (b) financial statement and auditing and attestation services;
- (c) taxation;
- (d) accounting information systems;
- (e) managerial or cost accounting;
- (f) mergers and acquisitions;
- (g) data analytics;
- (h) information systems or technology;
- (i) accounting ethics; and
- (j) other courses the board approves through a regulation;

(3) in addition to, or concurrently with, the degree in item (1), complete at least twenty-four semester credit hours, or the equivalent, of business-related courses, other than accounting, that cover some or all of the following subject matter content:

- (a) business law;
- (b) economics;
- (c) management;
- (d) marketing;
- (e) finance;
- (f) business communications;
- (g) data analytics;
- (h) information systems or technology;
- (i) business ethics; and
- (j) other subject matter content the board approves through a regulation; and

(4) in addition to meeting the combined requirements of items (1), (2), and (3), the experience requirements in Section 40-2-35(G) must be satisfied based on the applicant's highest level of education attained:

(a) Applicants who have completed a baccalaureate degree, the applicant must also satisfy the experience requirements in Section 40-2-35(G)(1)(a), which requires two years of relevant professional experience.

(b) Applicants who have completed a post-baccalaureate degree, or a baccalaureate degree with at least one hundred fifty total semester credit hours, must also satisfy the experience requirements in Section 40-2-35(G)(1)(b), which requires one year of relevant experience.

Educational and experience requirements for licensure

SECTION 6. Section 40-2-35(E)(3) of the S.C. Code is amended to read:

(3) in addition to the requirements of subsections (C)(2) and (C)(3), the applicant must have on record with the board official transcripts demonstrating successful completion of either:

- (a) at least one hundred twenty semester hours of credit; or
- (b) a conferred baccalaureate degree.

Uniform Certified Public Accounting Examination

SECTION 7. Section 40-2-35(F) of the S.C. Code is amended to read:

(F) To meet the exam requirement, a candidate must pass all sections of the Uniform CPA Examination.

(1) A candidate may take the required test sections individually and in any order. Credit for each test section passed is valid for thirty-six months from the date the passing score is released to the candidate or the board by the National Association of State Boards of Accountancy (NASBA). The validity of credit for a section that is passed is not contingent upon the candidate achieving a minimum score on any failed section, nor is it dependent on the order in which other sections are taken.

(a) A candidate must successfully pass all sections of the Uniform CPA Examination within a rolling thirty-six-month period, which begins on the date that the NASBA releases the first passing score to the candidate or the board, as applicable. The thirty-six-month period concludes on the date the candidate sits for the final section required for licensure, regardless of when the NASBA releases the score.

(b) The board may grant an extension of time to a candidate if the extension is justified by extenuating circumstances or hardship.

(c) The board shall accommodate any hardship that results from the conditions of administration of the exam.

(2) A candidate may transfer credits for passed sections of the Uniform CPA Examination from 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.

Educational and experience requirements for licensure

SECTION 8. Section 40-2-35(G) of the S.C. Code is amended to read:

(G)(1) In addition to meeting the requirements of Section 40-2-35 (C)(1), (2), and (3), an applicant shall attain the following experience:

(a) applicants who have completed a baccalaureate degree must complete two years of relevant professional experience;

(b) applicants who have completed a post-baccalaureate degree, or a baccalaureate degree with at least one hundred fifty total semester credit hours, must complete one year of relevant experience;

(c) applicants must present evidence of meeting the accounting experience requirement in a manner prescribed by the board; and

(d) applicants who present evidence of experience obtained seven or more years before the date of application must obtain and document an additional six months of experience within the prior two years of the date of application.

(2) The board may promulgate regulations to require that the accounting experience required pursuant to item (1) must be completed according to a competency framework developed by a recognized national accounting organization. The framework must be administered in accordance with rules established by the board.

(3) The experience required pursuant to item (1) should primarily involve providing a service or advice in one or more of the following areas:

(a) accounting;

(b) attestation;

(c) compilation;

(d) management advisory;

(e) financial advisory;

(f) tax;

(g) consulting skills; or

(h) other qualifying experiences outlined in items (4) and (7).

(4)(a) The accounting experience required pursuant to this subsection may also be satisfied by:

(i) teaching experience taught at the intermediate accounting level or above that includes at least twenty-four semester hours of teaching courses that apply to a baccalaureate, masters, or postgraduate degree and which may cover subject matters including, but not limited to, financial accounting, taxation, auditing, technology, and other areas that fall within the scope of the Uniform CPA Examination; or

(ii) any combination of experience that the board determines

to be equivalent to the types of experience provided for in items (3) and (4)(a)(i) of this subsection.

(b) The teaching experience may not accrue more rapidly than elapsed time. An applicant who intends to use teaching experience to meet his accounting experience requirement must not be given credit for teaching more than twenty-four semester hours in less than one academic year and credit for semester hours taught must not be given for teaching subjects outside the scope of the Uniform CPA Examination.

(5) The accounting experience required pursuant to this subsection may be supervised by a non-licensee but must be verified by a CPA who is licensed in any state or territory of the United States or the District of Columbia who has direct knowledge of the experience attained.

(6) The accounting experience required pursuant to this subsection may be attained in either full-time or part-time employment, but not more rapidly than forty hours per week. Two thousand hours of part-time accounting experience is equivalent to one year.

(7) The board may accept experience other than accounting experience to satisfy the accounting experience required pursuant to this section but only to the extent that the board determines that the non-accounting experience contributes to competence in public accounting. The board may require information related to the non-accounting experience to determine how it contributes to competence in public accounting.

(8) The accounting experience required by this subsection may begin upon successful completion of subsections (C)(2) and (C)(3), and:

- (a) at least one hundred twenty semester hours of credit; or
- (b) a conferred baccalaureate degree.

CPA firms, registration required for compilation services

SECTION 9. Section 40-2-40(B) of the S.C. Code is amended to read:

(B) The following must hold a registration issued pursuant to this section:

(1) a firm with an office in this State performing attest services as defined in Section 40-2-20(2) or engaging in the practice of accounting;

(2) a firm with an office in this State that uses the title "CPA" or "CPA firm"; or

(3) a firm that does not have an office in this State but performs attest services described in Section 40-2-20(2), or performs compilation services as defined in Section 40-2-20(6), for a client in this State, unless it is exempt from registration pursuant to Section 40-2-30(I).

CPA firms, ownership by revocable trusts

SECTION 10. Section 40-2-40(C) of the S.C. Code is amended to read:

(C) Qualifications for registration as a certified public accountant firm are as follows:

(1) A simple majority of the firm ownership 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 firm ownership may include non-CPA owners, the firm and its owners must comply with regulations promulgated by the board. All non-CPA 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 also 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 must not be required to obtain a license from this State pursuant to Section 40-2-35.

(3) For firms registering under subsection (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) Non-CPA owners must not assume ultimate responsibility for any financial statement, attest, or compilation engagement.

(5) Non-CPA 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. Ownership may also be held through a revocable, not irrevocable, grantor trust, provided that the trust is established for the sole benefit of the owner, and provided that the owner retains full control and the ability to revoke the trust. Provision must be made for the ownership to be transferred to the firm or to other qualified owners if the noncertified public accountant or the beneficial owner of the revocable grantor trust ceases to be an active individual participant in the firm.

(7)(a) This section applies only to non-CPA owners who are residents of this State.

(b) Non-CPA owners must complete the same number of hours of continuing professional education as licensed certified public accountants in this State, including the annual ethics requirement pursuant to Section 40-2-250(C)(6).

(c) Non-CPA 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 accounting firm and its designated resident manager under item (3) are responsible for the following in regard to a noncertified public accountant owner:

(a) a non-CPA owner shall comply with all applicable accountancy statutes and regulations; and

(b) a non-CPA 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.

Board of Accountancy powers and duties

SECTION 11. Section 40-2-70(A) of the S.C. Code is amended by adding:

(15) review and provide input on proposed legislative changes related to the practice of accounting.

Inspector-investigator qualifications

SECTION 12. Section 40-2-80(B) of the S.C. Code is amended to read:

(B)(1) An investigation of a licensee pursuant to this chapter must be performed by an inspector-investigator who has been licensed as a certified public accountant for at least the previous five years. The inspector-investigator must report the results of his investigation to the board no later than one hundred fifty days after the date upon which he initiated his investigation. If the inspector-investigator has not completed his investigation by that date, then the board may extend the investigation for a period defined by the board. The board may grant subsequent extensions to complete the investigation as needed. The inspector-investigator may designate additional persons of appropriate competency to assist in an investigation.

(2) The department shall annually post a report related to the number of complaints received, the number of investigations initiated, the average length of investigations, and the number of investigations that exceeded one hundred fifty days.

Licensure for persons licensed in other jurisdictions

SECTION 13. Section 40-2-240 of the S.C. Code is amended to read:

Section 40-2-240. (A) A CPA licensed in another jurisdiction who moves his principal place of business to this State may obtain a license through reciprocity. The board shall issue a license pursuant to this section to an applicant who:

- (1) has successfully passed the Uniform CPA Examination;
- (2) holds an active certificate, license, or permit issued pursuant to the laws of any state or territory of the United States, the District of Columbia, or any foreign licensing authority that is recognized by the International Qualifications Appraisal Board and subject to Mutual Recognition Agreements;
- (3) is legally authorized to practice in the jurisdiction where his existing certificate, license, or permit is held; and
- (4) certifies that he is in compliance with the continuing professional education requirements in the jurisdiction where his existing certificate, license, or permit is held.

(B) To apply for a license pursuant to this section an applicant must:

- (1) identify all jurisdictions, foreign and domestic, in which the applicant has applied for or holds a designation to practice public accountancy or in which any applications have been denied; and
- (2) file an application with the board together with the application fee prescribed by the board.

(C) Each person issued a license pursuant to this section shall notify the board in writing within thirty days after any issuance, denial, revocation, or suspension of a designation or commencement of a disciplinary or enforcement action against the licensee by any jurisdiction.

Authorization to practice of persons licensed in other jurisdictions

SECTION 14. Section 40-2-245 of the S.C. Code is amended to read:

Section 40-2-245. (A) An individual whose principal place of business is outside this State is presumed to have qualifications equivalent to this state's requirements if the individual:

- (1) has successfully passed the Uniform CPA Examination;
- (2) holds an active certificate, license, or permit issued pursuant to the laws of any state, territory of the United States, the District of Columbia, or any foreign authority recognized by the International

Qualifications Appraisal Board under a Mutual Recognition Agreement; and

(3) is legally authorized to practice in the jurisdiction where the existing certificate, license, or permit is held.

(B) Such individual may exercise all privileges of a licensee in this State without obtaining a license pursuant to Section 40-2-35 if the individual meets the requirements contained in subsection (A).

(C) Notwithstanding any other provision of law, an individual offering or rendering professional services in this State, whether in person, by mail, telephone, or electronic means, shall be granted practice privileges in this State subject to the conditions contained in subsection (A). No notice, fee, or other submission is required for the individual to practice pursuant to these privileges.

(D) By exercising practice privileges pursuant to this section, an individual licensee or holder of a permit or certificate to practice from another jurisdiction, along with the firm employing that licensee or permit or certificate holder:

(1) consents to the personal and subject matter jurisdiction of the board and its disciplinary authority;

(2) agrees to comply with the regulations and provisions of this section;

(3) agrees to cease offering or rendering professional services in this State, individually or on behalf of a firm, if their license, permit, or certificate from his principal jurisdiction is no longer valid;

(4) consents to service of an administrative notice of hearing at the board in the individual's principal jurisdiction should any action or proceeding be initiated by that board against the licensee.

(E) A licensee of this State who offers or renders services or uses the CPA title in another state shall be subject to disciplinary action in this State for any act committed in the other state that would subject the licensee to discipline if committed in this State. The board shall investigate any complaint made by the Board of Accountancy, or equivalent regulatory agency, in another state.

Repealed subsections and items

SECTION 15. Section 40-2-20(18), Section 40-2-35(H), and Section 40-2-35(I) of the S.C. Code are repealed.

Severability

SECTION 16. 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 17. This act takes effect on June 30, 2025.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 35

(R53, S221)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT” BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

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

South Carolina Kratom Consumer Protection Act

SECTION 1. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Article 20

South Carolina Kratom Consumer Protection Act

Section 44-53-2010. As used in this article:

(1) "Department" means the South Carolina Department of Public Health.

(2) "Food" means any food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption.

(3) "Kratom" means any part of the tropical evergreen plant *mitragyna speciosa*.

(4) "Kratom processor" means a person or entity that prepares, manufactures, distributes, or maintains kratom products or advertises, represents, or claims to sell, prepare, or maintain kratom products.

(5) "Kratom product" means any food or dietary ingredient, produced as a food, drink, powder, pill, capsule, or any other format intended for oral consumption that:

(a) contains any part of the leaf of the plant *mitragyna speciosa*, either on its native leaf or extracted form; or

(b) contains any kratom alkaloids or constituents, or synthesized metabolites of any kratom alkaloids or constituents.

(6) "Kratom retailer" means a person or entity that sells or advertises, represents, or claims to sell kratom products.

Section 44-53-2020. (A) It is unlawful for a kratom processor or kratom retailer to:

(1) distribute, dispense, or sell any kratom product to any individual under twenty-one years of age; or

(2) prepare, manufacture, distribute, dispense, or sell any kratom product that:

(a) is adulterated with a dangerous non-kratom substance that affects the quality or strength of the product to such a degree that it may injure a consumer;

(b) contains a poisonous or otherwise harmful non-kratom ingredient including, but not limited to, any substance listed in Section 44-53-190, 44-53-210, 44-53-230, 44-53-250, or 44-53-270;

(c) contains a fully synthetic alkaloid including, but not limited to, fully synthetic mitragynine, fully synthetic 7-hydroxymitragynine, or any other fully synthetically derived compound of the plant *mitragyna speciosa*;

(d) contains levels of residual solvents higher than the standards set forth in Chapter 467 of the U.S. Pharmacopeia-National Formulary (USP-NF); or

(e) does not meet the labeling requirements established pursuant to Section 44-53-2030 and a regulation promulgated to implement the provisions of that section.

(B) It is unlawful for a kratom retailer to display or store a kratom product in a retail location in a manner that would allow the product to be accessed by an individual under twenty-one years of age.

Section 44-53-2030. Every kratom product must be accompanied by a clear label that provides adequate information for safe and effective use by consumers including, but not limited to:

- (1) a list of the ingredients used in the manufacture of the product;
- (2) the amount of mitragynine and 7-hydroxymitragynine contained in the product;
- (3) the recommended serving size of the product;
- (4) the number of servings per container;
- (5) the name and the principal street address of the vendor or the person responsible for distributing the product;
- (6) any precautionary statements as to the safety and effectiveness of the product;
- (7) a statement that the product is not intended to diagnose, treat, cure, or prevent any medical condition or disease; and
- (8) a statement that the sale or transfer of the product to a person under twenty-one years of age is prohibited.

Section 44-53-2040. A retailer found to be in violation of Section 44-53-2020 or 44-53-2030, or a regulation promulgated pursuant to the provisions of this article, is subject to a civil penalty of not more than one thousand dollars for a first offense and a civil penalty of not more than two thousand dollars for a second or subsequent offense.

Time effective

SECTION 2. This act takes effect sixty days following approval by the Governor.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 36

(R54, S269)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE SECURITY PERSONNEL LICENSED AS A PROPRIETARY SECURITY BUSINESS; BY AMENDING SECTION 40-18-60, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSE REQUIREMENTS AND QUALIFICATIONS, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS APPLYING FOR LICENSURE, TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL DEVELOP RELATED STANDARDS, GUIDELINES, AND APPLICANT REQUIREMENTS; BY AMENDING SECTION 40-18-80, RELATING TO SECURITY OFFICER REGISTRATION CERTIFICATE REQUIREMENTS AND QUALIFICATIONS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM THE APPLICABILITY OF CHAPTER 18, TITLE 40, SO AS TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER TO PUBLIC SCHOOL DISTRICTS.

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

Private security services in public schools

SECTION 1. Chapter 19, Title 59 of the S.C. Code is amended by adding:

Section 59-19-275. Each public school district may use the services of personnel who are armed or delegated arrest authority to work on the premises of the district to promote safety and security on the premises, provided the district shall obtain proprietary security business licensure as provided in Section 40-18-60 and Section 40-18-80 and otherwise comply with the applicable requirements of those sections. The provisions of this section do not affect any requirement that a school district use the services of a school resource officer as provided by law. A school district, by obtaining proprietary security business licensure, may enhance school security and safety but shall not supplant the use of a school resource officer in a school, and security personnel hired under the authorization of this section shall not be used in the advisor and teacher roles authorized for school resource officers as provided in Section 5-7-12.

Proprietary security business licenses, school district requirements

SECTION 2. Section 40-18-60(A) of the S.C. Code is amended to read:

(A) An employer who uses a person who is armed, uniformed, or has been delegated arrest authority for work on the employer's premises in connection with the affairs of the employer must make application to SLED for a proprietary security business license and pay an annual license fee, set by SLED regulation.

(1) If the applicant is an association or corporation, then the chief executive officer of the association or corporation must be the applicant or must designate in writing the corporate officer or principal who is the applicant.

(2) If the applicant is a partnership, then all partners must complete an application form.

(3) If the applicant is a public school district, then the district board of trustees must designate in writing that the superintendent is the applicant. If the applicant is a charter school authorized by the South Carolina Public Charter School District or an approved public or independent institution of higher learning, the authorizer must designate in writing that the superintendent of the authorizer of the charter school is the applicant. SLED shall develop standards and guidelines applicable

to the provisions of private security in schools. SLED shall only approve those school districts or charter schools who have demonstrated that the applicant and all employees intended to be used in this capacity have the requisite training, background, and experience to successfully and safely provide private security and exercise law enforcement authority in a school setting and can operate in a manner that ensures public safety.

(4) The application for license must be made, under oath, on a form approved by SLED. The application must state the applicant's full name, age, date and place of birth, current residence address, residence addresses for the past ten years, employment for the past ten years, including names and addresses of employers, the applicant's current occupation with the name and address of the current employer, the date and place of any arrests, any convictions for violations of federal or state laws, and any additional information as SLED may require. Each applicant must submit with the application one complete set of the applicant's fingerprints on forms specified and furnished by SLED and one color photograph of the applicant's full face, without head covering, taken within six months of the application.

Security officer registration certificates, training requirements concerning schools

SECTION 3. Section 40-18-80(A) of the S.C. Code is amended to read:

(A) Persons performing the duties of security officers must also obtain valid security officer registration certificates. Except as provided in Section 40-18-90, a licensee may not authorize a person to perform the duties of a security officer unless that person holds a valid security officer registration certificate or has applied for a security officer registration certificate and meets the requirements of Section 40-18-80(A)(2). A contract or proprietary security business licensee must verify that each security officer immediately upon hiring possesses a valid security officer registration certificate or has applied for one. The licensee may apply and pay the fee for the security officer registration certificate or may require the person to be employed as a security officer to apply and pay the fee. For purposes of the penalties provisions of this chapter, the licensee and the person to be employed as a security officer are both responsible for ensuring that the person performing duties of a security officer is registered or has made application to be registered.

(1) The application must be made on forms approved by SLED and, under oath, the applicant must furnish the applicant's full name, age, date and place of birth, current residence address, residence addresses for the

past ten years, employment for the past ten years, including names and addresses of employers, the applicant's current occupation with the name and address of the current employer, the date and place of any arrests, any convictions for violations of federal or state laws, and any additional information as SLED requires. The application must be accompanied by one set of fingerprints of the applicant and one photograph of the applicant in color, full face and without head covering, taken within six months prior to the application and certified results of a SLED-approved drug screen.

(2) Pending issuance of a registration certificate, a security officer may perform the duties of a security officer for up to thirty days after receipt by SLED of his application for registration; however, a person authorized to perform duties under this section has no arrest authority and must not carry a firearm until SLED issues a registration certificate. If SLED does not issue a registration certificate within thirty days of receipt of the application, a security officer must cease performing all security-related activities.

(3) SLED shall implement training requirements for the initial registration and renewal registration of applicants. These training requirements may impose additional training for persons working as security officers in the school setting to enhance accountability and compliance. School districts must not employ any person as a security officer in a school unless the person is at least twenty-one years of age and the school district also has:

(a) a full-time division solely dedicated to security and emergency management;

(b) a written agreement with the local law enforcement agency for shared, consistent joint training and continuous education in firearms, defensive tactics, active shooter or assailant scenarios, legal updates, and other areas addressed by the local law enforcement agency; and

(c) school district security officers recertified every two years.

(4) Upon being satisfied of the suitability of the applicant for employment and the applicant's successful completion of an approved training program, SLED must register the employee and notify the licensee.

(5) SLED may issue or renew a registration certificate to a person who:

(a) is employed by a licensed security business;

(b) is at least eighteen years of age;

(c) is a citizen of the United States;

(d) has not been convicted of a felony or crime involving moral turpitude;

- (e) is of good moral character;
 - (f) does not unlawfully use drugs;
 - (g) does not use alcohol to such a degree as to affect adversely his ability to perform competently the duties of a security company licensee, has not been adjudicated an incapacitated person without being restored to legal competency, and who has no physical or mental impairment which would prevent him from competently performing the duties of a security company licensee;
 - (h) has passed a SLED-approved pre-employment drug test;
 - (i) has not been discharged from the military service with other than honorable conditions; and
 - (j) has not been refused a license under this chapter for any reason other than minimum experience requirements and has not had a license under this chapter revoked or suspended.
- (6) While on duty, a registered person must have his registration certificate in possession.
- (7) A registered person who is arrested must report the arrest to SLED within seventy-two hours of the arrest.
- (8) The licensee must notify SLED within ten days of the termination or hiring of a registered security officer.
- (9) Registration is valid for one year; however, the registered person may perform the duties of a security officer only while employed by a person licensed under this chapter to provide security services or while working in a self-employed capacity provided that the officer is also a licensee.
- (10) Application for renewal of registration must be made on a form approved by SLED.
- (11) The initial and annual renewal registration fee for an employee registered in accordance with this section must be set by SLED by regulation.

Security officer registration certificates, exceptions, school districts

SECTION 4. Section 40-18-140(1) of the S.C. Code is amended to read:

- (1) an officer or employee of the federal government, or of this State or a political subdivision of either, excluding school districts, or of a municipal corporation while the employee or officer is engaged in the performance of official duties;

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 37

(R56, H3058)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-330 SO AS TO DEFINE NECESSARY TERMS FOR THE OFFENSE OF UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES; AND BY ADDING SECTION 16-15-332 SO AS TO CREATE THE OFFENSE OF UNAUTHORIZED DISCLOSURE OF INTIMATE IMAGES, TO PROVIDE GRADUATED PENALTIES, AND TO PROVIDE AN EXCEPTION FOR LAW ENFORCEMENT UNDER CERTAIN CIRCUMSTANCES.

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

Definitions

SECTION 1. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-330. For purposes of Section 16-15-332, the term:

(1) “Digitally forged intimate image” means any intimate image of an identifiable individual that appears to a reasonable person to be indistinguishable from an authentic visual depiction of the individual, and that is generated or substantially modified using machine-learning techniques or any other computer-generated or machine-generated means to falsely depict an individual’s appearance or conduct, regardless of whether the visual depiction indicates, through a label or some other form of information published with the visual depiction, that the visual

depiction is not authentic.

(2) "Effective consent" means the affirmative, conscious, and voluntary authorization by an individual with legal capacity to give authorization. The disclosure of the intimate image or digitally forged intimate image by the identifiable individual to another person is not sufficient effective consent under this section.

(3) "Identifiable individual" means the identity of the depicted person through an intimate image or digitally forged intimate image, or whose identity can be determined through any accompanying or subsequent information or material related to the visual material.

(4) "Intimate image" means any still or videographic image of an identifiable individual that depicts wholly or partially uncovered genitals, pubic area, anus, or postpubescent female nipple or areola of an individual, the display or transfer of semen or vaginal secretion, sexual activity, as defined in Section 16-15-375, or sexually explicit nudity, as defined in Section 16-15-375.

Unauthorized disclosure of intimate images

SECTION 2. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-332. (A) A person who intentionally disseminates an intimate image or a digitally forged intimate image of another person without the effective consent of the depicted person is guilty of the unauthorized disclosure of intimate images. A person intentionally disseminates an intimate image or a digitally forged intimate image if he has knowledge that the image was obtained or created under circumstances when he knew or reasonably should have known the person depicted had a reasonable expectation of privacy. Any dissemination of multiple intimate images of the same individual as part of a common act is a single offense. The fact that the identifiable individual:

(1) provided affirmative consent for the creation of the intimate image shall not establish that the individual provided effective consent for the dissemination of the intimate image; and

(2) disclosed the intimate image to another individual shall not establish that the identifiable individual provided effective consent for the dissemination of the intimate image by the person alleged to have violated this section.

(B) A person who violates the provisions of this section, with the intent to cause physical, mental, economic, or reputational harm to the

individual portrayed in the image, or for the purpose of profit or pecuniary gain, is guilty of a felony and, upon conviction, for a:

(1) first offense, must be fined not more than five thousand dollars or imprisoned not more than five years, or both; or

(2) second or subsequent offense, after an intervening conviction or adjudication for a previous violation of the provisions of this section, must be fined not more than ten thousand dollars or imprisoned not less than one year but not more than ten years, or both. No part of the minimum sentence may be suspended nor probation granted.

(C) A person who violates the provisions of this section, without the intent to cause physical, mental, economic, or reputational harm to the individual portrayed in the image, or for the purpose of profit or pecuniary gain, for a:

(1) first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than one year, or both; or

(2) second or subsequent offense, after an intervening conviction or adjudication for a previous violation of the provisions of this section, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) Intimate images or digitally forged intimate images cannot be duplicated for the purpose of criminal discovery requests and motions.

(E) A violation of this section is not a lesser-included offense of any other applicable offense but is a separate offense and does not preclude charges under another applicable provision of law.

(F) The provisions of this section do not apply to any intimate image or digitally forged intimate image created by law enforcement pursuant to a criminal investigation which is otherwise lawful.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 38

(R57, H3127)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT VEHICLES, SO AS TO REVISE THE PENALTIES FOR CERTAIN OFFENSES, TO CREATE AN ADDITIONAL FELONY OFFENSE WHEN A LAW ENFORCEMENT OFFICER IS LED ON A HIGH-SPEED PURSUIT, AND TO PROVIDE PENALTIES.

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

Failure to stop when signaled by law enforcement vehicles

SECTION 1. Section 56-5-750(A), (B), and (C) of the S.C. Code is amended to read:

(A) In the absence of mitigating circumstances, it is unlawful for a motor vehicle driver, while driving on a road, street, or highway of the State, to fail to stop when signaled by a law enforcement vehicle by means of a siren or flashing light. An attempt to increase the speed of a vehicle or in other manner avoid the pursuing law enforcement vehicle when signaled by a siren or flashing light is prima facie evidence of a violation of this section. Failure to see the flashing light or hear the siren does not excuse a failure to stop when the distance between the vehicles and other road conditions are such that it would be reasonable for a driver to hear or see the signals from the law enforcement vehicle.

(B) A person who violates the provisions of subsection (A):

(1) for a first offense where no great bodily injury or death resulted from the violation, is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars or imprisoned for not more than three years. The Department of Motor Vehicles must suspend the person's driver's license for at least thirty days;

(2) for a second or subsequent offense where no great bodily injury or death resulted from the violation, is guilty of a felony and, upon conviction, must be imprisoned for not more than ten years. The person's driver's license must be suspended by the department for a period of one year from the date of the conviction; or

(3) where the person is found to have led law enforcement upon a

high-speed pursuit, the person is guilty of a felony and, upon conviction, must be imprisoned for not more than ten years and the person's driver's license must be suspended for a period of one year from the date of conviction. For the purposes of this section, a high-speed pursuit occurs when the driver of the vehicle increases speed or takes evasive actions to avoid the pursuing law enforcement vehicle.

(C) A person who violates the provisions of subsection (A) and when driving performs an act forbidden by law or neglects a duty imposed by law in the driving of the vehicle:

(1) where great bodily injury resulted, is guilty of a felony and, upon conviction, must be imprisoned for not more than fifteen years; or

(2) where death resulted, is guilty of a felony and, upon conviction, must be imprisoned for not more than thirty years.

Time effective

SECTION 2. This act takes effect one year after approval of the Governor.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 39

(R58, H3175)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-3-1230, RELATING TO SPECIFICATIONS OF LICENSE PLATES, THE PERIODIC ISSUANCE OF NEW PLATES, AND THE ISSUANCE OF REVALIDATION STICKERS, SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL ISSUE LICENSE PLATES COMMEMORATING THE TWO HUNDRED FIFTIETH ANNIVERSARY OF THE AMERICAN REVOLUTION.

Whereas, on June 28, 1776, days before the signing of the Declaration of Independence, South Carolinians valiantly defended Charleston from imminent capture by the British, thereby slowing the British advance through the South; and

Whereas, Colonel William Moultrie commanded men such as William Jasper, a volunteer who hoisted the South Carolina flag, an indigo blue with a silver crescent in the upper-left hand corner, in the heat of battle at Sullivan's Island; and

Whereas, the triumph of the patriots at Sullivan's Island, due in part to the fort's spongy palmetto logs that repelled the cannonballs of the enemy, delayed the fall of Charleston into British captivity until 1780, four years later; and

Whereas, the State of South Carolina is indebted to war heroes such as Thomas Sumter, Andrew Pickens, Daniel Morgan, Frederick Hambricht, Peter Horry, James Williams, William Thompson, and Francis Marion, also known as the "Swamp Fox"; and

Whereas, during the Revolutionary War, South Carolina witnessed more than two hundred skirmishes and battles, including battles at Stono Ferry, Eutaw Springs, Parker's Ferry, Fort Motte, as well as backcountry victories at Williamson's Plantation, Cedar Springs, Cowpens, Hammond's Store, Blackstock's Farm, King's Mountain, Earle's Ford, Flat Rock, Thicketty Fort, Hanging Rock, and more; and

Whereas, renowned historian Walter Edgar stated that "the American Revolution was won in the backcountry of South Carolina." Now, therefore,

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

**Two hundred fiftieth anniversary of the American Revolution
license plate**

SECTION 1. Section 56-3-1230 of the S.C. Code is amended to read:

Section 56-3-1230. (A) License plates must be at least six inches wide and not less than twelve inches in length and must show in bold characters the year of registration, the serial number, the full name or the abbreviation of the name of the state, and other distinctive markings the

department may consider advisable to indicate the class of the weight of the vehicle for which the license plate was issued. The plate must be of a strength and quality to provide a minimum service of five years. A new license plate including personalized and special plates, but excluding license plates provided in Sections 56-3-660 and 56-3-670, must be provided by the department at intervals the department considers appropriate, but at least every ten years. A new license plate for vehicles contained in Sections 56-3-660 and 56-3-670, must be provided by the department at intervals the department considers appropriate. Beginning with the vehicle registration and license fees required by this title which are collected after July 1, 2002, except for the fees collected pursuant to Sections 56-3-660 and 56-3-670, two dollars of each biennial fee and one dollar of each annual fee collected from the vehicle owner must be placed by the Comptroller General in a special restricted account to be used solely by the Department of Motor Vehicles for the costs associated with the production and issuance of new license plates. The department is not authorized to use this set aside money for any other purpose. License plates issued for vehicles in excess of twenty-six thousand pounds must be issued biennially, and no revalidation sticker may be issued for the plates. License plates issued as permanent may be revalidated and replaced at intervals determined by the department.

(B) The face of the license plate must be treated completely with a retroreflective material which increases the nighttime visibility and legibility of the plate. The department shall prepare the specifications for the retroreflective material. In those years in which a metal plate is not issued, a revalidation sticker with a distinctive serial number or other suitable means prescribed by the department must be issued and affixed in the space provided on the license plate assigned to the vehicle upon payment of the fee prescribed for registration and licensing, including fees for personalized or special license plates.

(C) Notwithstanding another provision of law to the contrary, the regular license plate for private passenger vehicles and motorcycles issued by the Department of Motor Vehicles from January 1, 2026, until December 31, 2032, shall commemorate the two hundred fiftieth anniversary of the American Revolution. The South Carolina Revolutionary War Sestercentennial Commission shall submit to the department for approval the design, emblem, seal, logo, or other symbol it desires to be used on this license plate. The design, emblem, seal, logo, or other symbol submitted by the South Carolina Revolutionary War Sestercentennial Commission to the department must be imprinted with the words "Where the Revolutionary War Was Won" and shall include, at a minimum, a flag featuring the word LIBERTY in white against an

indigo background together with a gorget in an upper corner of the flag, also known as the Moultrie Flag.

(D) Fees for regular license plates shall not exceed the regular motor vehicle license fee set forth in Article 5, Chapter 3, Title 56.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 40

(R59, H3276)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA HANDS-FREE AND DISTRACTED DRIVING ACT” BY AMENDING SECTION 56-5-3890, RELATING TO UNLAWFUL USE OF WIRELESS ELECTRONIC COMMUNICATION DEVICES WHILE OPERATING MOTOR VEHICLES, SO AS TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS, TO DEFINE THE TERM “MOBILE ELECTRONIC DEVICE,” TO PROVIDE THE CIRCUMSTANCES WHEN MOBILE ELECTRONIC DEVICES MAY NOT BE USED WHILE OPERATING A MOTOR VEHICLE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, TO PROVIDE FOR THE DISBURSEMENT OF FINES IMPOSED PURSUANT TO THIS SECTION, TO PROVIDE THE CIRCUMSTANCES UPON WHICH THIS SECTION MAY BE ENFORCED, TO PROVIDE FOR THE SHARING OF CERTAIN INFORMATION WITH THE DEPARTMENT OF PUBLIC SAFETY, AND TO PROVIDE THIS SECTION IS NOT SUBJECT TO PROVISIONS RELATED TO CITIZENS ARRESTS; BY AMENDING SECTION 56-1-720, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON’S DRIVING RECORD FOR MOTOR VEHICLE

DRIVING VIOLATIONS, SO AS TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THE DEPARTMENT OF TRANSPORTATION SHALL ERECT SIGNS ADVISING MOTORISTS OF THE PROVISIONS OF THIS ACT; TO PROVIDE ONLY WARNINGS MAY BE ISSUED FOR CERTAIN VIOLATIONS FOR A CERTAIN PERIOD; AND TO PROVIDE THE DEPARTMENT OF PUBLIC SAFETY SHALL FILE A REPORT WITH CERTAIN OFFICIALS CONTAINING INFORMATION ABOUT PERSONS STOPPED PURSUANT TO THIS ACT.

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

South Carolina Hands-Free and Distracted Driving Act

SECTION 1. This act may be referred to and cited as the “South Carolina Hands-Free and Distracted Driving Act.”

Distracted driving

SECTION 2. Section 56-5-3890 of the S.C. Code is amended to read:

Section 56-5-3890. (A) For purposes of this section “mobile electronic device” means a cellular telephone, portable computer, GPS receiver, electronic game, or any substantially similar stand-alone electronic device used to communicate, display, or record digital content. “Mobile electronic device” does not include a citizens band radio, amateur radio, ham radio, commercial two-way radio or its functional equivalent, subscription-based emergency communication device, or prescribed medical device.

(B) While operating a motor vehicle on any public highway of this State, a person shall not:

(1) hold or support, with any part of the body, a mobile electronic device. This provision does not prohibit the use of an earpiece or device worn on a wrist to conduct voice-based communication;

(2) read, compose, or transmit any text including, but not limited to, a text message, email, application interaction, or website information on a mobile electronic device;

(3) watch motion including, but not limited to, a video, movie, game, or video call on a mobile electronic device.

(C) This section does not apply to a motor vehicle operator who is:

(1) lawfully parked or stopped;

(2) initiating a voice-based communication that is automatically converted by the device and sent as text, provided that the device is not held by the operator or supported with any part of the body by the operator;

(3) reporting an accident, emergency, or safety hazard to a public safety official;

(4) transmitting or receiving data as part of a digital dispatch system while performing occupational duties or while conducting network performance testing or testing required by the Federal Communications Commission;

(5) a first responder while performing official duties;

(6) using a mobile electronic device for the purpose of:

(a) navigation, listening to audio-based content, or obtaining traffic and road condition information in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator;

(b) using a mobile electronic device to initiate or end a cellular call in a manner that does not require the operator to type, provided that the device is not held by the operator or supported with any part of the body by the operator; or

(c) unlocking the device for a purpose listed in subitems (a) or (b), provided that the device is not held by the operator or supported with any part of the body by the operator; or

(7) using equipment or services installed by the original manufacturer of the vehicle.

(D)(1) A person who is adjudicated to be in violation of this section is guilty of distracted driving and, upon conviction:

(a) for a first offense, must be fined one hundred dollars, no part of which may be suspended;

(b) for a second or subsequent offense, must be fined two hundred dollars, no part of which may be suspended, and must have two points assessed against his motor vehicle operating record.

(2) Only those offenses which occurred within three years, including and immediately preceding the date of the last offense, shall constitute prior offenses within the meaning of this subsection.

(3) The Department of Public Safety must receive twenty-five percent of the fines imposed for violations of this section. Funds provided to the department pursuant to this section must be used to educate the public on the dangers of distracted driving and the provisions of this act.

(E) A law enforcement officer shall not:

(1) stop a person for a violation of this section except when the officer has reasonable suspicion that a violation has occurred based on the officer’s clear and unobstructed view of a person who is unlawfully using a wireless electronic communication device while operating a motor vehicle on the public streets and highways of this State;

(2) seize, search, view, or require the forfeiture of a mobile electronic device because of a violation of this section;

(3) search or request to search a motor vehicle, operator, or passenger in a motor vehicle, solely because of a violation of this section; or

(4) make a custodial arrest solely because of a violation of this section, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine.

(F) The Department of Motor Vehicles shall maintain and provide citation information pursuant to this section to the Department of Public Safety. The Department of Public Safety shall maintain statistical information regarding citations issued pursuant to this section.

(G) This section preempts ordinances, regulations, and resolutions adopted by political subdivisions regarding persons using mobile electronic devices while operating motor vehicles on the public highways of this State.

(H) The provisions of this section are not subject to the provisions contained in Section 17-13-10 and Section 17-13-20, both of which are related to what is commonly referred to as “citizens arrest.”

Points system

SECTION 3. Section 56-1-720 of the S.C. Code is amended to read:

Section 56-1-720. There is established a point system for the evaluation of the operating record of persons to whom a license to operate motor vehicles has been granted and for the determination of the continuing qualifications of these persons for the privileges granted by the license to operate motor vehicles. The system shall have as its basic element a graduated scale of points assigning relative values to the various violations in accordance with the following schedule:

VIOLATION	POINTS			
Reckless driving	6			

Passing stopped school bus	6			
Hit-and-run, property damages only	6			
Driving too fast for conditions, or speeding:				
	(1)	No more than 10 m.p.h. above the posted limits	2	
	(2)	More than 10 m.p.h. but less than 25 m.p.h. above the posted limits	4	
	(3)	25 m.p.h. or above the posted limits	6	
Disobedience of any official traffic control device	4			
Disobedience to officer directing traffic	4			

Failing to yield right-of-way	4			
Driving on wrong side of road	4			
Passing unlawfully	4			
Turning unlawfully	4			
Driving through or within safety zone	4			
Shifting lanes without safety precaution	2			
Improper dangerous parking	2			
Following too closely	4			
Failing to dim lights	2			
Operating with improper lights	2			
Operating with improper brakes	4			

Distracted driving (second or subsequent offense)	2			
Operating a vehicle in unsafe condition	2			
Driving in improper lane	2			
Improper backing	2			
Endangerment of a highway worker, no injury	2			
Endangerment of a highway worker, injury results	4			

Signage

SECTION 4. At every interstate highway ingress, the Department of Transportation shall erect a sign advising motorists of this act.

Issuance of warnings

SECTION 5. During the first one hundred eighty days after the effective date of this act, law enforcement officers shall only issue warnings for violations of Section 56-5-3890, as amended by this act.

Reports

SECTION 6. At the end of each fiscal year, the Department of Public Safety shall report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate

Transportation Committee, and the Chairman of the House Education and Public Works Committee the age, gender, and race of every driver issued a citation, as well as every instance that a citation is not issued following a traffic stop made pursuant to this act. The data must be reported at least by statewide totals for local law enforcement agencies, state law enforcement agencies, and state university law enforcement agencies. The statewide total for local law enforcement agencies shall combine the data collected by county and the municipal law enforcement agencies.

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 September 1, 2025.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 41

(R60, H3309)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA ENERGY SECURITY ACT” BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION’S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD-PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ONE OR MORE NATURAL GAS-FIRED GENERATION FACILITIES AND RELATED TRANSMISSION FACILITIES WITH DOMINION

ENERGY SOUTH CAROLINA IN COLLETON COUNTY, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY ADDING SECTION 6-29-1220 SO AS TO ESTABLISH REQUIREMENTS FOR SOLAR ENERGY SYSTEM PLANS IF A COUNTY DOES NOT HAVE RELATED RURAL ZONING OR ORDINANCES FOR THE DEVELOPMENT AND OPERATION OF SOLAR ENERGY SYSTEMS REQUIRING MORE THAN THIRTEEN ACRES OF LAND; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO ESTABLISH THE COUNCIL IN THE SC NEXUS FOR ADVANCED RESILIENT ENERGY AT THE DEPARTMENT OF COMMERCE, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY ADDING ARTICLE 24 TO CHAPTER 27, TITLE 58 SO AS TO ALLOW ELECTRIC UTILITIES TO REQUEST THE PUBLIC SERVICE COMMISSION ADJUST THEIR RATES ANNUALLY, ADJUST UTILITY RATES, ESTABLISH THE BASELINE RATE ORDER AND REQUIREMENTS FOR ADJUSTMENTS IN RATES, TO PROVIDE PROTECTIONS FOR CUSTOMERS, AND TO AUTHORIZE ADDITIONAL POSITIONS FOR THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF FUSION ENERGY AND ADVANCED NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT THE EVALUATION OF SMALL MODULAR NUCLEAR FACILITIES IN THIS STATE AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS, TO ESTABLISH REQUIREMENTS, TO PROVIDE A SUNSET PROVISION, AND TO DESIGNATE ALL SECTIONS CURRENTLY IN

CHAPTER 37 AS ARTICLE 1, ENTITLED “PLANNING FOR ENERGY SUPPLY”; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF “CUSTOMER-GENERATOR,” SO AS TO ESTABLISH CHARACTERISTICS FOR A “CUSTOMER-GENERATOR”; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF “ENERGY STORAGE FACILITIES”; BY AMENDING SECTION 58-41-20, RELATING TO THE REVIEW OF AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES’ AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, SO AS TO REITERATE THE SECTION; BY ADDING CHAPTER 42 TO TITLE 58 SO AS TO ESTABLISH COMPETITIVE PROCUREMENT PROGRAM STANDARDS FOR RENEWABLE ENERGY AND ENERGY STORAGE, AND TO REQUIRE THE PUBLIC SERVICE COMMISSION TO OPEN A DOCKET TO ESTABLISH A COMPETITIVE PROCUREMENT PROGRAM FOR ENERGY STORAGE FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION “LIKE FACILITY” AND AMEND THE DEFINITION OF “MAJOR UTILITY FACILITY,” SO AS TO REITERATE THE DEFINITION; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TO MAKE TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40,

RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION REPORT, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT IF TRUE TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION ISSUED PURSUANT TO CHAPTER 33, TITLE 58, SO AS TO ESTABLISH A TIMELINE FOR A PETITION FOR REHEARING OR RECONSIDERATION, AND TO REQUIRE A FINAL ORDER BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT; BY AMENDING SECTION 58-33-320, RELATING TO JUDICIAL JURISDICTION, SO AS TO REITERATE THE SECTION; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE VARIOUS THIRD-PARTY ADMINISTRATOR MODELS FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT

PROGRAM” AND PROVIDE DEFINITIONS FOR “COST-EFFECTIVE” AND “DEMAND-SIDE MANAGEMENT PILOT PROGRAM”; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE, DEMAND-SIDE MANAGEMENT AND ENERGY EFFICIENCY PROGRAMS, REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS, AND TO REQUIRE THE COMMISSION TO REVIEW THESE PORTFOLIOS ON AT LEAST A TRIENNIAL BASIS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE TECHNICAL AND CONFORMING CHANGES; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER-SITED DISTRIBUTED ENERGY RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY PERCENT OF SUPREME COURT ASSOCIATE JUSTICES; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR

CO-LOCATED RESOURCES BETWEEN AN ELECTRICAL UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; TO ENCOURAGE DEVELOPMENT OF A DIVERSE MIX OF LONG-LEAD, CLEAN GENERATION RESOURCES, AND TO PERMIT THE PUBLIC SERVICE COMMISSION TO FIND CERTAIN ACTIONS IN THE PUBLIC INTEREST TO PERMIT AN ELECTRICAL UTILITY TO CAPTURE AVAILABLE INCENTIVES FOR RATEPAYERS; TO PERMIT DEFERRAL OF CERTAIN REASONABLE AND PRUDENT COSTS FOR CONSIDERATION BY THE PUBLIC SERVICE COMMISSION; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF “RENEWABLE ENERGY RESOURCE”; BY ADDING CHAPTER 43 TO TITLE 58, SO AS TO ESTABLISH CONSIDERATIONS FOR ELECTRICITY RATE AND CONDITIONS FOR CERTAIN ECONOMIC DEVELOPMENT PROJECTS; BY ADDING SECTION 58-37-135 SO AS TO TRANSFER A PENDING APPEAL REGARDING ENERGY INFRASTRUCTURE PERMITS TO THE SOUTH CAROLINA SUPREME COURT; BY AMENDING SECTION 58-3-530, RELATING TO THE PUBLIC UTILITIES REVIEW COMMITTEE’S DUTIES, SO AS TO REQUIRE AN ANNUAL REVIEW OF THE DIVISION OF CONSUMER ADVOCACY RELATED TO ITS REPRESENTATION OF CONSUMERS IN UTILITY MATTERS; BY ADDING SECTION 58-3-65 SO AS TO ESTABLISH THE PUBLIC SERVICE COMMISSION’S CHIEF CLERK’S SALARY BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION; BY ADDING SECTION 58-33-200 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO RETAIN AN INDEPENDENT CONSTRUCTION ANALYST FOR ANY CONSTRUCTION PROJECT BUDGET OF AT LEAST FIVE HUNDRED MILLION DOLLARS; TO REQUIRE A REPORT BY THE OFFICE OF REGULATORY STAFF REGARDING THE

IMPLEMENTATION OF ARTICLE 24, CHAPTER 27, TITLE 58; TO REQUIRE DOMINION ENERGY TO EVALUATE CONVERTING THE WATEREE GENERATION STATION TO BIOMASS-FIRED GENERATION, AND TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY AND THE PUBLIC SERVICE COMMISSION; AND BY AMENDING SECTION 58-4-50, RELATING TO OFFICE OF REGULATORY STAFF DUTIES, SO AS TO INCLUDE CONSIDERATION OF PUBLIC SERVICE COMMISSION REQUIREMENTS FOR SETTLEMENT NEGOTIATIONS.

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

Citation

SECTION 1. This act may be cited as the “South Carolina Energy Security Act.”

Public Service Commission contested case proceedings, public witnesses, independent consultant

SECTION 2. Section 58-3-140 of the S.C. Code is amended to read:

Section 58-3-140. (A) Except as otherwise provided in Chapter 9 of this title, the commission is vested with power and jurisdiction to supervise and regulate the rates and service of every public utility in this State and to fix just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every public utility in this State.

(B) The commission must develop and publish a policy manual which must set forth guidelines for the administration of the commission. All procedures must incorporate state requirements and good management practices to ensure the efficient and economical utilization of resources.

(C) The commission must facilitate access to its general rate request orders in contested matters involving more than one hundred thousand dollars by publishing an order guide which indexes and cross-references orders by subject matter and case name. The order guide must be made available for public inspection.

(D) The commission must promulgate regulations to require the direct testimony of witnesses appearing on behalf of utilities and of witnesses

appearing on behalf of persons having formal intervenor status, such testimony to be reduced to writing and prefiled with the commission in advance of any hearing. In contested case proceedings, the applicant seeking relief from the commission shall have the right to prefile rebuttal testimony responsive to the direct prefiled testimony of other parties. The commission may allow supplemental testimony in cases where new matters arise after the filing of direct testimony, provided that parties shall have the right to respond to such supplemental testimony. The procedural schedule for each contested case proceeding shall include dates for completion of each phase of discovery, including discovery related to the application or other initial pleading as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, rebuttal testimony of the applicant, and surrebuttal testimony. Except upon showing of exceptional circumstances or surprise, all discovery must be completed not less than ten days prior to the hearing. The party with the burden of proof must be permitted to open and close its case, including the presentation of responsive witness testimony.

(E) The commission may convene public hearings to allow public utility customers to address the commission as public witnesses without intervening in the proceedings and without subjecting themselves to discovery or prefiling testimony. Public witnesses may address the commission on issues related to customer service, utility operations, reliability, economic hardship, affordability, environmental concerns, or other matters that affect them. The public utility and the Office of Regulatory Staff shall work to investigate and resolve individual service issues raised by public witnesses.

(F) Any other provision of law notwithstanding, to the extent the commission is authorized by the General Assembly to employ an independent third-party consultant to assist the commission in its duties with respect to a matter before the commission, such consultant may only rely upon evidence introduced by a party to that proceeding into the record subject to the requirements of the South Carolina Administrative Procedures Act. Further, the commission may not give any consultant employed by the commission party status in a proceeding before the commission.

(G) Nothing in this section may be interpreted to repeal or modify specific exclusions from the commission's jurisdiction pursuant to Title 58 or any other title.

(H) When required to be filed, tariffs must be filed with the office of the chief clerk of the commission and, on that same day, provided to the Executive Director of the Office of Regulatory Staff.

Public Service Commission orders

SECTION 3. Section 58-3-250(B) of the S.C. Code is amended to read:

(B) A copy of every final order or decision under the seal of the commission must be served by electronic service, or registered or certified mail, upon all parties to the proceeding or their attorneys. Service of every final order or decision upon a party or upon the attorney must be made by emailing a copy of the order to the party's email address provided to the commission or by mailing a copy to the party's last known address. If no email or other address is known, however, service shall be made by leaving a copy with the chief clerk of the commission. The order takes effect and becomes operative when served unless otherwise designated and continues in force either for a period designated by the commission or until changed or revoked by the commission. If, in the judgment of the commission, an order cannot be complied with within the time designated, the commission may grant and prescribe additional time as is reasonably necessary to comply with the order and, on application and for good cause shown, may extend the time for compliance fixed in its order.

Office of Regulatory Staff public interest

SECTION 4. Section 58-4-10 of the S.C. Code is amended to read:

Section 58-4-10. (A) There is hereby created the Office of Regulatory Staff as a separate agency of the State with the duties and organizations as hereinafter provided.

(B) Unless and until it chooses not to participate, the Office of Regulatory Staff must be considered a party of record in all filings, applications, or proceedings before the commission. The regulatory staff must represent the public interest of South Carolina before the commission as it pertains to the matters below:

(1) the concerns of the using and consuming public with respect to public utility services, regardless of the class of customer; and

(2) preservation of the continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.

(C) The Office of Regulatory Staff is subject to the provision of Section 58-3-260 prohibiting ex parte communications with the commission, and any advice given to the commission by the regulatory staff must be given in a form, forum, and manner as may lawfully be given by any other party or person.

SC energy assessment and action plan

SECTION 5. Chapter 4, Title 58 of the S.C. Code is amended by adding:

Section 58-4-150. (A) To further advance and expand upon Executive Order 2023-18 which established the PowerSC Energy Resources and Economic Development Interagency Working Group, the Office of Regulatory Staff, in consultation with a stakeholder group that includes representatives of consumer, environmental, manufacturing, forestry, and agricultural organizations, natural gas and electrical utilities, the South Carolina Public Service Authority, and other affected state agencies, shall prepare a comprehensive South Carolina energy assessment and action plan, hereinafter referred to as “the plan.” This plan must identify recommended actions over a ten-year period to ensure the availability of adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina. For purposes of this section, natural gas and electrical utilities also includes any investor-owned electrical utility, a public utility as defined in Section 58-5-10, electric cooperatives, and any consolidated political subdivision that owns or operates in this State equipment or facilities for generating, transmitting, delivering, or furnishing electricity, but does not include an entity that furnishes electricity only to itself, its residents, or tenants when such current is not resold or used by others.

(B) The Office of Regulatory Staff, in collaboration with the electrical utilities and the South Carolina Public Service Authority, shall aggregate data and analyses from their most recent integrated resource plans approved by the commission, and include any updates or associated filings and other available data in order to create a statewide comprehensive view of the availability of an adequate, reliable, and economical supply of energy resources to the people and economy of South Carolina.

(C) The plan must detail factors, and make recommendations, essential to adequate, reliable, and economical supply of energy resources for the people and economy of South Carolina including, but not limited to:

(1) projections of energy consumption in South Carolina, including the use of fuel resources and costs of electricity and generation resources across the electrical utilities’ and the South Carolina Public Service Authority’s balancing authority areas used to serve the State;

(2) the adequacy of electricity generation, transmission, and distribution resources in this State to meet projections of energy

consumption;

(3) the adequacy of infrastructure utilized by natural gas industries in providing fuel supply to electric generation plants or otherwise for end-use customers;

(4) the overall needs of the South Carolina electric grid and transmission system and details from the plans of each electrical utility and the South Carolina Public Service Authority to meet current and future energy needs in a cost-effective, reliable, economic, and environmental manner;

(5) an assessment of state and local impediments to expanded use of generation or distributed resources and recommendations to reduce or eliminate such impediments;

(6) how energy efficiency, demand-side management programs, and conservation initiatives across the electrical utilities' and the South Carolina Public Service Authority's balancing authority areas may be expanded to lower bills and reduce electric consumption;

(7) details regarding potential siting of energy resource and transmission facilities in order to identify any disproportionate adverse impact of such activities on the environment, agricultural community, land use, and economically disadvantaged or minority communities;

(8) details regarding commercial and industrial consumer clean energy goals and options available to such customers to achieve these goals, including:

(a) an analysis of the barriers commercial and industrial consumers face in making such investments in this State;

(b) an analysis of any electric and natural gas regulatory barriers to the recruitment and retention of commercial and industrial customers in this State; and

(c) recommendations to address any barriers identified in items (a) and (b) in a manner that is consistent with the public interest and which is not duly impactful to nonparticipating customers as it pertains to rate and system impacts, and which is not unduly impactful to entities providing public utility services; and

(9) an analysis of the potential for the South Carolina Public Service Authority and the state's electric utilities to construct generation facilities utilizing domestic wood products from South Carolina as a primary or auxiliary fuel source.

(D) In preparing the plan the Office of Regulatory Staff may retain an outside expert to assist with compiling this report.

(E) In addition to the information required by this section, the plan must include recommendations for legislative, regulatory, or other public and private actions to best ensure a reliable and reasonably priced

energy supply in South Carolina that supports the continued growth and success of this State. In forming these recommendations, the Office of Regulatory Staff must confer with the stakeholder group to ensure the recommendations would likely achieve the intended result for the electric grid, electric generation, and natural gas resources serving South Carolina customers.

(F) The plan must be submitted to the Public Utilities Review Committee for approval.

(G) The provisions of this section are subject to funding.

Potential energy generation, storage projects

SECTION 6. Article 3, Chapter 33, Title 58 of the S.C. Code is amended by adding:

Section 58-33-195. (A) The General Assembly encourages Dominion Energy South Carolina, Inc. and the Public Service Authority to jointly complete evaluations related to construction of a joint resource or joint resources to address energy needs and advance the economy and general welfare of the State. If the entities pursue permitting and construction of a joint resource or joint resources, the entities are further encouraged to use existing rights of way to the greatest extent practicable.

(B) The General Assembly hereby encourages Duke Energy Carolinas, LLC to complete evaluations for expanding energy storage, including hydro pumped storage, and energy generation opportunities in South Carolina.

(C) The General Assembly hereby encourages Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to complete evaluations for constructing hydrogen capable natural gas generation or otherwise to place into service such natural gas generation within the utilities' balancing areas serving South Carolina.

(D) The General Assembly encourages the Public Service Authority and the state's electric utilities to complete evaluations for constructing generation facilities utilizing domestic wood products from South Carolina as a primary or auxiliary fuel source.

(E)(1) In the event any of the projects described in subsection (A), (B), or (C) are approved, the Office of Regulatory Staff, using its authority provided in Title 58, must continuously monitor the project or projects. This includes, but is not limited to, a review of the construction in progress, such as meeting projected timelines and financial projections are met. The Office of Regulatory Staff must provide monthly updates, in writing, to the commission and to the members of the General

Assembly. Each electrical utility and the Public Service Authority must cooperate to the fullest extent with the Office of Regulatory Staff.

(2) The commission may, on its own motion, schedule a hearing to address concerns raised by the Office of Regulatory Staff in its written monthly review to the commission.

(3) The commission shall consider the Office of Regulatory Staff's written monthly reviews in any future matters concerning any facility described in this section.

Joint project authorization at former Canadys site

SECTION 7. Article 1, Chapter 31, Title 58 of the S.C. Code is amended by adding:

Section 58-31-205. (A) The Public Service Authority shall have the power to jointly own, as tenants-in-common or through a limited liability company, with Dominion Energy South Carolina, Inc., one or more natural gas-fired generation facilities, and related transmission facilities, to be constructed on a site at or near Dominion Energy South Carolina, Inc.'s former Canadys coal-fired generation station in Colleton County, the power to plan, finance, acquire, own, operate, and maintain an interest in such plants and facilities necessary or incidental to the generation and transmission of electric power and the power to make plans and enter into such contracts as are necessary or convenient for the planning, financing, acquisition, construction, ownership, operation, and maintenance of such plants and facilities. However, the Public Service Authority shall own a percentage of such plants and facilities equal to the percentage of the money furnished or the value of property supplied by the Public Service Authority for the acquisition and construction of the plants and facilities. The Public Service Authority shall also own and control a like percentage of the electrical output thereof.

(B) The Public Service Authority shall be severally liable in proportion to its ownership share of such plants and facilities acquired pursuant to this section for the acts, omissions, or obligations performed, omitted, or incurred by the operator or other owners of the plants and facilities while acting as the designated agent of the Public Service Authority for the purposes of constructing, operating, or maintaining the plants and facilities, or any of them. However, the Public Service Authority shall not be otherwise liable, jointly or severally, for the acts, omissions, or obligations of other owners of the plants and facilities, nor shall any money or property of the Public Service Authority be credited or otherwise applied to the account of the operator or other owners of the

plants and facilities, or be charged with any debt, lien, or mortgage as a result of any debt or obligation of the operator or other owners of the plants and facilities.

County considerations, solar energy systems

SECTION 8.A. Chapter 29, Title 6 of the S.C. Code is amended by adding:

Section 6-29-1220. (A) For any county that has not adopted rural zoning or has not adopted ordinances establishing design and development standards for solar energy systems, and until such time as rural zoning or an ordinance for solar energy systems has been adopted, then the development and operation of solar energy systems that require a footprint of more than thirteen acres of land shall comply with the following design and development standards:

(1) Site plans shall be prepared by a licensed land surveyor, landscape architect, or engineer in the State of South Carolina. Plans must be sealed.

(2) Solar energy systems shall be set back fifty feet from adjoining property lines and road rights of way and two hundred feet from the nearest residence, church, or school. Setback distances are to the fence and are inclusive of the vegetation buffer.

(3) Solar structures shall not exceed fifteen feet in height. This provision shall not include the interconnection poles, substation equipment, or other devices necessary for the electricity to be delivered to the public utility station.

(4) Solar energy facilities shall be screened from adjacent public road rights of way, residences, churches, or schools with a vegetative buffer and fence or wall with the following specifications:

(a) a vegetative buffer shall be installed adjacent to the solar energy system farm;

(b) the vegetation shall be planted in two staggered rows at a spacing interval between eight feet and ten feet on center and reach at least six feet in height over a three-year growing season and not less than fifteen feet in height at maturity or two feet higher than the highest panel, whichever is greater; and

(c) the vegetation shall include low lying vegetation to fill gaps between taller vegetation.

(5) All lighting shall be shielded or directed in a downward position to prevent noxious glare. A light fixture is required at the ends of all turnarounds.

(6) Fencing shall be at least six feet in height to secure the perimeter. The fence shall be secure at all times.

(7) A warning sign concerning voltage must be placed at the main gate to include the address and name of the solar energy system operator and a twenty-four-hour phone number for the solar energy system in case of an emergency.

(8) Solar collectors shall be designed with anti-reflective coating to minimize glare. Textured glass is optional. Mirrors are prohibited.

(9) Submit and maintain an updated facility decommission plan consistent with the then current decommissioning requirements as required by the South Carolina Department of Environmental Services.

(B) Upon receipt of a completed solar energy system plan by a county subject to the provisions in (A), the county shall set a date for a public hearing and send, by first class mail, a notice of the application to all property owners within two thousand six hundred forty feet of the proposed solar energy system. The notification shall include the projected date of the public hearing to be held by the county. Public notification includes posting in the local newspaper and mail notice to residents postmarked at least thirty days prior to the public hearing.

(C) The Department of Environmental Services is charged with the enforcement of the provisions of this section. Upon the failure of the owner or operator that is given notice of violation of this section to remedy the violation within thirty days, the Department of Environmental Services may impose civil penalties and require remediation for violations of the provisions of this section. Penalties may be not less than one hundred dollars nor more than five thousand dollars for each day of noncompliance. Penalties may be waived by the department for good cause for noncompliance shown by the owner or operator.

B. This SECTION takes effect for projects approved by a county on or after January 1, 2026.

Nuclear Advisory Council, duties, membership

SECTION 9. Article 9, Chapter 7, Title 13 of the S.C. Code is amended to read:

Article 9

Governor's Nuclear Advisory Council

Section 13-7-810. There is hereby established a Nuclear Advisory Council in the SC Nexus for Advanced Resilient Energy at the Department of Commerce, which shall be responsible to the Secretary of the Department of Commerce and the council shall report to the Governor. The council shall be referred to as the Governor's Nuclear Advisory Council.

Section 13-7-820. The duties of the council, in addition to such other duties as may be requested by the Governor, shall be:

(1) to provide advice and recommendations to the Governor on issues involving the use, handling, and management of the transportation, storage, or disposal of nuclear materials within South Carolina, or such use, handling, transportation, storage, or disposal of nuclear materials outside of the State which may affect the public health, welfare, safety, and environment of the citizens of South Carolina;

(2) to provide advice and recommendations to the Governor regarding matters pertaining to the Atlantic Compact Commission;

(3) to provide advice and recommendations to the Governor regarding the various programs of the United States Department of Energy pertaining to nuclear waste;

(4) to meet at the call of the chair or at a minimum twice a year;

(5) to engage stakeholders and develop a strategic plan to advance the development of nuclear generation, including advanced nuclear generation such as small modular reactors, molten salt reactors, fusion energy, and spent nuclear fuel recycling facilities and fusion energy to serve customers in this State in the most economical manner at the earliest reasonable time possible;

(6) to provide advice and recommendations to the Governor regarding the various emerging nuclear technologies;

(7) to provide advice and recommendations to the Governor regarding commercial applications for new nuclear projects;

(8) to develop a statewide strategy for implementation and advancement of nuclear energy in the state's energy profile;

(9) to provide advice and recommendations to the Governor regarding the statewide nuclear energy strategy; and

(10) to engage stakeholders and to monitor activities at the Department of Energy's Savannah River Site, electric utility company nuclear reactor facilities, and nuclear fuel manufacturing facilities in the State.

Section 13-7-830. The recommendations described in Section 13-7-820 shall be made available to the General Assembly and the

Governor.

Section 13-7-840. (A) The council shall consist of eleven members. One at-large member shall be appointed by the Speaker of the House of Representatives from the membership of House of Representatives and one at-large member shall be appointed by the President of the Senate from the membership of the Senate. Nine members shall be appointed by the Governor as follows: two shall be actively involved in the area of environmental protection; two shall have experience in the generation of power by nuclear means; one shall have experience in the field of nuclear activities other than power generation; two shall be scientists or engineers from the faculties of institutions of higher learning in the State; and two shall be from the public at large. The Governor shall select the chairman from the members of the board. The terms of the members of the council appointed by the Governor shall be coterminous with that of the appointing Governor, but they shall serve at the pleasure of the Governor.

(B) Vacancies of the council shall be filled in the manner of the original appointment.

Section 13-7-850. The Governor shall designate the chairman from the membership. When on business of the council, members shall be entitled to receive such compensation as provided by law for boards and commissions.

Section 13-7-860. Staff support for the council shall be provided by the SC Nexus for Advanced Resilient Energy at the Department of Commerce.

Electric rate stabilization

SECTION 10. Chapter 27, Title 58 of the S.C. Code is amended by adding:

Article 24

Electric Rate Stabilization

Section 58-27-2700. A public utility providing retail electric service, in its discretion and at any time, may elect to have the terms of this article apply to its rates and charges for retail electric service, on a prospective basis, by filing a notice of the election with the commission and on the

same day and by the same means serving a copy on the Office of Regulatory Staff. Upon receipt of notice of the election, the commission shall proceed to make the findings and establish the ongoing procedures required for adjustments in base rates to be made under this article. In carrying out the procedures established by this article with respect to such an election, the commission shall rely upon and utilize the approved rates, charges, revenues, expenses, capital structure, returns, and other matters established in the public utility's most recent general rate proceeding pursuant to Section 58-27-860; provided, however, that the most recent order must have been issued no more than five years prior to the initial election to come under the terms of this article and the utility must file an application for a general rate proceeding every five years after such election. A public utility may combine an election under this article with the filing of a rate proceeding pursuant to Section 58-27-860. The commission shall include the findings required by this article in its rate orders issued in the Section 58-27-860 proceedings, and the election shall remain in effect until the next general rate proceeding.

Section 58-27-2710. The election by a utility to have the terms of this article apply to its rates and charges for retail electric service once made shall remain in effect until the next general rate proceeding for the public utility under Section 58-27-860, at which time the public utility may then elect to continue the applicability of this article to its rates and charges or elect to opt out of the provisions of this article. The applicant may withdraw its request to come under the terms of this article at any time before the entry of a final order of the commission on the merits of the proceeding in which the election is made or on a petition for rehearing in the proceeding.

Section 58-27-2720. In issuing its order pursuant to Section 58-27-2710, and in addition to the other requirements of Section 58-27-2710, if a proceeding pursuant to that section is required, then:

(1) the commission shall specify a range for the utility's cost of equity that includes a band of fifty basis points (0.50 percentage points) below and fifty basis points (0.50 percentage points) above the cost of equity on which rates have been set; and

(2) the commission separately shall state the amount of the utility's net plant in service, construction work in progress, accumulated deferred income taxes, inventory, working capital, and other rate base components. It also shall state the utility's depreciation expense, operating and maintenance expense, income taxes, taxes other than income taxes, other components of income for return, revenues, capital

structure, cost of debt, overall cost of capital, and earned return on common equity. The figures stated shall be those which the commission has determined to be the appropriate basis on which rates were set in the applicable orders.

Section 58-27-2730. The utility shall file with the commission monitoring reports for each twelve-month period ending on March 31, June 30, September 30, and December 31 of each year, the filings to be made no later than the fifteenth day of the third month following the close of the period. The utility shall serve a copy of such reports on the Office of Regulatory Staff on the same day and by the same means as they are provided to the commission. These quarterly monitoring reports shall include:

(1) the utility's actual net plant in service, construction work in progress, accumulated deferred income taxes, inventory, working capital, and other rate base components. The report shall also show the utility's depreciation expense, operating and maintenance expense, income taxes, taxes other than income taxes, other components of income for return, revenues, capital structure, cost of debt, overall cost of capital, and earned return on common equity;

(2) all applicable accounting and pro forma adjustments historically permitted or required by the commission for the utility in question or for similarly situated utilities, authorized by general principles of utility accounting, or authorized by accounting letters or orders issued by the commission. This authorization may occur either in a general rate hearing or in any other type of filing or hearing that the commission considers appropriate. However, other parties shall be given sufficient opportunity to review and provide comments on any proposed accounting letter or order issued after the initial order allowing future base rate adjustments pursuant to this article;

(3) pro forma adjustments to annualize for the twelve-month period any rate adjustments imposed pursuant to this article or other events affecting only part of the period covered by the filing so that the annualization is required to show the effects of those events on the utility's earnings going forward; and

(4) pro forma or other adjustments required to properly account for atypical, unusual, or nonrecurring events.

Section 58-27-2740. (A) In the monitoring report filed for the twelve-month period ending December thirty-first of each year, the utility shall provide additional schedules indicating the following revenue calculations:

(1) if the utility's earnings exceed the upper end of the range established in the order, then the utility shall calculate the reduction in revenue required to lower its return on equity to the midpoint of the range established in the order; or

(2) if the utility's earnings are below the lower range established in the order, then the utility shall calculate the additional revenue required to increase its return on equity to the midpoint of the range established in the order.

(B) The utility also shall provide a schedule that specifies changes in its tariff rates required to achieve any indicated change in revenue.

(C) The proposed rate changes, filed by the utility, shall conform as nearly as is practicable with the revenue allocation principles contained in the most recent rate order.

Section 58-27-2750. The Office of Regulatory Staff shall review the monitoring report filed pursuant to Section 58-27-2730 and Section 58-27-2740 to determine compliance with its terms, taking into account the findings of any audit conducted by the Office of Regulatory Staff concerning compliance with Section 58-27-2730 and Section 58-27-2740. The Office of Regulatory Staff shall propose those adjustments it determines to be required to bring the report into compliance with Section 58-27-2740. Based upon that report and the findings of any audit conducted by the Office of Regulatory Staff, the commission shall order the utility to make the adjustments to tariff rates necessary to achieve the revenue levels indicated in Section 58-27-2740.

Section 58-27-2760. The procedures contained in this section shall apply to monitoring reports related to the quarter ending December 31.

(1) The utility shall file the monitoring reports annually with the commission and Office of Regulatory Staff on or before March 15.

(2) In cases where the monitoring report indicates rate adjustments are required, or where it otherwise appears to the commission or the Office of Regulatory Staff that an adjustment in rates may be warranted under this article, the commission shall issue a Notice of Filing annually on or before March 31 and require interested persons to file a petition to intervene annually on or before May 15. The commission shall maintain a register of parties who have notified the commission in writing that they wish to be provided with any Notice of Filing related to specified utilities and the commission shall use reasonable efforts to provide such parties with Notices of Filing by such utilities, provided that the failure to do so shall not invalidate any subsequent proceedings. Intervenor shall have discovery rights related to the matters set forth in Section

58-27-2730.

(3) The Office of Regulatory Staff shall conduct an audit of the monitoring report to ascertain the reasonableness and prudence of all matters contained therein and specify any changes that the Office of Regulatory Staff determines to be necessary to correct errors in the report or to otherwise bring the report into compliance with this article. The Office of Regulatory Staff's audit report shall be verified and provided to the commission and to the utility and made available annually to all parties of record no later than June 1. Other parties of record shall also be allowed until June 1 of each year to file verified written comments and submit documentary evidence to the commission and the Office of Regulatory Staff in response to the utility's monitoring report.

(4) The utility shall be allowed until June 15 of each year to file verified written comments and submit documentary evidence to the commission and the Office of Regulatory Staff related to the utility's monitoring report and may request a non-evidentiary hearing before the commission concerning the utility's monitoring report.

(5) On or before July 15 of each year, the commission shall issue an initial order setting forth any changes required in the utility's request to adjust rates under this article (the "Initial Order"). In the absence of such an Initial Order, the electric rate adjustment contained in the utility's filing shall be considered granted as filed.

(6) Any electric rate adjustments authorized under the terms of this article shall take effect for all bills rendered on or after the first billing cycle of August of that year.

Section 58-27-2770. In calculating its revenue requirement under Section 58-27-2730, and apart from the recovery of a return on construction work in progress, an electric utility may not include in plant service its investments in any new electric generating facility of more than two hundred fifty megawatts, or the costs associated with operating such a facility, except through a general electric rate proceeding under Section 58-27-860 and Section 58-27-870 or through a contested case proceeding for the limited purpose of establishing the prudence of the facility under this section.

Section 58-27-2780. Within thirty days of the issuance of an Initial Order pursuant to Section 58-27-2760, or within thirty days of the failure by the commission to issue an order as required pursuant to Section 58-27-2760, any aggrieved party may petition the commission for review of the Initial Order or failure to issue an order and all interested parties of record shall have a right to be heard at an evidentiary hearing

on the matter. The party shall serve a copy of such petition on the Office of Regulatory Staff and other parties of record on the same day and by the same means as it is provided to the commission.

Section 58-27-2790. (A) After conducting the hearing required by Section 58-27-2780, the commission shall issue a final order that:

(1) sets forth any changes that are required to the rates approved in the Initial Order issued under Section 58-27-2760(5);

(2) determines the amount of any overcollection or undercollection by the utility that resulted from collection of the rates authorized in the Initial Order as compared to the rates authorized in the final order issued under this section; and

(3) establishes a credit to refund the amount of any overcollection, or a surcharge to collect the amount of any undercollection that arose during the time that the rates approved in the Initial Order were collected, and requires the utility to apply the credit or surcharge until such time as the overcollection or undercollection is exhausted.

(B) The commission shall issue any final order required under this section by December 31 of the year in which the monitoring report was filed. The order shall make the corrected rates and the credit or surcharge, if any, effective as of the first billing cycle of May of that year.

(C) The provisions of Sections 58-27-2150 and 58-27-2310 concerning rehearing and appeal shall apply to the orders issued pursuant to this section.

Section 58-27-2800. The review of Initial Orders pursuant to Section 58-27-2780 and Section 58-27-2790 is limited to issues related to compliance with the terms of this article. Matters determined in orders issued pursuant to Section 58-27-2720 are not subject to review except in full rate proceedings pursuant to Section 58-27-2740. Any proceedings pursuant to this article are without prejudice to the right of the commission to issue, or any interested party to request issuance of, a rule to show cause why a full rate proceeding should not be initiated, nor does this article limit the right of a utility to file an application pursuant to Section 58-27-870 for an adjustment to its rates and charges, nor does it impose the restrictions on filings contained in Section 58-27-870(E).

Section 58-27-2810. (A) The Office of Regulatory Staff is authorized to create additional positions as the General Assembly may provide in the annual general appropriations act for the purpose of performing its duties under this article; however, no more than two positions for each

electric utility regulated pursuant to this article may be authorized. All salaries, benefits, expenses, and charges incurred by the Office of Regulatory Staff for these positions must be borne by the electric utilities regulated pursuant to this article.

(B) On or before the first day of July in each year, the Department of Revenue must assess each electric utility regulated pursuant to this article an equal portion of these salaries, benefits, expenses, and charges on June 30 preceding that on which the assessment is made which is due and payable on or before July 15. The assessments must be charged against the electric utilities by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the electric utilities, including the enforcement and collection provisions of Article 1, Chapter 54 of 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. These assessments are in addition to any amounts assessed pursuant to Section 58-4-60. These assessments must be deposited in a special fund with the State Treasurer's Office from which the salaries, benefits, expenses, and charges shall be paid.

(C) The Office of Regulatory Staff must annually certify to the Department of Revenue on or before May 1 the amounts to be assessed.

Fusion energy and advanced nuclear facilities

SECTION 11. Article 3, Chapter 33, Title 58 of the S.C. Code is amended by adding:

Section 58-33-196. Electrical utilities and the Public Service Authority are encouraged to explore the potential for deploying fusion energy and advanced nuclear facilities including, but not limited to, small modular nuclear facilities at suitable sites. Suitable sites may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and other brownfield sites, such as coal-generation sites. Any utility pursuing deployment of such nuclear facilities must provide annual progress reports to the commission and the Public Utilities Review Committee; this report may be in writing or in the form of testimony in an appropriate proceeding. A utility whose rates are regulated by the commission must provide estimates of the cost of the studies including, but not limited to, planning, licensing, and project development to the commission. If the commission finds such estimated costs are reasonable, prudent, and in the public interest, such costs may be recoverable through rates as they are incurred. Nothing in

this section relieves an electrical utility of the burden of filing for a certificate under this article and obtaining appropriate approvals from the commission before commencing construction.

Evaluation of potential use, small modular nuclear reactors

SECTION 12. Chapter 37, Title 58 of the S.C. Code is amended by adding:

Section 58-37-70. (A) It is the policy of this State to promote the development and operation of advanced nuclear facilities, including small modular nuclear reactors, in the most economical manner and at the earliest reasonable time possible. These facilities are intended to provide electricity that is reliable, resilient, secure, and free of carbon dioxide emissions, as well as promote this state's economic development and industry retention.

(B) As used in this section:

(1) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(2) "Site" means the geographic location of one or more small modular nuclear reactors.

(3) "Small modular nuclear reactor" means an advanced nuclear reactor that produces nuclear power and has a power capacity of up to 500 megawatts per reactor.

(C)(1) Electrical utilities and the South Carolina Public Service Authority may evaluate the potential for deploying small modular nuclear facilities at suitable sites within this State. A "suitable site" may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and brownfield sites, such as coal generation sites.

(2) Such an evaluation may include cost estimates of further studies related to a potential small modular nuclear facility to serve customers in South Carolina. This includes, but is not limited to, planning, licensing, and project development, the anticipated timeline of an early site permit, current possibilities or barriers to co-ownership of such facilities, and available federal benefits which may defray costs of these facilities.

(3) Electric utilities and the Public Service Authority must provide reports on such evaluations to the Public Utilities Review Committee, the Nuclear Advisory Council, and the Public Service Commission by December 31, 2027.

Agency review of energy infrastructure projects

SECTION 13.A. Chapter 37, Title 58 of the S.C. Code is amended by adding:

Article 3

Energy Infrastructure Projects

Section 58-37-100. As used in this article:

(1) “Agency” means any agency, department, board, commission, or political subdivision of this State. However, it does not include the Public Service Commission, except for Sections 58-37-110 and 58-37-120.

(2) “Application” means a written request made to an agency for grant of a permit or approval of an action or matter within the agency’s jurisdiction pertaining to an energy infrastructure project.

(3) “Brownfield energy site” means an existing or former electrical generating site or other existing or former industrial site.

(4) “Energy corridor” means a corridor in which a utility or the South Carolina Public Service Authority has:

(a) transmission lines with a rated voltage of at least 110 kilovolts, including the substations, switchyards, and other appurtenant facilities associated with such lines; or

(b) high pressure natural gas transmission pipelines and the metering, compression stations, valve station, and other appurtenant facilities associated with such lines.

(5) “Energy corridor project” means an energy infrastructure project that involves the expansion of electric or natural gas delivery capacity in whole or in principal part within an existing energy corridor.

(6) “Energy infrastructure project” means the construction, placement, authorization, or removal of energy infrastructure including, but not limited to, electric transmission and generation assets, natural gas transmission assets, and all associated or appurtenant infrastructure and activities, including communications and distribution infrastructure.

(7) “Permit” means a permit, certificate, approval, registration, encroachment permit, right of way, or other form of authorization.

(8) “Person” means an individual, corporation, association, partnership, trust, agency, or the State of South Carolina.

Section 58-37-110. (A) Given the importance of sufficient, reliable, safe, and economical energy to the health, safety, and well-being of the

citizens of South Carolina and to the state's economic development and prosperity, the General Assembly finds that the prompt siting, permitting, and completion of energy infrastructure projects, energy corridor projects, and brownfield electrical generation projects are crucial to the welfare of the State.

(B) All agencies are instructed to give expedited review of applications for energy infrastructure projects, to provide reasonable and constructive assistance to applicants to allow the applicants to comply with any law and regulatory requirements as expeditiously as possible, and to be guided by the policy goals established in subsection (A).

(C) All agencies are instructed to give due weight to the reduction in the environmental, aesthetic, and socioeconomic impacts that are incurred to support the safe, reliable, and economic provision of energy to the people of South Carolina when energy infrastructure projects can be located in existing energy corridors or on brownfield energy sites, and shall consider the relative reductions in such impacts compared to greenfield projects in evaluating projects in existing energy corridors or on brownfield energy sites.

Section 58-37-120. (A)(1) Any agency presented with an application for a permit for an energy infrastructure project shall promptly provide a public comment period if required by regulation and shall review and issue a decision on the application no later than six months after the date the application is received by the agency. If the agency fails to undertake review of and take final action upon the application within the six-month review period, as defined in subsection (A)(3), the application shall be deemed approved, and the agency shall promptly issue documentation of such approval.

(2) Within thirty days of receipt of an application, the agency shall determine if the application is complete. If the agency determines the application is incomplete, the agency will notify the applicant, and the applicant will have fifteen days to complete the application. The applicant and the agency may mutually agree in writing to extend the time period for completion of the application. After the fifteen days, or the mutually agreed upon date for completion, if the agency determines the application is incomplete, then the agency may deny the application.

(3) The six-month review period shall commence upon the date of filing unless the application is deemed incomplete pursuant to subsection (A)(2). In the event the application as submitted is determined by the agency to be incomplete, the six-month review period shall commence upon the date such application is determined by the agency to be complete, provided that such completion occurs within the period

provided for in subsection (A)(2).

(B) A permit applicant for an energy infrastructure project shall not submit an application for the project prior to conducting a preapplication meeting with the agency to establish milestones within the six-month review period.

(C) The applicant and agency may mutually agree in writing to extend the six-month review period. Such agreement shall be in writing and state a specific date on when the extension will end. The agency shall not stop, stay, or otherwise alter the review period without such written agreement with the applicant.

(D) Upon receipt of an application, the agency shall promptly review it for sufficiency and shall provide the applicant with a list of all technical and administrative deficiencies within thirty days of receipt, or if a public comment period is required, fifteen days from the end of the comment period. The identification by the agency of deficiencies in the application shall not toll the six-month period for agency determination.

Section 58-37-130. The applicant or any person affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the South Carolina administrative law court for a contested case review pursuant to the administrative procedures act. The administrative law court shall issue its final order on the matter within one year, except in cases which the administrative law court determines the case should be extended beyond one year for good cause. The administrative law court's final order shall be immediately appealable to the South Carolina Supreme Court in accordance with South Carolina Appellate Court Rule 203.

Section 58-37-140. The provisions of this article shall expire ten years after its effective date.

B. All other sections of Chapter 37 may be cited as Article 1, entitled "Planning for Energy Supply."

Definition

SECTION 14. Section 58-40-10(C) of the S.C. Code is amended to read:

(C) "Customer-generator" means the owner, operator, lessee, or customer-generator lessee of an electric energy generation unit which:

(1) generates or discharges electricity from a renewable energy resource, including an energy storage device configured to receive

electrical charge solely from an onsite renewable energy resource;

(2) has an electrical generating system with a capacity of:

(a)(i) not more than the lesser of one thousand kilowatts (1,000 kW AC) or one hundred percent of contract demand if a nonresidential customer; or

(ii) after June 1, 2025, not more than the lesser of five thousand kilowatts (5,000kW AC) or one hundred percent of contract demand for a nonresidential customer, provided the customer-generator is on a time-of-use rate schedule and any excess energy produced by the customer-generator is credited and reset at the end of each monthly period; or

(iii) more than five thousand kilowatts (5,000kW AC) if agreed to by the customer-generator and the electrical utility, provided that the electrical utility submits the agreement to the commission for consideration and approval if the commission finds the agreement to contain appropriate ratemaking provisions and is in the public interest; or

(b) not more than twenty kilowatts (20 kW AC) if a residential customer;

(3) is located on a single premises owned, operated, leased, or otherwise controlled by the customer;

(4) is interconnected and operates in parallel phase and synchronization with an electrical utility and complies with the applicable interconnection standards;

(5) is intended primarily to offset part or all of the customer-generator's own electrical energy requirements; and

(6) meets all applicable safety, performance, interconnection, and reliability standards established by the commission, the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, the federal Energy Regulatory Commission, and any local governing authorities.

Voluntary renewable energy programs

SECTION 15. Section 58-41-30 of the S.C. Code is amended to read:

Section 58-41-30. (A) The ability to utilize clean energy resources for electric power generation is important to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic growth in the State.

(B) The commission shall be responsive to the clean energy needs of

customers and the economic development and industry retention implications for the State when reviewing and approving voluntary clean energy programs. The commission shall consider updates to these voluntary renewable energy programs on an ongoing basis.

(C) Within one hundred–twenty days of the effective date of this chapter, each electrical utility shall file a proposed voluntary renewable energy program for review and approval by the commission, unless as of July 1, 2025, the electrical utility already has a voluntary renewable energy program that conforms with the requirements of this section on file with the commission. The commission shall conduct a proceeding to review the program and establish reasonable terms and conditions for the program. Interested parties shall have the right to participate in the proceeding. The commission must periodically hold additional proceedings to evaluate whether updates to the programs are necessary. At a minimum, each electrical utility must submit to the commission a program for which:

(1) the participating customer shall have the right to select the renewable energy facility and negotiate with the renewable energy supplier on the price to be paid by the participating customer for the energy, capacity, and clean energy environmental attributes of the renewable energy facility and the term of such agreement so long as such terms are consistent with the voluntary renewable program service agreement as approved by the commission;

(2) the renewable energy contract and the participating customer agreement must be of equal duration;

(3) in addition to paying a retail bill calculated pursuant to the rates and tariffs that otherwise would apply to the participating customer, reduced by the amount of the generation credit, a participating customer shall reimburse the electrical utility on a monthly basis for the amount paid by the electrical utility to the renewable energy supplier pursuant to the participating customer agreement and renewable energy contract, plus an administrative fee approved by the commission; and

(4) eligible customers must be allowed to bundle their demand under a single participating customer agreement and renewable energy contract and must be eligible annually to procure an amount of capacity as approved by the commission.

(D) The commission must approve voluntary renewable energy programs, in addition to those provided for in subsection (C), where the participating customer purchases clean energy environmental attributes of new or existing renewable energy facilities owned and operated and recovered on a cost-of-service basis by the electrical utility or otherwise supplies through the execution of agreements with third parties within

the utility's balancing authority area. Voluntary renewable energy programs shall also facilitate behind-the-meter options for customers and access to renewable energy resource generation.

(E) The commission may approve a program that provides for options that include, but are not limited to, both variable and fixed generation credit options.

(F) The commission shall limit the total portion of each electrical utility's voluntary renewable energy program that is eligible for the program at a level consistent with the public interest and shall provide standard terms and conditions for the participating customer agreement and the renewable energy contract, subject to commission review and approval.

(G) A participating customer shall bear the burden of any reasonable costs associated with participating in a voluntary renewable energy program. Purchased power costs incurred by an electrical utility as a result of subsection (C) shall be recovered in the electrical utility's fuel clause pursuant to Section 58-27-865.

(H) A renewable energy facility may be located anywhere in the electrical utility's service territory within the utility's balancing authority.

Definition

SECTION 16. Section 58-41-10 of the S.C. Code is amended by adding:

(17) "Energy storage facilities" means any commercially available technology that is capable of absorbing energy and storing it for a period of time for use at a later time including, but not limited to, electrochemical, thermal, and electromechanical technologies.

Proceedings for avoided cost methodologies, standard offers, and forms

SECTION 17. Section 58-41-20 of the S.C. Code is amended to read:

Section 58-41-20. (A) As soon as is practicable after the effective date of this chapter, the commission shall open a docket for the purpose of establishing each electrical utility's standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section. Within six months after the effective date of this chapter, and at least once every twenty-four months thereafter, the commission

shall approve each electrical utility's standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions necessary to implement this section. Within such proceeding the commission shall approve one or more standard form power purchase agreements for use for qualifying small power production facilities not eligible for the standard offer. Such power purchase agreements shall contain provisions, including, but not limited to, provisions for force majeure, indemnification, choice of venue, and confidentiality provisions and other such terms, but shall not be determinative of price or length of the power purchase agreement. The commission may approve multiple form power purchase agreements to accommodate various generation technologies and other project-specific characteristics. This provision shall not restrict the right of parties to enter into power purchase agreements with terms that differ from the commission-approved form(s). Any decisions by the commission shall be just and reasonable to the ratepayers of the electrical utility, in the public interest, consistent with PURPA and the Federal Energy Regulatory Commission's implementing regulations and orders, and nondiscriminatory to small power producers, and shall strive to reduce the risk placed on the using and consuming public.

(1) Proceedings conducted pursuant to this section shall be separate from the electrical utilities' annual fuel cost proceedings conducted pursuant to Section 58-27-865.

(2) Proceedings shall include an opportunity for intervention, discovery, filed comments or testimony, and an evidentiary hearing.

(B) In implementing this chapter, the commission shall treat small power producers on a fair and equal footing with electrical utility-owned resources by ensuring that:

(1) rates for the purchase of energy and capacity fully and accurately reflect the electrical utility's avoided costs;

(2) power purchase agreements, including terms and conditions, are commercially reasonable and consistent with regulations and orders promulgated by the Federal Energy Regulatory Commission implementing PURPA; and

(3) each electrical utility's avoided cost methodology fairly accounts for costs avoided by the electrical utility or incurred by the electrical utility, including, but not limited to, energy, capacity, and ancillary services provided by or consumed by small power producers including those utilizing energy storage equipment. Avoided cost methodologies approved by the commission may account for differences in costs avoided based on the geographic location and resource type of a small power producer's qualifying small power production facility.

(C) The avoided cost rates offered by an electrical utility to a small power producer not eligible for the standard offer must be calculated based on the avoided cost methodology most recently approved by the commission. In the event that a small power producer and an electrical utility are unable to mutually agree on an avoided cost rate, the small power producer shall have the right to have any disputed issues resolved by the commission in a formal complaint proceeding. The commission may require mediation prior to a formal complaint proceeding.

(D) A small power producer shall have the right to sell the output of its facility to the electrical utility at the avoided cost rates and pursuant to the power purchase agreement then in effect by delivering an executed notice of commitment to sell form to the electrical utility. The commission shall approve a standard notice of commitment to sell form to be used for this purpose that provides the small power producer a reasonable period of time from its submittal of the form to execute a power purchase agreement. In no event, however, shall the small power producer, as a condition of preserving the pricing and terms and conditions established by its submittal of an executed commitment to sell form to the electrical utility, be required to execute a power purchase agreement prior to receipt of a final interconnection agreement from the electrical utility.

(E)(1) Electrical utilities shall file with the commission power purchase agreements entered into pursuant to PURPA, resulting from voluntary negotiation of contracts between an electrical utility and a small power producer not eligible for the standard offer.

(2) The commission is authorized to open a generic docket for the purposes of creating programs for the competitive procurement of energy and capacity from renewable energy facilities by an electrical utility within the utility's balancing authority area if the commission determines such action to be in the public interest.

(3) In establishing standard offer and form contract power purchase agreements, the commission shall consider whether such power purchase agreements should prohibit any of the following:

(a) termination of the power purchase agreement, collection of damages from small power producers, or commencement of the term of a power purchase agreement prior to commercial operation, if delays in achieving commercial operation of the small power producer's facility are due to the electrical utility's interconnection delays; or

(b) the electrical utility reducing the price paid to the small power producer based on costs incurred by the electrical utility to respond to the intermittent nature of electrical generation by the small power producer.

(F)(1) Electrical utilities, subject to approval of the commission, shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with commercially reasonable terms and a duration of ten years. The commission may also approve commercially reasonable fixed price power purchase agreements with a duration longer than ten years, which must contain additional terms, conditions, and/or rate structures as proposed by intervening parties and approved by the commission, including, but not limited to, a reduction in the contract price relative to the ten-year avoided cost. Notwithstanding any other language to the contrary, the commission will make such a determination in proceedings conducted pursuant to subsection (A). The avoided cost rates applicable to fixed price power purchase agreements entered into pursuant to this item shall be based on the avoided cost rates and methodologies as determined by the commission pursuant to this section. The terms of this subsection apply only to those small power producers whose qualifying small power production facilities have active interconnection requests on file with the electrical utility prior to the effective date of this act. The commission may determine any other necessary terms and conditions deemed to be in the best interest of the ratepayers. This item is not intended, and shall not be construed, to abrogate small power producers' rights under PURPA that existed prior to the effective date of the act.

(2) Once an electrical utility has executed interconnection agreements and power purchase agreements with qualifying small power production facilities located in South Carolina with an aggregate nameplate capacity equal to twenty percent of the previous five-year average of the electrical utility's South Carolina retail peak load, that electrical utility shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with the terms, conditions, rates, and terms of length for contracts as determined by the commission in a separate docket or in a proceeding conducted pursuant to subsection (A). The commission is expressly directed to consider the potential benefits of terms with a longer duration to promote the state's policy of encouraging renewable energy.

(G) Nothing in this section prohibits the commission from adopting various avoided cost methodologies or amending those methodologies in the public interest.

(H) Unless otherwise agreed to between the electrical utility and the small power producer, a power purchase agreement entered into pursuant to PURPA may not allow curtailment of qualifying facilities in any manner that is inconsistent with PURPA or implementing

regulations and orders promulgated by the Federal Energy Regulatory Commission.

(I) The commission is authorized to employ, through contract or otherwise, third-party consultants and experts in carrying out its duties under this section including, but not limited to, evaluating avoided cost rates, methodologies, terms, calculations, and conditions under this section. The commission is exempt from complying with the State Procurement Code in the selection and hiring of a third-party consultant or expert authorized by this subsection. The commission shall engage, for each utility, a qualified independent third party to submit a report that includes the third party's independently derived conclusions as to that third party's opinion of each utility's calculation of avoided costs for purposes of proceedings conducted pursuant to this section. The qualified independent third party is subject to the same ex parte prohibitions contained in Chapter 3, Title 58 as all other parties. The qualified independent third party shall submit all requests for documents and information necessary to their analysis under the authority of the commission and the commission shall have full authority to compel response to the requests. The qualified independent third party's duty will be to the commission. Any conclusions based on the evidence in the record and included in the report are intended to be used by the commission along with all other evidence submitted during the proceeding to inform its ultimate decision setting the avoided costs for each electrical utility. The utilities may require confidentiality agreements with the independent third party that do not impede the third-party analysis. The utilities shall be responsive in providing all documents, information, and items necessary for the completion of the report. The independent third party shall also include in the report a statement assessing the level of cooperation received from the utility during the development of the report and whether there were any material information requests that were not adequately fulfilled by the electrical utility. Any party to this proceeding shall be able to review the report including the confidential portions of the report upon entering into an appropriate confidentiality agreement. The commission and the Office of Regulatory Staff may not hire the same third-party consultant or expert in the same proceeding or to address the same or similar issues in different proceedings.

(J) Each electrical utility's avoided cost filing must be reasonably transparent so that underlying assumptions, data, and results can be independently reviewed and verified by the parties and the commission. The commission may approve any confidentiality protections necessary to allow for independent review and verification of the avoided cost

filing.

Competitive procurement

SECTION 18. Title 58 of the S.C. Code is amended by adding:

CHAPTER 42

Competitive Procurement

Section 58-42-10. (A) The General Assembly finds that it is in the public interest for the state's electrical utilities to competitively procure targeted volumes of renewable energy and co-located energy storage resources. The General Assembly further finds that it is in the public interest for the state's electrical utilities to competitively procure certain stand-alone storage additions to be located in South Carolina. These procurements shall be consistent with the electric utilities' 2023 integrated resource plans as approved by the commission or the subsequent annual integrated resource plan updates as approved by the commission. The resources procured pursuant to this section are intended to be placed in service on or before January 1, 2035. The volumes of each procurement may be increased or decreased as provided in this section. If an electrical utility proposes an amount of solar or storage in a future integrated resource plan filing that is lower than the amount contained in the electrical utility's 2023 integrated resource plan as approved by the commission, the electrical utility shall include and analyze at least one scenario consistent with the electrical utilities' 2023 preferred resource portfolio that includes volumes of solar and storage consistent with that contained in the 2023 integrated resource plans as approved by the commission.

(B) The electrical utilities shall procure the resources referred to in subsection (A) through at least a biennial competitive procurement process consistent with the requirements of Sections 58-42-20 and 58-42-30, and in accordance with this section. The target volume in each competitive procurement shall be consistent with the volume of resources needed to be procured at that time to achieve the resource in-service dates specified in the electrical utility's 2023 integrated resource plan as approved by the commission or a subsequent integrated resource plan annual update as approved by the commission.

(C) The amount of renewable energy or energy storage resources required to be procured by each electrical utility pursuant to this section shall be reduced by the alternating current ("AC") nameplate capacity of

any facility of the same resource type for which such electrical utility enters into a power purchase agreement after the effective date of this section pursuant to the electrical utility's mandatory purchase obligation under Public Utility Regulatory Policies Act or pursuant to a prior competitive procurement which had not resulted in an executed power purchase agreement prior to the enactment date of this section, provided that the facility is placed in service in 2035 or earlier.

(D) The target resource volumes for each competitive procurement shall reflect any increases or decreases included in the electrical utility's most recently approved integrated resource plan or integrated resource plan update. The electric utility may, at its option, include the procurement of non-renewable generation resources as part of its procurement of renewable and storage resources pursuant to this section.

(E) The target resource volumes for competitive procurement shall take into account any changes in siting opportunities that may be affected by local permitting, zoning, or other regulatory or legal challenges.

(F) The target resource volumes for competitive procurement by the electrical utility shall be increased to account for replacing megawatts associated with:

(1) any inability by the electrical utility to reach target procurement volumes in prior procurement cycles;

(2) the inability of renewable energy or energy storage resources procured in any prior procurement cycles to be placed in service; and

(3) the expiration of any existing contracts with qualifying facilities pursuant to the Public Utility Regulatory Policies Act.

All target resource volumes referenced in this subsection shall be consistent with the needs identified in the most recently commission approved integrated resource plan or integrated resource plan update.

(G) Prior to making final awards in a competitive procurement, the electrical utility shall confirm that the resources selected are cost effective using methodologies and current inputs reflected in the applicable integrated resource plan or integrated resource plan update approved by the commission for that electrical utility.

(H) Notwithstanding the other subsections of this section, the results of competitive procurements within an electrical utility's balancing area outside of South Carolina that serve customers in the electrical utility's balancing area within South Carolina shall be approved or accepted by the commission as specified in Section 58-42-20(G).

(I) Notwithstanding Section 58-41-20(F)(2), electrical utilities shall continue to offer to qualifying small power production facilities power purchase agreements for the purchase of energy and capacity at avoided cost, with commercially reasonable terms and a duration of up to ten

years, until the competitive procurement requirements of this section have been satisfied.

Section 58-42-20. (A) For purposes of this chapter:

(1) "Electrical utility" shall be defined as in Section 58-27-10; provided, however, that electrical utilities serving less than 100,000 customers shall be exempt from the provisions of this chapter unless otherwise provided.

(2) "Energy storage facility" means commercially available technology that can absorb energy and store it for later use including, but not limited to, electrochemical, thermal, and electromechanical technologies but not including pumped hydroelectric facilities.

(3) "Renewable energy facility" has the same meaning as defined in Section 58-39-120(E).

(4) "Renewable energy resource" has the same meaning as "renewable generation resource" as defined in Section 58-39-120(F).

(B) Unless an electrical utility makes an application pursuant to subsection (G), electrical utilities shall file for commission approval a program for the competitive procurement of renewable energy resources and such amount of associated co-located energy storage facilities as determined by the commission to meet needs for new generation and energy storage resources identified by the electrical utility's integrated resource plan or other planning process. A competitive procurement program may be used to procure any subset of energy, capacity, ancillary services, and environmental and renewable attributes. The commission may not grant approval of the program unless it finds that the electrical utility has satisfied all the requirements of this section and that the proposed program is in the best interests of the customers of the electrical utility. Co-located energy storage facilities, if included in the solicitation, must be associated equipment located at the same site as the renewable energy facility.

(C) Electrical utilities shall procure renewable energy resources and co-located energy storage facilities, or the output of such facilities, subject to the following requirements:

(1) Renewable energy and co-located energy storage resources, or their output, procured by electrical utilities shall be procured via a competitive solicitation process open to all market participants that meet minimum eligibility requirements.

(2) The electrical utility shall issue public notice of its intention to issue a competitive renewable energy and co-located energy storage solicitation, or both, at least ninety days prior to the commencement of each solicitation. This notice must include the proposed procurement

volume, process, and timeline.

(3) The electrical utility shall provide a reasonable period of time for interested parties to review and comment on proposed requests for proposals, bid instructions, and bid evaluation criteria, and for commission approval, prior to finalization and issuance.

(4) Renewable energy facilities eligible to participate in a competitive procurement are those that use renewable energy resources.

(5) Energy storage facilities eligible to participate in a competitive procurement are those identified in Section 58-42-20(A)(2) installed and operated in conjunction with a renewable energy facility.

(6) The electrical utility shall be required to use an independent evaluator or independent administrator to oversee or manage the competitive procurement, as determined appropriate by the commission.

(7) The procurement of renewable energy facilities and co-located energy storage facilities and the output of such facilities shall result in a reasonable balance of electrical utility and independent third-party ownership of eligible facilities, as determined by the commission. The electrical utility and its affiliates may offer proposals into the competitive procurement provided that appropriate safeguards are in place to ensure that such proposals do not receive any advantage in the bid evaluation process.

(D) An electrical utility shall make publicly available at least forty-five days prior to each competitive solicitation:

(1) A commission-approved pro forma contract to inform prospective market participants of the procurement terms and conditions. The pro forma contract must: (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; and (ii) define limits and compensation for resource dispatch and curtailment.

(2) A bid and portfolio evaluation methodology that: (i) ensures all bids are treated equitably, including price and nonprice evaluation criteria; and (ii) ensures electrical utility and independent third-party owned facilities are treated equitably with regards to resource dispatch and curtailments.

(3) Interconnection requirements including specification of how bids without existing interconnection studies must be treated for purposes of evaluation.

(E) After bids are submitted and evaluated, final winning bids will be selected based upon the published evaluation methodology.

(F) An electrical utility shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report shall include, at minimum, a summary of the

submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range. Electrical utilities are permitted to recover costs incurred through such competitive procurement through rates established pursuant to Section 58-27-865 or Section 58-27-870.

(G) Notwithstanding the requirements of Section 58-42-10 and this section, the commission shall approve an electrical utility's competitive procurement of energy storage facilities or renewable energy resources and the output of energy storage facilities or renewable energy resources within an electrical utility's balancing area outside of South Carolina that serve customers within South Carolina if eligible energy storage facilities or renewable energy resources located within South Carolina were allowed to participate in the competitive procurement and if the commission determines that the results of such procurement are in the public interest and enable the economic, reliable, and safe operation of the electric grid. Electrical utilities shall be permitted to recover costs incurred through such competitive procurements through rates established pursuant to Section 58-27-865 or Section 58-27-870. However, if the commission determines that the results of the procurement are not in the public interest for South Carolina, then the costs and benefits associated with such procurement shall be allocated away from South Carolina customers.

(H) The commission is authorized to adopt rules or procedures for conducting a procurement authorized by this section.

Section 58-42-30. (A) Within six months from the date of the enactment of this chapter, the commission shall open a docket to establish a competitive procurement program for each electrical utility for energy storage facilities to be located in South Carolina. Solicitations shall be subject to the following limitations:

(1) For transmission-connected energy storage (excluding pumped hydro) the electrical utilities shall conduct a competitive procurement for such resources, including utility-self developed projects. Each electrical utility shall file the proposed details of its competitive procurement process no later than twelve months after the date of the enactment of this chapter.

(2) The target procurement volume for stand-alone storage acquisition may not exceed the portion of stand-alone storage in the most recent commission approved integrated resource plan or integrated resource plan annual update that is equal to the portion of the respective electrical utility's peak load attributable to South Carolina customers.

(3) Stand-alone energy storage facilities with a design capacity less

than or equal to twenty megawatts and intended primarily to address local reliability improvements or local capacity constraints are not subject to the competitive procurement requirements of this section.

(4)(a) The procurement of stand-alone energy storage facilities shall result in a reasonable balance of the electrical utility and independent third-party ownership of eligible facilities, as determined by the commission.

(b) An electrical utility and its affiliates may offer proposals into the competitive procurement provided that appropriate safeguards are in place to ensure that such proposals do not receive any advantage in the bid evaluation process. Electrical utility costs associated with facilities owned by an independent third-party power producer shall be capitalized and included within the electrical utility's rate base for ratemaking purposes.

(B) Competitively procured stand-alone storage shall be subject to operational protocols, equipment specifications, and inspections established by the electric utility and which are necessary to ensure the reliability of the electrical utility system. Information regarding competitively procured stand-alone storage must be provided to the Office of Regulatory Staff.

(C) Electrical utilities may recover costs incurred through such competitive procurement through rates established pursuant to Section 58-27-870.

Definitions

SECTION 19.A. Section 58-33-20 of the S.C. Code is amended by adding:

(10) The term "like facility" with reference to generation facilities and without limitation, includes a facility or facilities that are proposed to provide capacity on a site currently or previously used for siting electric generation that replaces the capacity of a facility or facilities that are being retired, abandoned, brownfield, downrated, mothballed, or dedicated to standby or emergency service at the same site, limited to facilities no more than 300 megawatts for non-nuclear generation, so long as those new facilities will provide an amount of effective load-carrying capacity that in whole or in part will serve to replace the capacity to be lost as a result of retirement, capacity lost as a result of abandonment, or in the case of nuclear generation, will serve to provide the facility and includes associated transmission facilities needed to deliver power from that facility to customers. A "like facility" with

reference to transmission facilities and, without limitation, includes any facility that represents the rebuilding, reconductoring, paralleling, increasing voltage, adding circuits or otherwise reconfiguring of an existing transmission line or other transmission facilities including, without limitation, projects to increase the capacity of such facilities, provided such facilities are: (a) located materially within a utility right of way or corridor; or (b) substantially located on the property of a customer, prospective customer, or the State.

B. Section 58-33-20(2)(a) of the S.C. Code is amended to read:

(2) The term “major utility facility” means:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts.

Certification, major utility facilities

SECTION 20. Article 3, Chapter 33, Title 58 of the S.C. Code is amended to read:

Article 3

Certification of Major Utility Facilities

Section 58-33-110.(1) No person shall commence to construct a major utility facility without first having obtained a certificate issued with respect to such facility by the commission. The replacement of an existing facility with a like facility, as determined by the commission, shall not constitute construction of a major utility facility. Upon application for a determination by the commission that a proposed utility facility constitutes a like facility replacement, the commission must issue a written order approving or denying the application within sixty days of filing. Any facility, with respect to which a certificate is required, shall be constructed, operated, and maintained in conformity with the certificate and any terms, conditions, and modifications contained therein. A certificate may only be issued pursuant to this chapter; provided, however, any authorization relating to a major utility facility granted under other laws administered by the commission shall constitute a certificate if the requirements of this chapter have been complied with in the proceeding leading to the granting of such authorization.

(2) A certificate may be transferred, subject to the approval of the commission, to a person who agrees to comply with the terms, conditions and modifications contained therein.

(3) A certificate may be amended.

(4) This chapter shall not apply to any major utility facility:

(a) the construction of which is commenced within one year after January 1, 1972; or

(b) for which, prior to January 1, 1972, an application for the approval has been made to any federal, state, regional, or local governmental agency which possesses the jurisdiction to consider the matters prescribed for finding and determination in subsection (1) of Section 58-33-160; or

(c) for which, prior to January 1, 1972, a governmental agency has approved the construction of the facility and indebtedness has been incurred to finance all or part of the cost of such construction; or

(d) which is a hydroelectric generating facility over which the Federal Energy Regulatory Commission has licensing jurisdiction; or

(e) which is a transmission line or associated electrical transmission facilities constructed by the South Carolina Public Service Authority: (i) for which construction either is commenced within one year after January 1, 2022; (ii) which is necessary to maintain system reliability in connection with the closure of the Winyah Generating Station, provided that such transmission is not for generation subject to this chapter; or (iii) which is necessary to serve an identified commercial or industrial customer to promote economic development or industry retention as determined by the South Carolina Public Service Authority and agreed to by the Office of Regulatory Staff. In the event such an agreement is reached, the Office of Regulatory Staff shall provide a letter to the commission and the Public Utilities Review Committee with a description of the agreement.

(5) Any person intending to construct a major utility facility excluded from this chapter pursuant to subsection (4) or Section 58-33-20(10) of this section may elect to waive the exclusion by delivering notice of the waiver to the commission. This chapter shall thereafter apply to each major utility facility identified in the notice from the date of its receipt by the commission.

(6) The commission shall have authority to waive the normal notice and hearing requirements of this chapter and to issue a certificate on an emergency basis if it finds that immediate construction of a major utility facility is justified by public convenience and necessity; provided, that the Public Service Commission shall notify all parties concerned under Section 58-33-140 prior to the issuance of such certificate; provided,

further, that the commission may subsequently require a modification of the facility if, after giving due consideration to the major utility facility, available technology and the economics involved, it finds such modification necessary in order to minimize the environmental impact.

(7) The commission shall have authority, where justified by public convenience and necessity, to grant permission to a person who has made application for a certificate under Section 58-33-120 to proceed with initial clearing, excavation, dredging, and construction. Pending an application for determination of a like facility, no permission from the commission shall be required to proceed with initial clearing, excavation, dredging, and initial construction of any proposed like facility; provided that in engaging in such clearing, excavation, dredging, or construction, the person shall proceed at his own risk, and such early action in advance of a determination shall not in any way indicate approval by the commission of the proposed site or like facility.

(8)(a) In seeking a certificate, the applicant must provide credible information demonstrating that the facility to be built has been compared to other generation options in terms of cost, reliability, schedule constraints, fuel cost and availability, transmission constraints and costs, ancillary services capabilities, current and reasonably expected future environmental costs and restrictions, that the facility supports system efficiency and reliability in light of those considerations, and any other regulatory implications deemed legally or reasonably necessary for consideration by the commission. The commission is authorized to adopt rules for such evaluation of other generation options.

(b) The Office of Regulatory Staff may provide to the commission a report that includes any or all of the following:

(i) an assessment of an unbiased independent evaluator retained by the Office of Regulatory Staff as to reasonableness of any certificate sought under this section for new generation;

(ii) a report from the independent evaluator to the commission regarding the transparency, completeness, and integrity of bidding processes, if any;

(iii) an assessment of whether there was a reasonable period for interested parties to review and comment on proposed requests for proposals, bid instructions, and bid evaluation criteria, if any, prior to finalization and issuance, subject to any trade secrets that could hamper future negotiations; however, the independent evaluator may access all such information;

(iv) an assessment of whether the facility is consistent with an integrated resource plan or update previously filed with the commission or is otherwise justified by generation planning modeling comparable to

that filed as part of the utility's integrated resource plan but updated with current data concerning system loads, fuel prices, environmental regulations, location-specific transmission costs, updated construction costs and updated construction timelines, updated costs of gas supply facilities, if any, and other relevant costs, schedules or inputs establishing that the facility in question supports system economy and reliability; and

(v) an assessment detailing the treatment of utility affiliates as compared to nonaffiliates participating in the request for proposal process, if any.

(9) The applicant may, but must not be required to, issue requests for proposals or otherwise conduct market procurement activities in support of the showings required pursuant to this chapter.

(10) Notwithstanding any other provision in this section, an electrical utility serving customers in this state may seek a certificate of public convenience and necessity when building a major utility facility, as defined in Section 58-33-20(2), in another state but within the electrical utility's balancing area serving customers in South Carolina. In such a case, the provisions of Sections 58-33-120, 58-33-140, and 58-33-160(1)(b), (c), and (e) shall not apply, but all other requirements of this section affecting customers in this state shall apply. In addition:

(a) an applicant for a certificate shall file an application with the commission in such form as the commission may prescribe. The application must contain the following information:

(i) a description of the location and of the major utility facility to be built;

(ii) a summary of any studies which have been made by or for the applicant of the environmental impact of the major utility facility;

(iii) a statement explaining the need for the major utility facility;

(iv) any other information the applicant may consider relevant or as the commission may by regulation or order require. A copy of the report referred to in item (8)(b) must be filed with the commission, if ordered by the commission, and shall be available for public information.

(b) If the commission denies an application made pursuant to this section and the utility continues to build such major utility facility, the utility must allocate all costs and benefits associated with the major utility facility away from the utility's South Carolina customers.

(c) If the commission approves an application made pursuant to this subsection, the commission, for all future requests related to the major utility facility, shall utilize South Carolina law in determining costs and benefits for the utility's South Carolina customers.

Section 58-33-120. (1) An applicant for a certificate shall file an application with the commission, in such form as the commission may prescribe. The application must contain the following information:

(a) a description of the location and of the major utility facility to be built;

(b) a summary of any studies which have been made by or for applicant of the environmental impact of the facility;

(c) a statement explaining the need for the facility; and

(d) any other information as the applicant may consider relevant or as the commission may by regulation require. A copy of the study referred to in item (b) above shall be filed with the commission, if ordered, and shall be available for public information.

(2) Each application shall be accompanied by proof of service of a copy of the application on the Office of Regulatory Staff, the chief executive officer of each municipality, and the head of each state and local government agency, charged with the duty of protecting the environment or of planning land use, in the area in the county in which any portion of the facility is to be located. The copy of the application shall be accompanied by a notice specifying the date on or about which the application is to be filed.

(3) Each application also must be accompanied by proof that public notice was given to persons residing in the municipalities entitled to receive notice under subsection (2) of this section, by the publication of a summary of the application, and the date on or about which it is to be filed, in newspapers of general circulation as will serve substantially to inform such persons of the application.

(4) Inadvertent failure of service on, or notice to, any of the municipalities, government agencies, or persons identified in subsections (2) and (3) of this section may be cured pursuant to orders of the commission designed to afford them adequate notice to enable their effective participation in the proceeding. In addition, the commission may, after filing, require the applicant to serve notice of the application or copies thereof, or both, upon such other persons, and file proof thereof, as the commission may deem appropriate.

(5) An application for an amendment of a certificate shall be in such form and contain such information as the commission shall prescribe. Notice of the application shall be given as set forth in subsections (2) and (3) of this section.

Section 58-33-130. (1) Upon the receipt of an application complying with Section 58-33-120, the commission shall promptly fix a date for the

commencement of a public hearing, not less than sixty nor more than ninety days after the receipt, and complete the hearing and issue an order on the merits within one hundred eighty days of receipt of the application.

(2) The testimony presented at the hearing may be presented in writing or orally, provided that the commission may make rules designed to exclude repetitive, redundant or irrelevant testimony; however, all expert testimony must be prefiled with the commission, with responsive expert testimony of non-applicants being received with enough time for the applicant to meaningfully respond, and in no case would expert testimony be filed less than twenty days before the hearing.

(3) On an application for an amendment of a certificate, the commission shall hold a hearing in the same manner as a hearing is held on an application for a certificate if the proposed change in the facility would result in any significant increase in any environmental impact of the facility or a substantial change in the location of all or a portion of the facility; provided, that the Public Service Commission shall forward a copy of the application to all parties upon the filing of an application.

Section 58-33-140. (1) The parties to a certification proceeding shall include:

- (a) the applicant;
- (b) the Office of Regulatory Staff, the Department of Environmental Services, the Department of Natural Resources, and the Department of Parks, Recreation and Tourism;
- (c) each municipality and government agency entitled to receive service of a copy of the application under subsection (2) of Section 58-33-120 if it has filed with the commission a notice of intervention as a party within thirty days after the date it was served with a copy of the application; and
- (d) any person residing in a municipality entitled to receive service of a copy of the application under subsection (2) of Section 58-33-120, any domestic nonprofit organization, formed in whole or in part to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interest, to represent commercial and industrial groups, or to promote the orderly development of the area in which the facility is to be located; or any other person, if such a person or organization has petitioned the commission for leave to intervene as a party, within thirty days after the date given in the published notice as the date for filing the application, and if the petition has been granted by the commission for good cause shown.

(2) Any person may make a limited appearance in the sixty days after the date given in the published notice as the date for filing the application. No person making a limited appearance shall be a party or shall have the right to present oral testimony or argument or cross-examine witnesses.

(3) The commission may, in extraordinary circumstances for good cause shown, and giving consideration to the need for timely start of construction of the facility, grant a petition for leave to intervene as a party to participate in subsequent phases of the proceeding, filed by a municipality, government agency, person, or organization which is identified in paragraphs (b) or (c) of subsection (1) of this section, but which failed to file a timely notice of intervention or petition for leave to intervene, as the case may be.

Section 58-33-150. A record shall be made of any hearing and of all testimony taken and the cross-examination thereon. The commission may provide for the consolidation of the representation of parties having similar interests.

Section 58-33-160. (1) The commission shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions or modifications of the construction, operation or maintenance of the major utility facility as the commission may deem appropriate; such conditions shall be as determined by the applicable State agency having jurisdiction or authority under statutes, rules, regulations or standards promulgated thereunder, and the conditions shall become a part of the certificate. The commission must grant a certificate for the construction, operation and maintenance of a major utility facility, either as proposed or as modified by the commission, if it finds and determines that the applicant has shown:

- (a) The basis of the need for the facility.
- (b) The nature of the probable environmental impact.
- (c) That the impact of the facility upon the environment is justified, considering the state of available technology and the nature and economics of the various alternatives and other pertinent considerations.
- (d) That the facilities will serve the interests of system economy and reliability, and in the case of generating facilities, will do so considering reasonable available alternatives and their associated costs, risks, and operating attributes.
- (e) That there is reasonable assurance that the proposed facility will conform to applicable state and local laws and regulations issued thereunder, including any allowable variance provisions therein, except

that the commission may refuse to apply any local law or local regulation if it finds that, as applied to the proposed facility, such law or regulation is unreasonably restrictive in view of the existing technology, or of factors of cost or economics or of the needs of consumers whether located inside or outside of the directly affected government subdivisions.

(f) That public convenience and necessity require the construction of the facility.

(2) If the commission determines that the location of all or a part of the proposed facility should be modified, it may condition its certificate upon such modification, provided that the municipalities and persons residing therein affected by the modification shall have been given reasonable notice.

(3) A copy of the decision and any order shall be served by the commission upon each party.

Section 58-33-170. In rendering a decision on an application for a certificate, the commission shall issue an order stating its reasons for the action taken. If the commission has found that any regional or local law or regulation, which would be otherwise applicable, is unreasonably restrictive pursuant to paragraph (e) of subsection (1) of Section 58-33-160, it shall state in its order the reasons therefor.

Section 58-33-180. (A) In addition to the requirements of Articles 1, 3, 5, and 7 of Chapter 33, Title 58, a certificate for the construction of a major utility facility shall be granted only if the Public Service Authority demonstrates and proves by a preponderance of the evidence and the commission finds:

(1) the construction of a major utility facility constitutes a more cost-effective means for serving direct serve and wholesale customers than other feasibly available long-term power supply alternatives and provides less ratepayer risk while maintaining safe and reliable electric service than other feasibly available long-term power supply alternatives; and

(2) energy efficiency measures; demand-side management; renewable energy resource generation; available long-term power supply alternatives, or any combination thereof, would not establish or maintain a more cost-effective and reliable generation system and that the construction and operation of the facility is in the public interest.

(B) Available long-term power supply alternatives may include, but are not limited to, power purchase agreements, competitive procurement of renewable energy, joint dispatch agreements, market purchases from

an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof.

(C) The commission shall consider any previous analysis performed pursuant to Section 58-37-40 in acting upon any petition by the Public Service Authority pursuant to this section. The commission shall also take into account the Public Service Authority's resource and fuel diversity, reasonably anticipated future operating costs, arrangements with other electric utilities for interchange of power, pooling of plants, purchase of power and other alternative methods for providing reliable, efficient, and economical electric service.

(D) The Public Service Authority shall file an estimate of construction costs in such detail as the commission may require.

Section 58-33-185. (A) The Public Service Authority may not acquire a major utility facility without approval of the Public Service Commission of South Carolina, provided that the approval is required only to the extent the transaction is not subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission or any other federal agency.

(B)(1) In acting upon any petition by the Public Service Authority pursuant to this section, the Public Service Authority must prove by a preponderance of the evidence that the proposed transaction constitutes a more cost-effective means for serving direct serve and wholesale customers than other feasibly available long-term power supply alternatives and provides less ratepayer risk while maintaining safe and reliable electric service than other feasibly available long-term power supply alternatives. The commission shall consider any previous analysis performed pursuant to Section 58-37-40 in acting upon any petition by the Public Service Authority pursuant to this section. The commission shall also take into account the Public Service Authority's arrangements with other electric utilities for interchange of power, pooling of plants, purchase of power and other alternative methods for providing reliable, efficient, and economical electric service.

(2) Available long-term power supply alternatives may include, but not be limited to, power purchase agreements of a different duration than proposed, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof.

(C) Application for the approval of the commission shall be made by the Public Service Authority and shall contain a concise statement of the proposed action, the reasons therefor, and such other information as may be required by the commission.

(D) Upon the receipt of an application, the commission shall promptly fix a date for the commencement of a public hearing, not less than sixty nor more than ninety days after the receipt, and shall conclude the proceedings as expeditiously as practicable. The commission shall establish notice requirements and proceedings shall include an opportunity for intervention, discovery, filed comments or testimony, and an evidentiary hearing.

(E) The commission shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions or modifications as the commission may deem appropriate.

(F)(1) The commission may not grant approval unless it shall find and determine that the Public Service Authority satisfied all requirements of this section and the proposed transaction is in the best interests of the retail and wholesale customers of the Public Service Authority.

(2) The commission also may require compliance with any provision of Article 3, Chapter 33, Title 58 that the commission determines necessary to grant approval.

Section 58-33-190. (1) The Public Service Authority may not enter into a contract for the purchase of power with a duration longer than ten years without approval of the Public Service Commission of South Carolina, provided that the approval is required only to the extent the transaction is not subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission or any other federal agency. This section does not apply to purchases of renewable power through a commission approved competitive procurement process.

(2) The commission shall consider any previous analysis performed pursuant to Section 58-37-40 in acting upon any petition by the Public Service Authority pursuant to this section. The commission shall also take into account the Public Service Authority's resource and fuel diversity, reasonably anticipated future operating costs, arrangements with other electric utilities for interchange of power, pooling of plants, purchase of power, and other alternative methods for providing reliable, efficient, and economical electric service.

(3) The commission may not grant approval unless it shall find and determine that the proposed transaction is in the best interests of the retail and wholesale customers of the Public Service Authority.

Integrated resource plan

SECTION 21. Section 58-37-40 of the S.C. Code is amended to read:

Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts and the Public Service Authority must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility's website and on the commission's website.

(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office's website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable energy or because it purchases wholesale load balancing generation services, then the plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five

percent of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the commission. The Public Service Authority shall develop a public process allowing for input from all stakeholders prior to submitting the integrated resource plan. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the commission's website and on the Public Service Authority's website.

(4)(a) In addition to the requirements of Section 58-37-40(B), the Public Service Authority's integrated resource plan shall include an analysis of long-term power supply alternatives and enumerate the cost of various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and least ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service.

(b) In addition to the requirements of Section 58-37-40(B), the commission shall review and evaluate the Public Service Authority's analysis of long-term power supply alternatives and various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and lowest ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service. The commission's evaluation shall include, but not be limited to:

(i) evaluating the cost-effectiveness and ratepayer-risk of self-build generation and transmission options compared with various long-term power supply alternatives, including power purchase agreements, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional

transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof. In evaluating and identifying the most cost-effective and least ratepayer-risk resource portfolio, the commission shall strive to reduce the risk to ratepayers associated with any generation and transmission options while maintaining safe and reliable electric service; and

(ii) an analysis of any potential cost savings that might accrue to ratepayers from the retirement of remaining coal generation assets.

(c) The authority's integrated resource plan must provide the information required in Section 58-37-40(B) and must be developed in consultation with the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities purchasing power and energy from the Public Service Authority, and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The Integrated Resource Plan of the South Carolina Public Service Authority shall include and evaluate at least one resource portfolio, which will reflect the closure of the Winyah Generating Station by 2028, designed to provide safe and reliable electric service while meeting a net zero carbon emission goal by the year 2050.

(B)(1) An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

- (i) customer energy efficiency and demand response programs;
- (ii) facility retirement assumptions; and
- (iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs;

(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction; and

(j) a report addressing updates to the utility's transmission plan under the utility's open access transmission tariff pursuant to the federal jurisdictional planning process. In this report, the utility shall, when applicable, describe planned transmission improvements specific to siting of new resources expected to impact interconnection constraints or other operations of the systems. The utility shall also describe how it evaluated alternate transmission technologies when developing solutions for identified transmission needs for interconnecting resources. The utility's transmission report must include how the utility evaluates transmission investments, including:

- (i) a description of how the utility evaluated a range of transmission solutions, including non-wires alternatives, joint projects with neighboring and other regional utilities, other upgrades to existing facilities, and other best practices. Modeling may consider, as appropriate, grid-enhancing technologies and alternate transmission technologies such as static synchronous compensators, static Volt-Ampere Reactive (VAR) compensators, advanced power flow control devices, transmission switching, synchronous condensers, voltage source converters, advanced conductors, switchable reactors, and tower lifting in a manner consistent with common utility practice;

- (ii) a description of how transmission factored into the utility's evaluation of the range of future scenarios included in the fifteen-year time period of the utility's resource plan, including significant continued economic growth and the retirement of the utility's coal generation;

- (iii) a discussion of transmission considerations for facilities included in the utility's preferred resource plan for which there are particular sites specified;

(iv) information such that intervenors and stakeholders can pursue participation in local transmission planning collaborative activities which are held pursuant to orders from the Federal Energy Regulatory Commission; and

(v) any other information that the utility believes is relevant to its resource plan or future transmission investments.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) The commission shall have a proceeding to review each electrical utility subject to subsection (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The procedural schedule shall include dates for completion of each phase of discovery, including discovery related to the integrated resource plan as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, and rebuttal testimony of the applicant. Except upon showing exceptional circumstances, all discovery shall be served in time to allow its completion, but not less than ten days prior to the hearing. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility or the Public Service Authority files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. In reviewing an integrated resource plan, the commission shall give due consideration as to the resources and actions necessary for the utility to fulfill compliance and reliability obligations pursuant to the Federal Energy Regulatory Commission, the North American Electric Reliability Corporation, the SERC Reliability Corporation, and the Nuclear Regulatory Commission requirements, as well as environmental requirements applicable to resources serving customers in this State. Matters related to the scope and sufficiency of an electrical utility's demand-side plans and activities shall be

considered exclusively in proceedings conducted pursuant to Section 58-37-20. In reviewing an integrated resource plan, the commission shall focus its review on the decisions which the applicant must make in the near term based on the triennial integrated resource plan under consideration at the time and shall approve a plan if it finds that the plan appropriately balances the following factors:

(a) resource adequacy and capacity to serve anticipated peak electrical load, including the need for electric capacity and energy required to support economic development and industry retention in the electrical utility's or the Public Service Authority's service territory and to meet applicable planning reserve margins;

(b) consumer affordability and least reasonable cost considering the resources needed to support economic development and industry retention, and other risks and benefits;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply;

(g) the efficiencies and optimum plans for any electrical utility system spanning state lines located within the electrical utility's or the Public Service Authority's balancing authority area; and

(h) other foreseeable conditions that the commission determines to be for the public's interest.

(3) In modifying or rejecting an electrical utility's or the Public Service Authority's integrated resource plan, the commission shall only require revisions that are reasonably anticipated to materially change resource procurement decisions to be made on the basis of the integrated resource plan under review. If the commission modifies or rejects an electrical utility's or the Public Service Authority's integrated resource plan, the electrical utility or the Public Service Authority, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's or the Public Service Authority's revised filing, the Office of Regulatory Staff shall review the electrical utility's or the Public Service Authority's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the

revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. An electrical utility shall retain the burden of proof to show that all of its investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) An electrical utility and the Public Service Authority shall each submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's or the Public Service Authority's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's or Public Service Authority's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each electrical utility's or the Public Service Authority's annual update and submit a report within ninety days to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility or the Public Service Authority to make changes to the annual update that the commission determines to be in the public interest within sixty days from the submittal of the Office of Regulatory Staff's report.

(E) Intervenors shall bear their own costs of participating in proceedings before the commission except that the commission may order utilities to provide software licenses to intervenors who are participating in litigated proceedings before the commission, where doing so is in the public interest. If software licenses are provided to intervenors, the intervenors shall reimburse the utility for the cost of the software use. Nothing in this subsection permits the disclosure of any utility information deemed confidential by statute, regulation, or a determination by the commission or obviates the intervenor's obligation to enter into a non-disclosure agreement pertaining to disclosure of

confidential or trade secrets.

(F) The commission is authorized to promulgate regulations to carry out the provisions of this section.

Communication between commission, parties

SECTION 22. Section 58-3-260 of the S.C. Code is amended to read:

Section 58-3-260. (A) For purposes of this section:

(1) "Proceeding" means a contested case, generic proceeding, or other matter to be adjudicated, decided, or arbitrated by the commission.

(2) "Person" means a party to a proceeding pending before the commission, a member of the Office of Regulatory Staff, a representative of a party to a proceeding pending before the commission, individuals, corporations, partnerships, limited liability companies, elected officials of state government, and other public and elected officials.

(3) "Communication" means the transmitting of information by any mode including, but not limited to, oral, written, or electronic.

(4) "Allowable ex parte communication briefing" means any communication that is conducted pursuant to the procedure outlined in subsection (D)(6) of this section.

(5) "Communication of supplemental legal citation" means the submission, subsequent to the submission of post-hearing briefs or proposed orders in a proceeding, of statutes, regulations, judicial or administrative decisions that are enacted, promulgated, or determined after the submission of post-hearing briefs or proposed orders.

(B)(1) Except as otherwise provided herein or unless required for the disposition of ex parte matters specifically authorized by law, a commissioner, hearing officer, or commission employee shall not communicate, directly or indirectly, regarding any issue that is an issue in any proceeding or can reasonably be expected to become an issue in any proceeding with any person without notice and opportunity for all parties to participate in the communication, nor shall any person communicate, directly or indirectly, regarding any issue that is an issue in any proceeding or can reasonably be expected to become an issue in any proceeding with any commissioner, hearing officer, or commission employee without notice and opportunity for all parties to participate in the communication.

(2) "Issue" does not include:

(a) general information concerning the operations, administration, planning, projects, customer service, storms or storm

response, accidents, outages, or investments of an entity regulated by the commission that is not confidential and proprietary and is available to the public; or

(b) any confidential information that affects energy security, such as physical or cybersecurity matters, provided that such information is also provided to the Executive Director of the Office of Regulatory Staff. Any communication pursuant to subitems (a) or (b) provided to the commission must also be provided in writing and must be posted on the commission's website with any confidential information redacted.

(C) Commissioners must limit their consideration of matters before them to the record presented by the parties and may not rely on material not presented in the record by the parties.

(D) The following communications are exempt from the prohibitions of subsection (B) of this section:

(1) a communication concerning compliance with procedural requirements if the procedural matter is not an area of controversy in a proceeding;

(2) statements made by a commission employee who is or may reasonably be expected to be involved in formulating a decision, rule, or order in a proceeding, where the statements are limited to providing publicly available information about pending proceedings;

(3) inquiries relating solely to the status of a proceeding, unless the inquiry: (a) states or implies a view as to the merits or outcome of the proceeding; (b) states or implies a preference for a particular party or which states why timing is important to a particular party; (c) indicates a view as to the date by which a proceeding should be resolved; or (d) is otherwise intended to address the merits or outcome or to influence the timing of a proceeding;

(4) a communication made by or to commission employees that concerns judicial review of a matter that has been decided by the commission and is no longer within the commission's jurisdiction; however, if the matter is remanded to the commission for further action, the provisions of this section shall apply during the period of the remand;

(5) where circumstances require, ex parte communications for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized provided:

(a) the commissioner, hearing officer, or commission employee reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication; and

(b) the commissioner, hearing officer, or commission employee makes provision promptly to notify all other parties of the substance of the ex parte communication and, where possible, allows an opportunity

to respond;

(6)(a) subject to the provisions of Chapter 4, Title 30, communications, directly or indirectly, regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding for the purposes of an allowable ex parte communication briefing if:

(i) in the course of such briefing, no commissioner or commission employee shall make any commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate issue in any proceeding nor shall any person request any commitment, predetermination, or prediction to be given by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue;

(ii) the Executive Director of the Office of Regulatory Staff or his designee must attend the briefing and certify that the commissioners and commission employees complied with the provisions in subitem (i);

(iii) each commissioner or commission employee present at the allowable ex parte communication briefing grants to every other party or person requesting an allowable ex parte communication briefing on the same or similar matter that is or can reasonably be expected to become an issue in a proceeding, similar access and a reasonable opportunity to communicate, directly or indirectly, regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding under the provisions of subsection (D)(6) of this section and files a written, certified statement with the Executive Director of the Office of Regulatory Staff within forty-eight hours of the briefing stating that the commissioner or commission employee will comply with this provision;

(iv) the commission must post on its website, at least five business days prior to the proposed briefing, a notice of each request for an allowable ex parte communication briefing that includes the date and time of the proposed briefing, the name of the person or party who requested the briefing, the name of each commissioner and commission employee whom the person or party has requested to brief, and the subject matter to be discussed at the briefing;

(v) the commission must post on its website within three business days after the briefing, all nonconfidential materials and documents provided to the commission as part of the ex parte briefing and a statement signed by the chief clerk of the commission that the

provisions of this subsection have been followed, including the justification for actions taken to preserve the confidentiality of any confidential information provided to the commission;

(vi) the person or party initially seeking the briefing must request the briefing with sufficient notice, as required in subsubitem (iv), to allow the initial briefing to be held at least twenty business days prior to the hearing in the proceeding at which the matter that is the subject of the briefing is or can reasonably be expected to become an issue, and the initial briefing must be held at least twenty business days prior to the hearing in the proceeding; and

(vii) any person or party desiring to have a briefing on the same or similar matter as provided for in subsubitem (vi) shall be entitled to request a briefing so long as the request is made with sufficient time for notice, as required in subsubitem (iv), to allow the briefing to be held at least ten business days prior to the hearing in the proceeding at which the matter that is the subject of the briefing is or can reasonably be expected to become an issue, and any such briefing must be held at least ten business days prior to the hearing in the proceeding;

(b) nothing in subsection (D)(6) of this section requires any commissioner or commission employee to grant a request for an allowable ex parte communication briefing, except as provided in subsection (D)(6)(a)(iii) of this section;

(7) a communication of supplemental legal citation if the party files copies of such documents, without comment or argument, with the chief clerk of the commission and simultaneously provides copies to all parties of record;

(8) subject to the provisions of Chapter 4, Title 30, communications between and among commissioners regarding matters pending before the commission; provided, further, that any commissioner, hearing officer, or commission employee may receive aid from commission employees if the commission employees providing aid do not:

(a) receive ex parte communications of a type that the commissioner, hearing officer, or commission employee would be prohibited from receiving; or

(b) furnish, augment, diminish, or modify the evidence in the record.

(E) If before serving in a proceeding, a commissioner, hearing officer, or commission employee receives an ex parte communication of a type that may not properly be received while serving, the commissioner, hearing officer, or commission employee must disclose the communication in the following manner: a commissioner, hearing officer, or a commission employee who receives an ex parte

communication in violation of this section must promptly after receipt of the communication or, in the case of a communication prior to a filing, as soon as it is known to relate to a filing, place on the record of the matter all written and electronic communications received, all written and electronic responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person from whom the commissioner, hearing officer, or commission employee, as appropriate, received an ex parte communication and must advise all parties that these matters have been placed on the record. Within ten days after receipt of notice of the ex parte communication, any party who desires to rebut the contents of the communication must request and shall be granted the opportunity to rebut the contents. Parties affected by a violation may agree to a resolution of any claim regarding such violation, including the waiver of a hearing and the waiver of the obligation to report violations under subsection (J) of this section.

(F) Any person who makes an inadvertent ex parte communication must, as soon as it is known to relate to an issue in a proceeding, disclose the communication by placing on the record of the matter the communication made, if written or electronic, or a memorandum stating the substance of an inadvertent oral communication, and the identity of each person to whom the inadvertent ex parte communication was made or given. Within ten days after receipt of notice of the ex parte communication, any party who desires to rebut the contents of the communication must request and shall be granted the opportunity to rebut the contents. If no party rebuts the inadvertence of the ex parte communication within ten days after notice of the ex parte communication, the ex parte communication shall be presumed inadvertent. Parties affected by a violation may agree to a resolution of any claim regarding such violation, and the provisions of subsection (K) of this section shall not apply.

(G) If necessary to eliminate the effect of an ex parte communication received in violation of this section, a commissioner, hearing officer, or commission employee who receives the communication may be disqualified by the commission, and the portions of the record pertaining to the communication may be sealed by protective order.

(H) Nothing in this section alters or amends Section 1-23-320(i).

(I) Nothing in this section prevents a commissioner, hearing officer, or commission employee from:

(1) attending educational seminars sponsored by state, regional, or national organizations and seminars not affiliated with any utility regulated by the commission; however, the provisions of this section

shall apply to any communications that take place outside any formal sessions of any seminars or group presentations; or

(2) conducting a site visit of a utility or Public Service Authority facility under construction or attending educational tours of utility or Public Service Authority plants or other facilities provided:

(a) the Executive Director of the Office of Regulatory Staff or his designee also attends the site visit or educational tour;

(b) a summary of the discussion is produced and posted on the commission's website, along with copies of any written materials utilized, referenced, or distributed; and

(c) each party, person, commission, and commission employee who participated in the site visit or educational tour, within forty-eight hours of the site visit or educational tour, files a certification with the Executive Director of the Office of Regulatory Staff that no commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate issue in any proceeding was requested by any person or party, nor any commitment, predetermination, or prediction was given by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue.

(J) Subject to any privilege under Rule 501 of the South Carolina Rules of Evidence, any commissioner, hearing officer, commission employee, party, or any other person must report any wilful violation of this section on the part of a commissioner, hearing officer, or commission employee to the review committee.

(K) Any commissioner, hearing officer, commission employee, or person who wilfully violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred fifty dollars or imprisoned for not more than six months. If a commissioner wilfully communicates with any party or person or if any person or party wilfully communicates with a commissioner regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding less than ten business days prior to the scheduled hearing on the merits, during the hearing or after the hearing but prior to the issuance of a final order, including an order on rehearing, in a proceeding where such facts, law, or other matter is or can reasonably be expected to become an issue, the commissioner shall be removed from office. If a hearing officer or commission employee wilfully communicates with any party or person or any party or person wilfully communicates with a hearing officer or commission employee

regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding less than ten days prior to the scheduled hearing on the merits, during the hearing or after the hearing but prior to the issuance of a final order, including an order on rehearing, in a proceeding where such facts, law, or other matter is or can reasonably be expected to become an issue, the hearing officer or commission employee shall be terminated from employment by the commission. For purposes of this section: (1) “wilful” means an act done voluntarily and intentionally with the specific intent to do something the law forbids, or with specific intent to fail to do something the law requires to be done, that is to say with bad purpose either to disobey or disregard the law, and (2) a violation of the provisions of this section must be proved by clear and convincing evidence before a commissioner, hearing officer, or commission employee can be removed from office or terminated from employment.

Ex parte communication complaint relief

SECTION 23. Section 58-3-270(E) of the S.C. Code is amended to read:

(E) The administrative law judge assigned to the ex parte communication complaint proceeding by the administrative law court may issue an order tolling any deadlines imposed by any state statute for a decision by the commission on the proceeding that is the subject of the ex parte communication complaint but only to the extent that the allegations of the complaint are verified and if found to be true would indicate that the proceeding was prejudiced to the extent that the commission is unable to consider the matter in the proceeding impartially. The administrative law judge assigned to the ex parte communication complaint proceeding by the administrative law court must conduct a hearing and must issue a decision within sixty days after the complaint is filed.

Commission reconsideration, appeal from commission order

SECTION 24. Sections 58-33-310 through 58-33-320 of the S.C. Code are amended to read:

Section 58-33-310. (A)(1) If a party wishes to file for a petition for rehearing or reconsideration from all or any portion of an order or decision of the commission, that petition must be filed within fifteen days from the commission issuing the order or decision. A response to

the petition for rehearing or reconsideration must be filed within fifteen days from the filed date of the petition for rehearing or reconsideration. Failure to file for rehearing or reconsideration as required in this section constitutes a waiver of the party to further pursue the matter.

(2) The commission must issue its final order within thirty days from the date the response to the petition for rehearing or reconsideration is filed.

(B) Any party may appeal, in accordance with Section 1-23-380, from all or any portion of any final order or decision of the commission, including conditions of the certificate required by a state agency under Section 58-33-160 as provided by Section 58-27-2310.

(C) Any final order on the merits issued pursuant to this chapter shall be immediately appealable to the Supreme Court of South Carolina in accordance with South Carolina Appellate Court Rule 203. The commission must not be a party to an appeal.

Section 58-33-320. Except as expressly set forth in Section 58-33-310, no court of this State shall have jurisdiction to hear or determine any issue, case, or controversy concerning any matter which was or could have been determined in a proceeding before the commission under this chapter or to stop or delay the construction, operation, or maintenance of a major utility facility, except to enforce compliance with this chapter or the provisions of a certificate issued hereunder, and any such action shall be brought only by the Office of Regulatory Staff. Provided, however, nothing herein contained shall be construed to abrogate or suspend the right of any individual or corporation not a party to maintain any action which he might otherwise have been entitled.

Study of third-party administrator models for energy efficiency

SECTION 25. Chapter 4, Title 58 of the S.C. Code is amended by adding:

Section 58-4-160. (A)(1) The Office of Regulatory Staff must conduct a study to evaluate the potential costs and benefits of the various administrator models for energy efficiency programs and other demand-side management programs funded by, or potentially funded by, electrical utilities in this State. This study must be conducted on each electrical utility in this State. For purposes of this section, administrator models for energy efficiency programs shall include the following models: utility administrator, state or government agency administrator,

an independent third-party administrator, and a hybrid administrator.

(2) For purposes of this section only, “electrical utility” means an investor-owned electrical utility that serves more than 100,000 customers in this State.

(B) This study must consider which administrator model would most meaningfully improve programs offered by the electrical utility.

(C) The study must also evaluate which administrator model offers the best opportunities to increase cost and energy savings, improve the quality of services rendered, reduce ratepayer costs, or more effectively serve low-income customers, within a program portfolio that is cost effective overall, as compared to similar program administration by individual electrical utilities, or to increase the cost effectiveness of energy efficiency program portfolios. This study must consider, but is not limited to, the following:

(1) whether third-party administration subject to a pay for performance contract and independent third-party evaluation, measurement, and verification could reduce administrative costs, as compared to separate administration of energy efficiency programs by individual electrical utilities;

(2) whether a system benefit charge or other funding or financing mechanism would more efficiently, effectively, and fairly fund energy efficiency and other demand-side management programs through an administrator;

(3) which administrator model provides the best mechanism to increase ratepayer energy savings in the case of electrical utilities that have experienced lower historical performance in terms of annual and cumulative energy savings as a percentage of retail sales;

(4) which administrator model provides the best mechanism to increase ratepayer energy savings in the case of electrical utilities that have experienced high historical performance in terms of annual and cumulative energy savings as a percentage of retail sales;

(5) the legal and practical implications of implementing the various administrator models for an electrical utility with a multistate balancing authority area;

(6) which administrator model could most enhance an electrical utility’s delivery of nonenergy benefits, such as resiliency, reliability, health, economic development, industry retention, energy security, and pollution reduction; and

(7) which administrator model could most effectively pursue nonratepayer funding including, but not limited to, federal, state, or local governmental support, as a means of either reducing reliance of ratepayer funds or increasing the scope, reach, or effectiveness of energy

efficiency and demand-side management programs.

(D) This study must be conducted with public input from stakeholders through written comments and at least one public forum.

(E) The Office of Regulatory Staff is authorized to retain the services of an expert or consultant with expertise and experience in the successful implementation of energy efficiency administrator programs. The Office of Regulatory Staff is exempt from the procurement code for the purposes of retaining services for this study.

(F) The provisions of this section are subject to funding. However, the Office of Regulatory Staff must initiate the study within one year from receipt of necessary funding and complete its report within six months. Upon completion of this study, the Office of Regulatory Staff must provide its report to the General Assembly and the commission. This report may include a recommendation as to which administrator model should be established for each electrical utility, draft legislation, and requirements that should be established.

Definitions

SECTION 26. Section 58-37-10 of the S.C. Code is amended to read:

Section 58-37-10. As used in this chapter unless the context clearly requires otherwise:

(1) “Demand-side activity” or “demand-side management program” means a program conducted or proposed by a producer, supplier, or distributor of energy for the reduction or more efficient use of energy requirements of the producer’s, supplier’s, or distributor’s customers, through measures including, but not limited to, conservation and energy efficiency, load management, cogeneration, and renewable energy technologies.

(2) “Integrated resource plan” means a plan which contains the demand and energy forecast for at least a fifteen-year period, contains the supplier’s or producer’s program for meeting the requirements shown in its forecast in an economic and reliable manner, including both demand-side and supply-side options, with a brief description and summary cost-benefit analysis, if available, of each option which was considered, including those not selected, sets forth the supplier’s or producer’s assumptions and conclusions with respect to the effect of the plan on the cost and reliability of energy service, and describes the external environmental and economic consequences of the plan to the extent practicable. For electrical utilities subject to the jurisdiction of the South Carolina Public Service Commission, this definition must be

interpreted in a manner consistent with the integrated resource planning requirements pursuant to Section 58-37-40 and any process adopted by the commission. For electric cooperatives subject to the regulations of the Rural Utilities Service, this definition must be interpreted in a manner consistent with any integrated resource planning process prescribed by Rural Utilities Service regulations.

(3) “Cost-effective” means that the net present value of benefits of a program or portfolio exceeds the net present value of the costs of the program or portfolio. A program or portfolio is cost-effective if it passes any two of the following tests:

- (a) utility cost test;
- (b) total resource cost test;
- (c) participant cost test; or
- (d) ratepayer impact measure test.

In evaluating the cost-effectiveness of a program or portfolio, a utility or program administrator must present the results of all four tests. The total resource cost test must include as part of customer benefits a reasonable estimate of all significant customer cost savings. In calculating cost-effectiveness, a utility must use a standard utility practice for determining the percentage of energy savings that would or would not have been achieved through customer adoption of an efficiency behavior or technology without any incentive allowed pursuant to this chapter to install and utilize the technology as part of the associated demand-side management program. The utility must designate the expected useful life of the measure and evaluate the costs and benefits of the measures over their useful lives in the program application based on industry accepted standards. Further, in calculating the cost-effectiveness, the commission must consider the efficiencies and scale of programs that are or may be available across a utility’s balancing area, even if that balancing area extends outside of the State.

(4) “Demand-side management pilot program” means a demand-side management program that is of limited scope, cost, and duration and that is intended to determine whether a new or substantially revised program or technology would be cost-effective.

Demand-side management programs

SECTION 27. Section 58-37-20 of the S.C. Code is amended to read:

Section 58-37-20. (A) The General Assembly declares that expanding utility investment in and customer access to cost-effective demand-side management programs will result in more efficient use of existing resources, promote lower energy costs, mitigate the increasing need for new generation and associated resources, and assist customers in managing their electricity usage to better control their electric bill, and is therefore in the public interest.

(B) The commission may approve any program filed by a public utility if the program is found to be cost-effective. Furthermore, the commission may, in its discretion, approve any program filed by a public utility that is not cost-effective, so long as the proposed demand-side management program is targeted to low-income customers, provided that the public utility's portfolio of demand-side management programs is cost-effective as a whole.

(C) The South Carolina Public Service Commission must adopt procedures that require electrical utilities and public utilities providing gas services subject to the jurisdiction of the commission to plan for and invest in all reasonable, prudent, and available energy efficiency and demand-side resources that are cost-effective energy efficient technologies and energy conservation programs in an amount to be determined by the commission. If an electrical utility fails to meet the requirements of this section as determined by the commission, the commission is authorized to appoint a third-party administrator to carry out the residential low-income energy efficiency duties pursuant to this section on behalf of the electrical utility if the commission determines that having such a third-party administrator is in the public interest and consistent with law. Upon notice and hearings that the commission may require, the commission may issue rules, regulations, or orders pursuant to this chapter to implement applicable programs and measures under this section. If adopted, these procedures must: provide incentives and cost recovery for energy suppliers and distributors who invest in energy supply and end-use technologies that are cost-effective, environmentally acceptable, and reduce energy consumption or system or local coincident peak demand; allow energy suppliers and distributors to recover costs and obtain a reasonable rate of return on their investment in qualified demand-side management programs sufficient to make these programs at least as financially attractive as construction of new generating facilities; require the Public Service Commission to establish rates and charges that ensure that the net income of an electrical or gas utility regulated by the commission after implementation of specific cost-effective energy conservation measures is at least as high as the net income would have been if the energy conservation measures had not

been implemented.

(D) Each investor-owned electrical utility must submit an annual report to the commission describing the demand-side management programs implemented by the electrical utility in the previous year, provided the program has been operational for a reasonable period of time, as well as the results of such programs. The commission may require certain information including, but not limited to:

- (1) achieved savings levels from the utility's portfolio of programs in the prior year, reported as a percentage of the utility's annual sales;
- (2) program expenditures, including incentive payments;
- (3) peak demand and energy savings impacts and the techniques used to estimate those impacts;
- (4) avoided costs and the techniques used to estimate those costs;
- (5) estimated cost-effectiveness of the demand-side management programs;
- (6) a description of economic benefits of the demand-side management programs;
- (7) the number of customers eligible to opt-out of the electrical utility's demand-side management programs, the percentage of those customers that opted-out in the previous year, and the annual sales associated with those opt-out customers; and
- (8) any other information required by the commission.

(E) To ensure prudent investments by an electrical utility in energy efficiency and demand response, as compared to potential investments in generation, transmission, distribution, and other supply related utility equipment and resources, the commission must review each investor-owned electrical utility's portfolio of demand-side management programs on at least a triennial basis to align the review of that utility's integrated resource plan pursuant to Section 58-37-40. The commission is authorized to order modifications to an electrical utility's demand-side management portfolio, including program budgets, if the commission determines that doing so in the public interest.

(F) The provisions of subsections (C), (D), and (E) do not apply to an electrical utility that serves less than 100,000 customers in this State.

Demand-side management reports

SECTION 28. Section 58-37-30 of the S.C. Code is amended to read:

Section 58-37-30. (A) The South Carolina Public Service Commission must report annually to the General Assembly on available data regarding the past, on-going, and projected status of demand-side

management programs and purchase of power from qualifying facilities, as defined in the Public Utilities Regulatory Policies Act of 1978, by electrical utilities and public utilities providing gas services subject to the jurisdiction of the Public Service Commission.

(B) Electric cooperatives providing resale or retail services, municipally-owned electric utilities, and the South Carolina Public Service Authority shall report annually to the State Energy Office on available data regarding the past, on-going, and projected status of demand-side management programs and purchase of power from qualifying facilities. For electric cooperatives, submission to the State Energy Office of a report on demand-side management programs in a format complying with then current Rural Utilities Service regulations constitutes compliance with this subsection. An electric cooperative providing resale services may submit a report in conjunction with and on behalf of any electric cooperative which purchases electric power and energy from it. The State Energy Office must compile and submit this information annually to the General Assembly.

(C) The State Energy Office may provide forms for the reports required by this section to the Public Service Commission and to electric cooperatives, municipally-owned electric utilities, and the South Carolina Public Service Authority. The office shall strive to minimize differing formats for reports, taking into account the reporting requirements of other state and federal agencies. For electrical utilities and public utilities providing gas services subject to the jurisdiction of the commission, the reporting form must be in a format acceptable to the commission.

Customer-sited distributed energy resource programs

SECTION 29. Chapter 37, Title 58 of the S.C. Code is amended by adding:

Section 58-37-35. (A) An electrical utility may propose programs and customer incentives to encourage or promote demand-side management programs whereby a customer uses a customer-sited distributed energy resource, as defined in Section 58-39-120(C), or combination of such resources, to: (1) reduce the customer's electric consumption or demand from the electric grid, or (2) beneficially shape the customer's electric consumption or demand in a manner that reduces the customer's contribution to the electrical utility's system or local coincidental peak demand, subject to the associated load to utility management for reliability or economic purposes, or reduce future

electrical utility system costs to serve its customers. Programs authorized pursuant to this section may also include distributed energy resources that draw additional power from the electric grid including, but not limited to, electric heat pumps with programmable or utility controlled thermostats, electric heat pump water heaters controlled through utility programs, smart home panels, advanced inverters, and energy storage devices located on the customer's side of the meter, provided that any programs or customer incentives otherwise meet the requirements of this section. These programs may also include a combination of resources, including renewable energy microgrids, to provide economic benefits to the utility system or to help address specific transmission or distribution issues that would otherwise require significant capital investment.

(B) In evaluating a program or customer incentive proposed pursuant to this section to assure reasonableness, promotion of the public interest, and consistency with the objectives of Sections 58-27-845 and 58-37-20, the commission must apply the procedure approved pursuant to Section 58-37-20. An electrical utility must use standard utility practices for determining the percentage of customers that would or would not have adopted a distributed energy resource without any incentive allowed under this section to install and utilize the distributed energy resource as part of the associated demand-side management program. The electrical utility must designate the expected useful life of the distributed energy resource and evaluate the costs and benefits of demand-side measures over their useful lives in the program application based on industry-accepted standards. All initial program costs, benefits, and participation assumptions used in the electrical utility's cost-effectiveness evaluations must be reviewed by the commission to assure the electrical utility has presented a reasonable basis for its calculation. Electrical utilities must update the cost-effectiveness analysis based on the actual program costs, benefits, and participation as soon as practicably possible based on standard evaluation, measurement, and verification protocols, and the electrical utility's cost recovery must be reconciled accordingly.

(C) For demand-side programs or customer incentives proposed in this section, the electrical utility may recover costs through the procedures in Section 58-37-20. The prohibition in Section 58-40-20(I) against recovery of lost revenues associated with distributed energy resources pursuant to Chapter 39, Title 58 is inapplicable to recovery of net lost revenues associated with a distributed energy resource that is installed as a result of a demand-side program incentive pursuant to this section or Section 58-37-20.

(D) The commission may approve any program filed pursuant to this

section if the commission finds the program to be cost effective pursuant to Section 58-37-10(3). For any demand-side programs or customer incentives submitted under this section with projected annual customer incentive amounts less than five million dollars per year for each of the first two program years, the commission must issue an order as expeditiously as practicable on the written submissions of the electrical utility but may require an evidentiary hearing where novel or complex issues of fact require special review by the commission. Nothing in this section prevents the commission from ordering an electrical utility to modify or terminate a program approved pursuant to this section based on the results of standard evaluation, measurement, and verification protocols.

(E) The Energy Office must develop and publish materials intended to inform and educate the public regarding programs available to a customer pursuant to this section. The Energy Office must maintain a list of approved vendors who are qualified and in good standing to provide services associated with these programs.

Energy efficiency and conservation measure agreements

SECTION 30. Section 58-37-50 of the S.C. Code is amended to read:

Section 58-37-50. (A) As used in this section:

(1) "Electricity provider" means an electric cooperative, an investor-owned electric utility, the South Carolina Public Service Authority, or a municipality or municipal board or commission of public works that owns and operates an electric utility system.

(2) "Natural gas provider" means an investor-owned natural gas utility or publicly owned natural gas provider.

(3) "Meter conservation charge" means the charge placed on a customer's account by which electricity providers and natural gas providers recover the costs, including financing costs, of energy efficiency and conservation measures.

(4) "Notice of meter conservation charge" means the written notice by which subsequent purchasers or tenants will be given notice that they will be required to pay a meter conservation charge.

(5) "Customer" means a homeowner or tenant receiving electricity or natural gas as a retail customer.

(6) "Community action agency" means a nonprofit eleemosynary corporation created pursuant to Chapter 45, Title 43 providing, among other things, weatherization services to a homeowner or tenant.

(B) Electricity providers and natural gas providers may enter into

written agreements with customers and landlords of customers for the financing of the purchase price and installation costs of energy efficiency and conservation measures. These agreements may provide that the costs must be recovered by a meter conservation charge on the customer's electricity or natural gas account, provided that the electricity providers and natural gas providers comply with the provisions of this section. A failure to pay the meter conservation charge may be treated by the electricity provider or natural gas provider as a failure to pay the electricity or natural gas account, and the electricity provider or natural gas provider may disconnect electricity or natural gas service for nonpayment of the meter conservation charge, provided the electricity provider or natural gas provider complies with the provisions of Article 25, Chapter 31, Title 5; Article 17, Chapter 11, Title 6; Article 17, Chapter 49, Title 33; Article 11, Chapter 5, Title 58; Article 21, Chapter 27, Title 58; Article 5, Chapter 31, Title 58; and any applicable rules, regulations, or ordinances relating to disconnections.

(C) Any agreement permitted by subsection (B) must state plainly the interest rate to be charged to finance the costs of the energy efficiency and conservation measures. The interest rate must be a fixed rate over the term of the agreement and must not exceed four percent above the stated yield for one-year treasury bills as published by the Federal Reserve on the first business day of the calendar year in which the agreement is entered. An electrical utility entering into such an agreement whose rates are regulated by the commission must fix the interest rate over the term of the agreement to not exceed such utility's weighted average cost of equity and long-term debt as most recently approved by the commission at the time the agreement is entered. Any indebtedness created under the provisions of this section may be paid in full at any time before it is due without penalty.

(D) An electricity provider or natural gas provider may recover the costs, including financing costs, of these measures from its members or customers directly benefiting from the installation of the energy efficiency and conservation measures. Recovery may be through a meter conservation charge to the account of the member or customer and any such charge must be shown by a separate line item on the account. A utility entering into such agreement whose rates are regulated by the commission shall recover all reasonable and prudent incremental costs incurred to implement agreements for financing and installing energy-efficiency and conservation measures in base rates. Incremental costs may include, but are not limited to, billing system upgrades, overhead, incremental labor, and all other expenses properly considered to be associated with ensuring the ongoing premise bill savings are

realized from offering during the terms of such agreements.

(E) An electricity provider or natural gas provider shall assume no liability for the installation, operation, or maintenance of energy efficiency and conservation measures when the measures are performed by a third party, and shall not provide any warranty as to the merchantability of the measures or the fitness for a particular purpose of the measures, and no action may be maintained against the electricity provider or natural gas provider relating to the failure of the measures. An electricity provider or natural gas provider shall assume no liability for energy audits performed by third parties and shall provide no warranty relating to any energy audit done by any third party. Nothing in this section may be construed to limit any rights or remedies of utility customers and landlords of utility customers against other parties to a transaction involving the purchase and installation of energy efficiency and conservation measures.

(F) Before entering into an agreement contemplated by this section, the electricity provider or natural gas provider shall cause to be performed an energy audit on the residence considered for the energy efficiency measures. The energy audit must be conducted by an energy auditor certified by the Building Performance Institute or similar organization. The audit must provide an estimate of the costs of the proposed energy efficiency and conservation measures and the expected savings associated with the measures, and it must recommend measures appropriately sized for the specific use contemplated. An agreement entered following completion of an energy audit shall specify the measures to be completed and the contractor responsible for completion of the measures. The choice of a contractor to perform the work must be made by the owner of the residence. Upon request, the electricity provider or natural gas provider must provide the owner of the residence with a list of contractors qualified to do the work. Upon completion of the work, it must be inspected by an energy auditor certified by the Building Performance Institute or similar organization. Any work that is determined to have been done improperly or to be inappropriately sized for the intended use must be remedied by the responsible contractor. Until the work has been remedied, funds due to the contractor must be held in escrow by the electricity provider or natural gas provider.

(G) An electricity provider or natural gas provider that enters into an agreement as provided in this section may recover the costs, including financing costs, of energy efficiency and conservation measures from subsequent purchasers of the residence in which the measures are installed, provided the electricity provider or natural gas provider gives record notice that the residence is subject to the agreement. Notice must

be given, at the expense of the filer, by filing a notice of meter conservation charge with the appropriate office for the county in which the residence is located, pursuant to Section 30-5-10. The notice of meter conservation charge does not constitute a lien on the property but is intended to give a purchaser of the residence notice that the residence is subject to a meter conservation charge. Notice is deemed to have been given if a search of the property records of the county discloses the existence of the charge and informs a prospective purchaser: (1) how to ascertain the amount of the charge and the length of time it is expected to remain in effect, and (2) of his obligation to notify a tenant if the purchaser leases the property as provided in subsection (H)(3).

(H) An electricity provider or natural gas provider may enter into agreements for the installation of energy efficiency and conservation measures and the recovery of the costs, including financing costs, of the measures with respect to rental properties by filing a notice of meter conservation charge as provided in subsection (G) and by complying with the provisions of this subsection:

(1) The energy audit required by subsection (F) must be conducted and the results provided to both the landlord and the tenant living in the rental property at the time the agreement is entered.

(2) If both the landlord and tenant agree, the electricity provider or natural gas provider may recover the costs of the energy efficiency and conservation measures, including financing costs, through a meter conservation charge on the account associated with the rental property occupied by the tenant. The agreement must provide notice to the landlord of the provisions contained in item (3).

(3) With respect to a subsequent tenant occupying a rental unit benefiting from the installation of energy efficiency and conservation measures, the electricity provider or natural gas provider may continue to recover the costs, including financing costs, of the measures through a meter conservation charge on the account associated with the rental property occupied by the tenant. With respect to a subsequent tenant, the landlord must give a written notice of meter conservation charge in the same manner as required by Section 27-40-240. If the landlord fails to give the subsequent tenant the required notice of meter conservation charge, the tenant may deduct from his rent, for no more than one-half of the term of the rental agreement, the amount of the meter conservation charge paid to the electricity provider or natural gas provider.

(I) Agreements entered pursuant to the provisions of this section are exempt from the provisions of the South Carolina Consumer Protection Code, Title 37 of the South Carolina Code of Laws.

(J) An electricity provider or natural gas provider may contract with

third parties to perform functions permitted under this section, including the financing of the costs of energy efficiency and conservation measures. A third party must comply with all applicable provisions of this section. When an electricity or natural gas provider contracts with a third party to perform administrative or financing functions under this subsection, the liability of the third party is limited in the same manner as an electricity provider or natural gas provider is under subsection (E).

(K) The provisions of this section apply only to energy efficiency and conservation measures for a residence already occupied before the time the measures are taken. The provisions of this section may not be used to implement energy efficiency or conservation measures that result in the replacement of natural gas appliances or equipment with electric appliances or equipment, or that result in the replacement of electric appliances or equipment with natural gas appliances or equipment, unless (1) the customer who seeks to install the energy efficiency or conservation measure is being provided electric and natural gas service by the same provider, or (2) an electric appliance used for home heating is being replaced by an appliance that operates primarily on electricity but which has the capability of also operating on a secondary fuel source.

(L) Electricity providers or natural gas providers may offer their customers other types of financing agreements available by law, instead of the option established in this section, for the types of energy efficiency or conservation measures described in this section.

(M)(1) An electricity provider or natural gas provider must not obtain funding from the following federal programs to provide loans provided by this section:

(a) the Low Income Home Energy Assistance Program (LIHEAP), created by Title XXVI of the Omnibus Budget Reconciliation Act of 1981 and codified as Chapter 94, Title 42 of the United States Code, as amended by the Human Services Reauthorization Act of 1984, the Human Services Reauthorization Act of 1986, the Augustus F. Hawkins Human Services Reauthorization Act of 1990, the National Institutes of Health Revitalization Act of 1993, the Low Income Home Energy Amendments of 1994, the Coats Human Services Reauthorization Act of 1998, and the Energy Policy Act of 2005 which is administered and funded by the United States Department of Health and Human Services on the federal level and administered locally by community action agencies;

(b) the Weatherization Assistance Program, created by Title IV of the Energy Conservation and Production Act of 1976 and codified as Part A, Subchapter III, Chapter 81, Title 42 of the United States Code, amended by the National Energy Conservation Policy Act, the Energy

Security Act, the Human Services Reauthorization Act of 1984, and the State Energy Efficiency Programs Improvement Act of 1990 and administered and funded by the United States Department of Energy on the federal level and administered locally by community action agencies.

(2) Nothing in this section changes the exclusive administration of these programs by local community action agencies through the South Carolina Governor's Office of Economic Opportunity pursuant to its authority pursuant to the provisions of Chapter 45, Title 43, the Community Economic Opportunity Act of 1983.

(3) Nothing in this subsection prevents a customer or member of an electricity provider or natural gas provider from obtaining services under the Low Income Home Energy Assistance Program or the Weatherization Assistance Program.

Compensation of commission members

SECTION 31.A. Section 58-3-70 of the S.C. Code is amended to read:

Section 58-3-70. The commission members shall receive a salary in an amount equal to ninety percent of the salary fixed for Associate Justices of the Supreme Court of South Carolina. Each commissioner must devote full time to his duties as a commissioner and must not engage in any other employment, business, profession, or vocation during the normal business hours of the commission.

B. This section is effective beginning with the fiscal year immediately following the next Public Service Commission election after the effective date of this act.

Colocated resources for nonresidential customers

SECTION 32. Chapter 41, Title 58 of the S.C. Code is amended by adding:

Section 58-41-50. (A) The General Assembly encourages electrical utilities to explore cost effective, efficient bulk power solutions, particularly during periods of constrained capacity, for nonresidential customers with electric loads in excess of 25 megawatts.

(B)(1) An electrical utility may file a proposed agreement regarding co-located resources between the utility and a customer or multiple customers with an electric load in excess of 25 megawatts for the commission's consideration. The proposed agreement must contain at

least one of the following requirements:

(a) co-location of electric generation or storage on the customer's property provides bulk system benefits for all customers and benefits for the host customer;

(b) co-location of renewable electric generation resources on the customer's property provides bulk system benefits for all customers and the renewable attributes associated with such generation can be allocated to the host customer;

(c) co-location of electric generation on the customer's property would result in permitting and siting efficiencies to enable electric generation to come online earlier than otherwise could occur; or

(d) co-location of electric generation resources on the customer's property could be utilized as resiliency resources to serve the electric grid in times of need.

(2) In the filing with the commission, the electrical utility must include a description of:

(a) credit and ratepayer protections included in the agreement;

(b) the contractual terms that preserves the electrical utility's operation of resources; and

(c) how costs and benefits associated with the agreement would be allocated among the customer who is a party to the agreement and other customers in the electrical utility's balancing area.

(C) The commission must give a proposed agreement filed pursuant to this section expedited consideration. The commission may approve the proposed agreement if the commission finds:

(1) the proposed program was voluntarily agreed upon by the electrical utility and the customer or multiple customers;

(2) the filing meets the requirements of this section; and

(3) the proposed agreement is in the public interest.

(D) For purposes of this section, "co-located" or "co-location" includes electric generation, storage, renewables, and associated facilities on a customer's site as well as any location where the connection to the electrical utility enables resilient power supply to support the development of power supply to meet the customer's needs. An agreement regarding co-location may also include potential co-ownership of the electric generation and associated facilities by the electrical utility and the customer. A customer participating in a co-location or co-ownership agreement shall not be considered an electrical utility.

(E) Notwithstanding opportunities for co-located resources, the General Assembly also encourages electrical utilities to continue to facilitate service to new electric loads in excess of 50 megawatts and to

require operational and financial performance requirements for such customers to receive service pursuant to tariffed electrical utility rates or contracts approved by the commission, and to ensure appropriate protections and risk mitigation for the protection of the electrical utility's existing customers. The electrical utility may meet these objectives by: (1) filing form contracts with the commission; (2) tariff offerings or services regulations filed with the commission; or (3) performance and credit policies reviewed by the Office of Regulatory Staff.

Diverse electric generation resources

SECTION 33. (A) To foster economic development and future jobs in this State resulting from the supply chains associated with the same while supporting the significant and growing energy and capacity needs of the State, enhance grid resiliency, and maintain reliability, the General Assembly finds that the State of South Carolina should take steps necessary to encourage the development of a diverse mix of long-lead, clean generation resources that may include nuclear and advanced nuclear, biomass as defined in Section 12-63-20(B)(2) of the S.C. Code, hydrogen-capable resources, fusion energy, and other technologies, and should preserve the option of efficiency development of such long-lead resources with timely actions to establish or maintain eligibility for or capture available tax or other financial incentives or address operational needs.

(B) For an electrical utility to capture available tax or other financial or operational incentives for South Carolina ratepayers in a timely manner, the commission may find that actions by an electrical utility in pursuit of the directives in Section 58-37-35(A) are in the public interest, provided that the commission determines that such proposed actions are in the public interest and reasonably balance economic development and industry retention benefits, capacity expansion benefits, resource adequacy and diversification and potential risks, costs, and benefits to ratepayers and otherwise comply with all other legal requirements applicable to the electrical utility's proposed action. For the South Carolina Public Service Authority, the Office of Regulatory Staff and the Public Service Authority's board of directors shall apply the same principles described in this subsection in evaluating and approving actions proposed by the management of the Public Service Authority to achieve the objectives of this section.

Deferred costs considerations

SECTION 34. All reasonable and prudent costs incurred by an electrical utility necessary to effectuate this act, that are not precluded from recovery by other provisions of this act and that do not have a recovery mechanism otherwise specified in this act or established by state law, shall be deferred for commission consideration of recovery in any proceeding initiated pursuant to Section 58-27-870, and allowed for recovery if the commission determines the costs are reasonable and prudent.

Definition

SECTION 35. Section 58-40-10(F) of the S.C. Code is amended to read:

(F) "Renewable energy resource" means solar photovoltaic and solar thermal resources, wind resources, hydroelectric resources, geothermal resources, tidal and wave energy resources, recycling resources, hydrogen fuel derived from renewable resources, combined heat and power derived from renewable resources, and biomass resources as defined in Section 12-63-20(B)(2).

Economic development project rates and terms

SECTION 36.A. The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and industry retention and opportunities for job attraction and retention; and

(2) the cost of electricity and the availability of clean energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate, expand, or maintain their existing establishments in South Carolina; and

(3) competitive electric rates, terms, and conditions and the ability to utilize clean energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to invest in South Carolina and to encourage and incent robust economic development growth and industry retention in this State; and

(4) electrical utilities are critical economic development and industry retention partners for South Carolina by offering affordable power that has helped to attract jobs and associated development.

B. Title 58 of the S.C. Code is amended by adding:

Section 58-43-10. Unless otherwise specified, for purposes of this chapter:

- (1) "Commission" means the Public Service Commission.
- (2) "Contract" has the same meaning as the term is used in Section 58-27-980.
- (3) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).
- (4) "Marginal cost" means the electrical utility's marginal cost for producing energy.
- (5) "Qualifying customer" means either:
 - (a) an existing commercial or industrial customer with a combined firm and interruptible contract demand greater than 20 megawatts that agrees to a new or extended electric service contract with a term of five years or more; or
 - (b) a commercial or industrial customer that agrees to locate its operations in South Carolina or expand its existing establishment, and such location or expansion results in the minimum of:
 - (i) 500 kilowatts at one point of delivery;
 - (ii) fifty new employees; and
 - (iii) capital investment of \$400,000 following the electrical utility's approval for service.
- (6) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective customer.
- (7) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electrical power generation from a renewable energy source for its economic development location, expansion, or retention.
- (8) "Transformational customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina or expand its existing establishment, and such location or expansion results in the addition of a minimum of:
 - (a) 50 megawatts at one point of delivery;
 - (b) 500 new employees;
 - (c) capital investment of \$100,000,000 following the electrical utility's approval for service; and
 - (d) who is designated by the South Carolina Department of Commerce as a business which will bring substantial benefit to the economy of South Carolina and its citizens, such that it is in the public

interest to have such transformational customer located in this State.

Section 58-43-20. (A) When considering whether the rates, terms, and conditions negotiated with economic development prospects are just and reasonable, the commission shall give full weight and consideration to the economic development benefits to the electrical utility's customers that result from prospective commercial or industrial entities locating or expanding their activities in South Carolina.

(B) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective qualifying customer or transformational customer with a rate proposal containing terms and conditions to incentivize the prospective customer to make capital investments and employ additional workforce in the electrical utility's service territory. The rate proposal initially provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer or transformational customer.

(C) An electrical utility may offer special rates, terms, and conditions to a qualifying customer or transformational customer, including rates that are lower than the rates the customer otherwise would be charged. The agreement with the customer must be for a term not exceeding ten years and the electrical utility may offer the customer interruptible and real-time pricing options and riders for other clean energy attributes which may support the qualifying customer's or transformational customer's needs. However, rates for qualifying customers may not be lower than the electrical utility's marginal cost of providing service to the customer and rates for transformational customers may not be lower than twenty-five percent less than the electrical utility's marginal cost of providing service to the customer.

(D) Rates, terms, and conditions negotiated with qualifying and transformational customers shall be deemed just and reasonable if:

- (1) for qualifying customers, the terms of this section are met;
- (2) for transformational customers, the commission determines that:

(a) the economic development rate offered significantly impacts the customer's decision to locate or expand in South Carolina;

(b) the financial value realized by the electrical utility's system from the transformational customer being on the electrical utility's system for ten years is greater than or equal to the financial value of the rate incentive given to the transformational customer;

(c) measures have been taken to avoid or reduce cross-customer class-subsidization; and

(d) the consequences of offering the economic development rate are beneficial to the system as a whole considering all customer classes. The commission must either approve or deny an application pursuant to this section within sixty days.

(E) Nothing in this chapter shall otherwise restrict the commission's authority to regulate rates and charges or review contracts entered into pursuant to this section or to otherwise supervise the operations of electrical utilities.

(F) The construction of a proposed renewable energy facility by or on behalf of a qualifying customer to support electric power generation at its location must comply with federal, state, and local laws and ordinances.

(G) Consistent with federal, state, and local laws and ordinances, the electrical utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying or transformational customer to support electrical power generation at its location where high-quality and reliable electric service are not adversely impacted.

(H) In the event a qualifying customer or transformational customer leaves this State or terminates its operations in this State during the ten-year contract period, such customer must reimburse the electrical utility and its customers the difference between standard rates and the rates paid during the term of the agreement between the electrical utility and its customers.

(I) An electrical utility shall not be required to adjust its cost of service in a rate proceeding as a result of a rate, agreement, or infrastructure provided pursuant to this section in any matter that would impute revenue at a level higher than received by the electrical utility from a qualifying customer or transformational customer or would otherwise reduce the electrical utility's revenue as a result of entering into contracts with qualifying customers or transformational customers pursuant to this section.

(J) If an electrical utility offers special rates, terms, and conditions to a qualifying customer or a transformational customer, any electrical utility in South Carolina may also offer all directly competing existing customers in its service territory in this State with similar special rates, terms, and conditions at the time the agreement is entered into with the qualifying customer or transformational customer to the extent the directly competing existing customer is able to substantiate its status as a directly competing existing customer. For purposes of this section, customers are "directly competing" if they make the same end-product, or offer the same service, for the same general group of customers. Customers that only produce component parts of the same end-product

are not directly competing customers.

Transfer of pending appeals to the SC Supreme Court

SECTION 37. Chapter 37, Title 58 of the S.C. Code is amended by adding:

Section 58-37-135. Any appeal of an order concerning a permit for an energy infrastructure project which appeal is not finally resolved on the effective date of this statute shall be immediately transferred to the South Carolina Supreme Court which shall have the exclusive jurisdiction of all proceedings related to that appeal.

Public Utilities Review Committee annual evaluation of Division of Consumer Advocacy

SECTION 38. Section 58-3-530 of the S.C. Code is amended by adding:

(16) to conduct an annual evaluation of the performance of the Division of Consumer Advocacy within the Department of Consumer Affairs related to the division's representation of consumers in utility matters, which must be submitted to the General Assembly. A proposed draft of the evaluation must be submitted to the Division of Consumer Advocacy prior to submission to the General Assembly, and the Division of Consumer Advocacy must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly.

PSC chief clerk, salary

SECTION 39. Chapter 3, Title 58 of the S.C. Code is amended by adding:

Section 58-3-65. Beginning with Fiscal Year 2025-2026, the salary for the commission's chief clerk must be based on recommendations by the Agency Head Salary Commission to the General Assembly as provided in Sections 8-11-160 and 8-11-165.

ORS independent construction analyst

SECTION 40. Chapter 33, Title 58 of the S.C. Code is amended by adding:

Section 58-33-200. For any construction project with a project budget of at least five hundred million dollars and in order to maintain the financial integrity of significant expenditures affecting ratepayers, the Office of Regulatory Staff shall retain an independent construction analyst who shall monitor the construction project on a regular basis and who shall provide to the Office of Regulatory Staff, the Public Service Commission, the Public Utilities Review Committee, and the Joint Bond Review Committee regular reports as to the status of the construction efforts as needed, but at least on a quarterly basis.

ORS report

SECTION 41. (A) Five years after the effective date of this act, the Office of the Regulatory Staff shall prepare a report, to be filed with the Public Utilities Review Committee and the General Assembly, to address the implementation of Article 24, Chapter 27, Title 58 as it relates to the following areas:

(1) assessing the functioning of the procedures established by section with recommendation for any changes required to ensure their efficient functioning, to promote regulatory efficiency, and to make further the establishment of just, reasonable, and fair rates;

(2) assessing the effect of rates on ratepayers of all classes;

(3) assessing the reliability of the electric system and whether investments made by electric utilities increased reliability compared to any change in electric utility rates experienced by ratepayers within the same timeframe; and

(4) any other information requested by the General Assembly to be included within the report.

(B) The Office of Regulatory Staff may engage a qualified, independent third party to assist in preparation of the report.

(C) All expenses and charges incurred by the Office of Regulatory Staff in the performance of its duties within this section may be defrayed by assessments made by the Comptroller General against the regulated electrical utilities regulated and based upon twenty-five percent of the gross revenues collected by such electrical utilities from their business done wholly within this State in the manner set out in Section 58-4-60 for other corporations.

Evaluation of converting Wateree Generating Station to biomass-fired generation

SECTION 42. Upon passage of this act, Dominion Energy shall evaluate the process for converting the Wateree Generating Station from coal-fired generation to biomass-fired generation. Biomass-fired generation includes, but is not limited to, generation from the firing of wood pellets and wood chips. Dominion Energy must make a report concerning the conversion process to the Public Service Commission and General Assembly by no later than January 13, 2026.

ORS considerations in resolving disputes

SECTION 43. Section 58-4-50(A)(9) of the S.C. Code is amended to read:

(9) to serve as a facilitator or otherwise act directly or indirectly to resolve disputes and issues involving matters within the jurisdiction of the commission. In accordance with the mission of the Office of Regulatory Staff as provided for in Section 58-4-10 and in the context of settlement negotiations, the Office of Regulatory Staff shall consider any applicable requirements set out for the Public Service Commission pursuant to Section 58-3-140;

One subject

SECTION 44. The General Assembly finds that the sections presented in this act constitute one subject as required by Section 17, Article III of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of regulation of electrical utilities, the provision of electricity, and economic development as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Severability clause

SECTION 45. 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 46. This act takes effect upon approval by the Governor.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 42

(R61, H3430)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO JOINT AND SEVERAL LIABILITY AND THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, AMONG OTHER THINGS, SO AS TO FURTHER MODIFY PROVISIONS RELATING TO JOINT AND SEVERAL LIABILITY, TO REMOVE THE EXCEPTION TO THE PROVISIONS OF THE SECTION APPLYING TO THE USE, SALE, OR POSSESSION OF ALCOHOL, TO PROVIDE PROCEDURES FOR THE INCLUSION OF ADDITIONAL TORTFEASORS IN A CAUSE OF ACTION AND FOR THE TRIER OF FACT TO ALLOCATE FAULT TO ADDITIONAL TORTFEASORS, AND TO PROVIDE CIRCUMSTANCES UNDER WHICH ADDITIONAL NONDEFENDANT TORTFEASORS SHALL BE ADDED TO A VERDICT FORM AND CIRCUMSTANCES UNDER WHICH THEY SHALL NOT BE ADDED; BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO

PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON; BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING REQUIREMENT; BY AMENDING SECTION 61-2-60, RELATING TO REGULATIONS OF THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE REGULATIONS FOR THE ALCOHOL SERVER TRAINING REQUIREMENTS; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO PROVIDE PENALTIES FOR VIOLATIONS; BY ADDING SECTION 61-4-523 SO AS TO PROVIDE PROCEDURES FOR THE SALE OF BEER AND WINE AT COLLEGIATE SPORTING EVENTS UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-73-550 SO AS TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO MAKE CERTAIN REPORTS REGARDING LIQUOR LIABILITY COVERAGE IN THIS STATE; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE FOR LIQUOR LIABILITY RISK MITIGATION; AND BY ADDING SECTION 61-2-147 SO AS TO PROVIDE THAT TORTFEASORS CHARGED WITH CERTAIN DRIVING UNDER THE INFLUENCE OFFENSES SHALL APPEAR ON THE JURY VERDICT FORM UPON MOTION OF THE DEFENDANT UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE IF A VERDICT IS RENDERED AGAINST BOTH A LICENSEE AND A DEFENDANT CHARGED WITH CERTAIN DRIVING UNDER THE INFLUENCE OFFENSES THAT THE LICENSEE IS JOINTLY AND SEVERALLY LIABLE FOR FIFTY PERCENT OF THE PLAINTIFF'S ACTUAL DAMAGES.

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

Torts, apportionment of fault, additional tortfeasor inclusion, verdict form inclusion and exclusion

SECTION 1. Section 15-38-15 of the S.C. Code is amended to read:

Section 15-38-15. (A) In an action to recover damages resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, if indivisible damages are determined to be proximately caused by more than one tortfeasor, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of: (i) the fault of all the defendants and tortfeasors; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.

(B) Apportionment of percentages of fault among defendants and tortfeasors is to be determined as specified in subsection (C).

(C) The jury, or the court if there is no jury, shall:

- (1) specify the amount of damages;
- (2) determine the percentage of fault, if any, of plaintiff under applicable rules concerning “comparative negligence”; and
- (3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant and tortfeasor whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant and tortfeasor, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants and tortfeasors must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff’s recoverable damages (as determined under item (2) above).

(a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used

where two or more defendants acted in concert or where, by reason of agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.

(b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant and tortfeasor. However, no additional evidence shall be allowed.

(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.

(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor not placed on the verdict form prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).

(F) The provisions of subsection (A) do not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, or intentional or conduct involving the illegal or illicit use, sale, or possession of drugs, and such a defendant shall be jointly and severally liable for all damages described in subsection (A).

(G) In order for the trier of fact to allocate fault to a nondefendant tortfeasor for the purpose of apportioning damages, the following requirements apply:

(1) the tortfeasor must be disclosed within one hundred eighty days of the commencement of the action or at a later time for good cause shown, and the plaintiff may add the tortfeasor as a party defendant with the amended pleading relating back to the commencement of the action;

(2) the defendant bears the burden of proof that the added tortfeasor's breach of duty was a proximate cause of the plaintiff's injuries unless the plaintiff amends his pleadings to add the tortfeasor as a party;

(3) if the plaintiff does not add the tortfeasor in a direct action, the plaintiff may challenge the addition of the tortfeasor pursuant to South Carolina Rules of Civil Procedure Rule 56 and Rule 50. If those motions are denied then the tortfeasor appears on the verdict form; and

(4) notwithstanding the time requirement in item (1), a settling tortfeasor, whether or not a party, shall be added to the verdict form unless excluded by subsection (H).

(H) A nondefendant tortfeasor shall not be added to the verdict form

if:

(1) the nondefendant tortfeasor is immune from liability or prohibited from suit under statute or common law or otherwise not subject to suit in this action, not including settled or released tortfeasors who were or could have been parties in the civil action;

(2) the nondefendant tortfeasor's conduct is wilful, wanton, reckless, or intentional;

(3) the defendant's liability is imputed to or based upon fault of the tortfeasor;

(4) the causes of action involve strict liability;

(5) the causes of action involve asbestos; or

(6) an action is commenced by the State, a state agency, municipality, county, local government, regional public authority, special purpose district, public utility, or any other governmental entity or political subdivision including, but not limited to, claims seeking recovery of public funds, remediation costs, or other damages arising from acts or omissions of third parties that result in harm to public health, safety, infrastructure, or the environment, other than claims involving per- and polyfluoroalkyl substances.

Sale of alcoholic beverages, knowingly selling to intoxicated persons

SECTION 2. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

Alcohol Server Training, regulations authorized

SECTION 3.A. Title 61 of the S.C. Code is amended by adding:

CHAPTER 3

Alcohol Server Training

Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as

a beverage for human consumption.

(2) “Alcohol server” means an individual who sells alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. “Alcohol server” does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) “Alcohol server certificate” means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) “DBHDD” means the Department of Behavioral Health and Developmental Disabilities, Office of Substance Abuse.

(5) “Department” means the South Carolina Department of Revenue.

(6) “Division” means the South Carolina Law Enforcement Division.

(7) “Employee” means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) “Licensee” means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) “Manager” means an individual permittee, an individual licensee, and any person employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) “Permittee” means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) “Program” means an alcohol server training and education course and examination approved by the department with input from DBHDD and the division that is administered by authorized providers.

(12) “Provider” means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An alcohol server or manager must complete alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. If an alcohol server or manager does not have a current alcohol server certificate at the time of employment in that capacity, then the licensee or permittee must provide alcohol server training within thirty calendar days of employment. An alcohol server shall not be mentally or physically impaired or intoxicated by alcohol, drugs, or controlled substances while serving alcohol on behalf of the licensee.

(B) A permittee or licensee shall maintain at all times on its permitted or licensed premises physical or electronic copies of the alcohol server certificates for its managers and alcohol servers for the duration of employment. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter:

(1) a permittee or licensee must also make available to the department or the division, when requested, the date a manager or alcohol server began employment in the capacity; and

(2) a permittee or licensee shall be excused for the failure to produce the alcohol server certificate if that failure is due to a provider's failure to report the successful completion of training and testing or the department's failure to issue a certificate to an applicant who has met the requirements of Section 61-3-130.

Section 61-3-120. (A)(1) The department shall approve alcohol server training programs offered by providers that are based on best evidence practice standards. The department may collaborate with DBHDD and the division to determine appropriate providers for the purposes of this chapter. The department shall approve or deny a program within sixty days of application by a provider. A provider may appeal a denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider may charge a licensee, permittee, or individual seeking training for the purpose of employment as an alcohol server or manager a fee not to exceed fifty dollars per participant.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

(a) the sale and service of alcoholic beverages;

(b) the permitting and licensing of sellers of alcoholic beverages;

(c) impaired driving or driving under the influence of alcohol or

drugs;

(d) liquor liability issues;

(e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and

(f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;

(2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information including, but not limited to, the most recently published official statistics on drunk driving accidents, injuries, and deaths in South Carolina; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DBHDD and the division, to be included.

(C) The department shall approve only online designed training programs that meet each of the following criteria:

(1) a program must cover the content specified in subsection (B);

(2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted, be interactive, have audio for content, and include a test;

(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

(D) Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(E) The department, in collaboration with DBHDD and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. An individual must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DBHDD and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state recognized alcohol server certification program that the department, DBHDD, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to

whom it is issued and is transferrable among employers. An individual must reimburse a licensee or permittee that paid for the cost of alcohol server training if the individual leaves the employment of the licensee or permittee within six months of its issuance.

(D) Alcohol server certificates are valid for a period of three years from the date that the alcohol server certificate was issued. After the three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department.

(F) The department shall not charge a fee to issue and renew alcohol server certificates to qualifying applicants.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-140. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

B.Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions.

Penalties for prohibited acts relating to the sale of beer or wine

SECTION 4. Section 61-4-580(B) of the S.C. Code is amended to read:

(B) In addition to civil liability as provided by law, a violation of any provision of this section is a ground for the revocation or suspension of the holder's permit. A permittee or licensee who violates any provision of this section:

(1) for a first offense, shall be fined two thousand five hundred dollars by the department;

(2) for a second offense within two years of the first offense, shall

have its alcohol license or permit suspended for up to fourteen days as determined by the department; and

(3) for a third offense within three years of the first offense, shall have its alcohol license or permit revoked.

Sale of beer or wine at collegiate sporting venues

SECTION 5. Article 5, Chapter 4, Title 61 of the S.C. Code is amended by adding:

Section 61-4-523. (A) Notwithstanding any other provision of law, the sale of beer and wine at collegiate sporting venues pursuant to Section 61-4-520 is prohibited unless the holder of the permit:

(1) requires all sales personnel to complete mandatory alcohol server training approved by the department;

(2) utilizes internal, random checks of sales locations during an event of sufficient frequency to reasonably determine that sales procedures and identification verification procedures comply with established protocol;

(3) utilizes forensic digital identification systems, or other means acceptable to the department, to verify the authenticity of identification at the point of sale;

(4) prohibits sales of beer and wine in student sections with designated concession areas; and

(5) prohibits sales of beer and wine to customers presenting vertical identification cards.

(B) The department shall consider these preventative measures and other factors described in subsection (C) when assessing administrative penalties in the event violations of this chapter occur and may reduce any administrative penalty when the department finds the permit holder acted in good faith to prevent a violation.

(C) Notwithstanding Section 61-4-580(B), in administering the provisions of this section, the department shall develop and implement an alternate revenue and penalty structure for collegiate sporting venues which recognizes the unique characteristics of such venues including, but not limited to, the number of sales locations within the collegiate sporting venue, sales volume and number of patrons served per event held at such collegiate sporting venue, number of sales personnel necessary to staff sales locations within the collegiate sporting venue, and frequency of events held at such collegiate sporting venue during which sales of beer and wine occur. The department shall develop and implement the alternative revenue procedure and penalty structure for

collegiate sporting venues not later than August 31, 2025. The department shall determine the seating capacity necessary for a collegiate sporting venue to be subject to the alternate revenue procedure and penalty structure.

Reports regarding liquor liability coverage

SECTION 6. Chapter 73, Title 38 of the S.C. Code is amended by adding:

Section 38-73-550. (A) Due to the mandatory requirement for commercial casualty coverage contained in Section 61-2-145, the availability of affordable commercial casualty coverage, including liquor liability coverage, is found to be essential to South Carolina's hospitality industry and by South Carolina citizens.

(B) By January thirty-first of each year, the director must prepare and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, the Chairman of the House Labor, Commerce and Industry Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee regarding the status of commercial general liability and liquor liability markets, including the insurance industry's participation and profitability in the commercial general liability and the liquor liability sub-line of that market. The report shall be posted in an electronic format on the department's website within five days of its submission. The report shall include, but not be limited to, the following:

(1) the number of policies written in South Carolina that provide coverage by insurers for liquor liability in South Carolina, whether as a stand-alone product or as another commercial liability insurance product;

(2) the volume of earned premiums associated with the coverage provided by the insurers for liquor liability in South Carolina and written in South Carolina;

(3) the number of claims closed with payments and the volume of those payments associated with liquor liability coverage written in South Carolina;

(4) the number of claims open and the volume of actual reserves on those claims associated with liquor liability coverage written in South Carolina;

(5) the volume of reserves for incurred but not reported claims associated with liquor liability coverage;

(6) the sum of subrogation and salvage associated with liquor liability coverage written in South Carolina;

(7) the volume of combined losses as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(8) the amount of profit as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(9) the number of insurers participating in commercial general liability market and the liquor liability sub-line of that market;

(10) the director's conclusions as to the availability of commercial general liability and liquor liability coverage and the trends in changes in the rates for that coverage; and

(11) the director's recommendations to continue to improve the availability of insurance coverage as mandated in Section 61-2-145 and the rates associated with that coverage.

Liquor liability coverage

SECTION 7. Section 38-90-20(A) of the S.C. Code is amended to read:

(A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis, authorized by this title; including, without limitation, liquor liability insurance; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede reinsurance

except as provided in Section 38-90-110;

(7) a captive insurance company may not issue eroding or declining liquor liability insurance coverage to any alcohol licensee or permittee in South Carolina whereby the occurrence or aggregate limits are reduced by costs or expenses arising from the insurance company's duty to defend a claim.

Liquor liability risk mitigation

SECTION 8. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement with an annual aggregate limit of at least one million dollars during the period of the biennial permit or license, unless the person licensed or permitted to sell alcoholic beverages qualifies under the terms of a liquor liability risk mitigation program pursuant to subsection (E). Failure to maintain this coverage during the entire period of the biennial permit or license constitutes grounds for suspension or revocation of the permit or license and is sufficient grounds for the department to seek an emergency revocation order as provided in Sections 12-60-1340 and 1-23-370(c). An insurance policy issued pursuant to this section must provide for minimum coverage of at least fifty percent of the total aggregate limit, per occurrence, giving rise to the claim.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five

o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement within thirty days of the lapse or termination.

(D) For the purposes of this section, the term “alcoholic beverages” means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) A person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, may qualify for liquor liability risk mitigation. A licensee or permittee qualifies if the licensee or permittee:

(1) stops serving alcohol by twelve o'clock a.m. for the entire policy period;

(2) has all employees who serve alcohol complete an alcohol server training course pursuant to Title 61, Chapter 3, within sixty days of employment in that capacity;

(3) has less than forty percent of its total sales deriving from alcohol sales;

(4) uses a forensic digital identification system that validates the identification of any person attempting to enter the premises between the hours of 12:00 a.m. and 4:00 a.m.; or

(5) is a nonprofit organization which is exempt from taxation pursuant to Section 501(c)(3) of Title 26 of United States Code, as amended, or the entity is engaging in a single event for which a Beer and Wine Special Event License or Liquor Special Event Permit is obtained.

(6) A licensee or permittee meeting the requirement of item (1) may reduce the required annual aggregate limit by two hundred and fifty thousand dollars. A licensee or permittee meeting the requirements of item (2), (3) or (4) may reduce the required annual aggregate limit by one hundred thousand dollars per item satisfied. A licensee or permittee meeting the requirements of item (5) may reduce the annual aggregate limit by five hundred thousand dollars. A licensee or permittee who has met the requirements of any combination of items (1)-(5) must receive the permitted reduction in the required annual aggregate limit for each item the licensee or permittee complies with provided a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, must at all times maintain coverage with an annual aggregate limit of at least three hundred thousand dollars during the entire period of the biennial permit or license.

(7) Insurers must establish liquor liability mitigation measures and

offer reasonable premium discounts for compliance therewith that reduce the risk to the general public associated with the service of on-premises consumption of alcohol.

(F) Permittees and licensees selling alcoholic beverages for on-premises consumption at any time between the hours of 12:00 a.m. and 4:00 a.m. shall use a forensic digital identification system that validates the identification of any person attempting to enter the premises as a patron.

(G) For purposes of this section, the calculation of total sales shall include sales of alcohol sold for on-premises consumption and all food and nonalcoholic beverages sold on the premises where the alcohol is sold, including food and nonalcoholic beverages sold by third-party vendors.

Tortfeasors charged with certain driving under the influence offenses, verdict form inclusion, apportionment of liability

SECTION 9. Chapter 2, Title 61 of the S.C. Code is amended by adding:

Section 61-2-147. (A) Notwithstanding the provisions of Section 15-38-15, a tortfeasor charged under Section 56-5-2930, 56-5-2933, or 56-5-2945 shall appear on the jury verdict form upon motion of the defendant, provided such motion is made within one hundred eighty days of the commencement of the action or at a later time for good cause shown. The plaintiff may also add the tortfeasor charged under Section 56-5-2930, 56-5-2933, or 56-5-2945 as a party defendant with the amended pleading relating back to the commencement of the action. If a verdict is rendered against both a licensee and a defendant charged under Section 56-5-2930, 56-5-2933, or 56-5-2945, then the licensee is jointly and severally liable for fifty percent of the plaintiff's actual damages.

(B) Notwithstanding the time requirement in subsection (A), a settling tortfeasor, whether or not a party, shall be added to the verdict form.

Severability clause

SECTION 10. 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 11. This act takes effect January 1, 2026, and applies only to causes of action or claims arising or accruing after January 1, 2026, and applies to all policies issued after that date, other than Section 61-4-523 which takes effect upon approval by the Governor.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 43

(R62, H3563)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO MORE THAN TWICE PER YEAR.

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

County veterans' affairs officers

SECTION 1. Section 25-11-50 of the S.C. Code is amended to read:

Section 25-11-50. (A) The secretary shall establish uniform methods and procedures for the performance of service work among the several county officers, maintain contact and close cooperation with such officers, and provide assistance, advice and instructions with respect to changes in law and regulations and administrative procedure in relation to the application of such laws and he may require from time to time

reports from such county veterans' affairs officers, reflecting the character and progress of their official duties.

(B) The secretary or his designee shall evaluate each county office no more than twice per year to determine the level of service being provided to veterans and to ensure compliance with established uniform methods and procedures. The department shall reevaluate any deficiencies noted no more than six months from the initial inspection. The department may assist a county in creating and executing a corrective action plan by the time of reinspection. The secretary shall report the results of final inspection, in writing, to the legislative delegation and the county administrator of each county within ninety days of the final evaluation. The secretary or his designee shall not have the authority to remove a county officer for any reason.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 44

(R63, H3632)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-149-15, RELATING TO REQUIREMENTS FOR ADDITIONAL LIFE SCHOLARSHIP STIPENDS, AND SECTION 59-104-25, RELATING TO REQUIREMENTS FOR ADDITIONAL PALMETTO FELLOWS SCHOLARSHIP STIPENDS, BOTH SO AS TO PROVIDE THAT CERTAIN COURSEWORK IN ECONOMICS AND BUSINESS STATISTICS MUST COUNT TOWARDS CERTAIN REQUIRED FRESHMAN YEAR COURSEWORK IN MATHEMATICS AND SCIENCE, AND TO CLARIFY THESE PROVISIONS APPLY BEGINNING WITH ACCOUNTING MAJORS WHO COMPLETED SUCH COURSEWORK AS FRESHMEN IN THE

2024-2025 SCHOOL YEAR.

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

LIFE Scholarship stipends

SECTION 1. Section 59-149-15(B) of the S.C. Code is amended to read:

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major, applicable beginning with the 2024-2025 School Year to persons who did not receive a LIFE Scholarship stipend before the 2024-2025 School Year. This definition of a science or mathematics major must include, at a minimum, majors in science or mathematics disciplines, computer science or informational technology, engineering, accounting, and healthcare and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. For purposes of determining stipend eligibility of accounting majors, courses in microeconomics, macroeconomics, and business statistics completed by an accounting major in his freshman year must count towards the requirement in subsection (A) that the student shall complete at least fourteen credit hours of instruction in mathematics and science courses during the student's freshman year, and these provisions apply beginning with students who took microeconomics, macroeconomics, and business statistics courses as freshman accounting majors during the 2024-2025 School Year so as to enable them to have those courses count toward the fourteen-hour coursework requirement in subsection (A) for purposes of attaining LIFE Scholarship stipend eligibility.

Palmetto Fellows Scholarship stipends

SECTION 2. Section 59-104-25(B) of the S.C. Code is amended to read:

(B) The Commission on Higher Education by regulation shall define what constitutes a science or mathematics major, applicable beginning with the 2024-2025 School Year to persons who did not receive a Palmetto Fellows Scholarship stipend before the 2024-2025 School Year. This definition of a science or mathematics major must include, at a minimum, majors in science or mathematics disciplines, computer

science or informational technology, engineering, accounting, and healthcare and related disciplines including medicine and dentistry; provided, that nothing herein prevents a student from changing majors within acceptable science or mathematics disciplines. For purposes of determining stipend eligibility of accounting majors, courses in microeconomics, macroeconomics, and business statistics completed by an accounting major in his freshman year must count towards the requirement in subsection (A) that the student shall complete at least fourteen credit hours of instruction in mathematics and science courses during the student's freshman year, and these provisions apply beginning with students who took microeconomics, macroeconomics, and business statistics courses as freshman accounting majors during the 2024-2025 School Year so as to enable them to have those courses count toward the fourteen-hour coursework requirement in subsection (A) for purposes of attaining Palmetto Fellows Scholarship stipend eligibility.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 45

(R64, H3800)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2120, RELATING TO THE SALES TAX EXEMPTION ON DURABLE MEDICAL EQUIPMENT, SO AS TO DELETE AN ELIGIBILITY REQUIREMENT THAT THE SELLER HAVE A PRINCIPAL PLACE OF BUSINESS IN THIS STATE.

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

Durable medical equipment

SECTION 1. Section 12-36-2120(74) of the S.C. Code is amended to read:

(74) durable medical equipment and related supplies:

- (a) as defined under federal and state Medicaid or Medicare laws;
- (b) which is paid directly by funds of this State or the United States under the Medicaid or Medicare programs, where state or federal law or regulation authorizing the payment prohibits the payment of the sale or use tax; and
- (c) sold by a provider who holds a South Carolina retail sales license;

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 46

(R65, H3813)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-430, RELATING TO BEAR HUNTING, SO AS TO REMOVE REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

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

Bear hunting

SECTION 1. Section 50-11-430 of the S.C. Code is amended to read:

Section 50-11-430. (A)(1) The open season for hunting and taking bear in Game Zone 1 is as follows:

(a) for still gun hunts, October 11 through October 23 on private land and October 11 through October 16 on wildlife management areas; and

(b) for dog hunts, October 17 through October 30 on private land and on wildlife management areas.

(2) In all other game zones, the General Assembly finds it in the best interest of the State to allow the taking of black bear under strictly controlled conditions and circumstances. The department may establish a bear management program that allows for hunting and selective removal of bear in order to provide for the sound management of the animals and to ensure the continued viability of the species. The department must promulgate regulations to set the conditions for taking, including methods of take, areas, times, limits, and seasons, and other conditions to properly control the harvest of bear.

(B) In Game Zones 2, 3, and 4 where the department declares an open season, the department shall determine an appropriate quota of bear to be harvested in each game zone, or county within a game zone and shall further promulgate regulations necessary to properly control the harvest of the bear. The department may close an open season at any time, provided that the department gives at least twenty-four hours' notice to the public of the closure.

(C) In Game Zones 2, 3, and 4 where the department declares an open season for hunting and taking bears on wildlife management areas, and all other areas under the ownership, control, or lease of the department, the season will be set by the department. The department may close an open season at any time, provided that the department gives at least twenty-four hours' notice to the public of the closure.

(D) Any bear taken must be tagged with a valid bear tag and reported by midnight of the day of the harvest to the department as prescribed. The tag must be attached to the bear as prescribed by the department before being moved from the point of kill.

(E) It is unlawful to:

(1) hunt, take, or attempt to take a bear except during the open season;

(2) possess an untagged bear;

(3) take more than one bear per person during all seasons. In Game Zone 1 a person who has taken a bear during the season may participate in a dog hunt as long as the hunting license shows the bear tag endorsement, but the person may not take another bear;

(4) take or attempt to take a sow bear with cubs;

(5) possess or transport a freshly killed bear or bear part except during the open season for hunting and taking bear. This prohibition does not apply to bear lawfully taken in other jurisdictions. The department may issue a special permit for possession or transportation of a freshly killed bear or bear part outside of the season;

(6) possess a captive bear except pursuant to a permit issued by the department. A violation of the terms of the permit may result in revocation or a civil penalty of up to five thousand dollars, or both. An appeal must be made in accordance with the Administrative Procedures Act;

(7) pursue bear with dogs; except during the open season for hunting and taking bear with dogs;

(8) hunt or take bear by the use or aid of bait; or attempt to hunt or take bear by use or aid of bait; hunt or take bear on or over a baited area. As used in this item:

(a) "Bait" means salt or shelled, shucked, or unshucked corn, wheat or other grain, or other foodstuffs that could constitute a lure, attraction, or enticement for bear.

(b) "Baiting" or "to bait" means placing, depositing, exposing, distributing, or scattering bait.

(c) "Baited area" means an area where bait is directly or indirectly placed, exposed, deposited, distributed, or scattered, and the area remains a baited area for ten days following complete removal of all bait. Nothing in this section prohibits the hunting and taking of bear on or over lands or areas that are not otherwise baited and where:

(i) there are standing crops on the field where grown, including crops grown for wildlife management purposes; or

(ii) shelled, shucked, or unshucked corn, wheat or other grain, or seeds that have been distributed or scattered solely as the result of a normal agricultural practice as prescribed by the Clemson University Extension Service or its successor;

(9) buy, sell, barter, or exchange or attempt to buy, sell, barter, or exchange a bear or bear part;

(10) take or attempt to take a bear from a watercraft or other water conveyance or molest, take, or attempt to take a bear while the bear is swimming in a lake or river;

(11) fail to report a bear harvest in the manner provided by law.

(F)(1) Each of the acts provided for in subsection (E) is a violation of this section and is a separate offense.

(2) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand five hundred dollars or imprisoned not more than sixty days,

or both. Hunting and fishing privileges of a person convicted under the provisions of this section must be suspended for three years. In addition, each person convicted of a violation of this section shall pay restitution to the department of not less than one thousand five hundred dollars for each bear or bear part that is the subject of a violation of this section. The magistrates court retains concurrent jurisdiction for offenses contained in this section.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 47

(R66, H3862)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO REVISE ADMISSIONS PREFERENCE CRITERIA AND PROCEDURES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

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

Enrollment preference criteria revisions

SECTION 1. Section 59-40-50(B)(8) of the S.C. Code is amended to read:

(8)(a) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to

the school or as allowed by subitems (b) and (c).

(b) A charter school must give preference to students enrolled in the public charter school the previous year.

(c) A charter school may give enrollment preference to any of the following by enrolling the student without requiring participation in a lottery when a lottery is otherwise required under this chapter:

(i) a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year;

(ii) a child or children of any employee of the charter school or member of the charter school committee, provided that the number of students eligible for this preference may not exceed twenty percent of the school's total enrollment;

(iii) dependents of active-duty members of the military residing or stationed in this State, limited to not more than ten percent of the school's total enrollment except for schools meeting the provisions of subitem (f). Dependents of active-duty military members are subject to the enrollment provisions of Section 59-63-33.

(d) A student eligible for multiple enrollment preferences may be enrolled based on only one of the preferences, at the charter school's discretion. A student eligible for an enrollment preference that is denied the enrollment preference because the charter school has exceeded the number of enrollment preferences allowed must be permitted to participate in any enrollment lottery held by the school for the year the enrollment preference is denied.

(e) In the case of a charter school designated as an Alternative Education Campus, pursuant to Section 59-40-111, mission-aligned preference may be given to educationally disadvantaged students as specifically defined in their charter and charter contract approved by their sponsor and as allowed by ESSA.

(f) In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 48

(R72, H3996)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-1250, RELATING TO SUPERVISION OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO INCREASE THE NUMBER OF ANESTHESIOLOGIST'S ASSISTANTS THAT AN ANESTHESIOLOGIST MAY SUPERVISE; AND BY AMENDING SECTION 40-47-1240, RELATING TO LICENSURE OF ANESTHESIOLOGIST'S ASSISTANTS, SO AS TO REMOVE THE REQUIREMENT THAT LICENSURE APPLICANTS MUST APPEAR BEFORE A MEMBER OF THE BOARD OF MEDICAL EXAMINERS AND PRESENT EVIDENCE OF CERTAIN RELEVANT ACADEMIC CREDENTIALS AND KNOWLEDGE.

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

Supervision limits increased

SECTION 1. Section 40-47-1250 of the S.C. Code is amended to read:

Section 40-47-1250. An anesthesiologist's assistant shall practice only under the supervision of a physician who is actively and directly engaged in the clinical practice of medicine and meets the definition of being a supervising anesthesiologist. An anesthesiologist may not supervise more than four anesthesiologist's assistants at any one time.

Board appearance requirement eliminated

SECTION 2. Section 40-47-1240 of the S.C. Code is amended to read:

Section 40-47-1240. Except as otherwise provided in this article, an individual must obtain a license in accordance with this article before the individual may practice as an anesthesiologist's assistant. The board shall grant a license as an anesthesiologist's assistant to an applicant who has:

- (1) submitted a completed application on forms provided by the board;
- (2) paid the nonrefundable application fees established in this article;
- (3) certified that he or she is mentally and physically able to engage safely in practice as an anesthesiologist's assistant;

(4) submitted evidence to the board that the applicant has obtained a baccalaureate or higher degree from an institution of higher education accredited by an organization recognized by the Commission on Higher Education. This degree program must have included courses in these areas of study:

- (a) general biology;
- (b) general chemistry;
- (c) organic chemistry;
- (d) physics;
- (e) calculus; and

(5) submitted evidence to the board that the applicant has obtained a graduate-level degree from a program accredited by the Commission on Accreditation of Allied Health Education Programs, or any of the commission's successor organizations, and the graduate degree program must have included the following:

(a) courses in the basic sciences of anesthesia, including general pharmacology, physiology, pathophysiology, anatomy, and biochemistry, and these courses must be presented as a continuum of didactic courses designed to teach students the foundations of human biological existence on which clinical correlations to anesthesia practice are based;

(b) pharmacology for the anesthetic sciences which must include instruction in the anesthetic principles of pharmacology, pharmacodynamics, pharmacokinetics, uptake and distribution, intravenous anesthetics and narcotics, and volatile anesthetics;

(c) physics in anesthesia; and

(d) fundamentals of anesthetic sciences, presented as a continuum of courses covering a series of topics in basic medical sciences with special emphasis on the effects of anesthetics on normal physiology and

pathophysiology;

(6) submitted evidence satisfactory to the board that the applicant holds current certification from the National Commission for Certification of Anesthesiologist's Assistants and that the requirements for receiving the certification included passage of an examination to determine the individual's competence to practice as an anesthesiologist's assistant;

(7) no licensure, certificate, or registration as an anesthesiologist's assistant under current discipline, revocation, suspension, probation, or investigation for cause resulting from the applicant's practice as an anesthesiologist's assistant in any jurisdiction; and

(8) submitted to the board any other information the board considers necessary to evaluate the applicant's qualifications.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 49

(R75, H4067)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-7-268 SO AS TO REQUIRE ALL HOSPITALS WITH EMERGENCY DEPARTMENTS TO HAVE AT LEAST ONE PHYSICIAN PHYSICALLY PRESENT ON SITE WHO IS RESPONSIBLE FOR THE EMERGENCY DEPARTMENT AT ALL TIMES THE EMERGENCY DEPARTMENT IS OPEN.

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

Emergency departments

SECTION 1. Article 3, Chapter 7, Title 44 of the S.C. Code is amended by adding:

Section 44-7-268. As a condition of licensing and relicensing, every hospital in the State with an emergency department, regardless of classification, must have at least one physician physically present on site who is responsible for the emergency department at all times the emergency department is open.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 50

(R76, H4160)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 14-5-610, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, THE NUMBER OF JUDGES TO BE ELECTED FROM EACH CIRCUIT, AND THE ELECTION OF AT-LARGE JUDGES WITHOUT REGARD TO COUNTY OR CIRCUIT OF RESIDENCE, SO AS TO CONVERT NINE AT-LARGE CIRCUIT COURT SEATS TO RESIDENT SEATS IN THE THIRD, THIRTEENTH, TWELFTH, FIFTH, NINTH, ELEVENTH, AND SEVENTH CIRCUITS.

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

Division of judicial circuits, certain at-large judges converted to resident

SECTION 1. Section 14-5-610 of the S.C. Code is amended to read:

Section 14-5-610. (A) The State is divided into sixteen judicial circuits as follows:

(1) The first circuit is composed of the counties of Calhoun, Dorchester, and Orangeburg.

(2) The second circuit is composed of the counties of Aiken, Bamberg, and Barnwell.

(3) The third circuit is composed of the counties of Clarendon, Lee, Sumter, and Williamsburg.

(4) The fourth circuit is composed of the counties of Chesterfield, Darlington, Marlboro, and Dillon.

(5) The fifth circuit is composed of the counties of Kershaw and Richland.

(6) The sixth circuit is composed of the counties of Chester, Lancaster, and Fairfield.

(7) The seventh circuit is composed of the counties of Cherokee and Spartanburg.

(8) The eighth circuit is composed of the counties of Abbeville, Greenwood, Laurens, and Newberry.

(9) The ninth circuit is composed of the counties of Charleston and Berkeley.

(10) The tenth circuit is composed of the counties of Anderson and Oconee.

(11) The eleventh circuit is composed of the counties of Lexington, McCormick, Saluda, and Edgefield.

(12) The twelfth circuit is composed of the counties of Florence and Marion.

(13) The thirteenth circuit is composed of the counties of Greenville and Pickens.

(14) The fourteenth circuit is composed of the counties of Allendale, Hampton, Colleton, Jasper, and Beaufort.

(15) The fifteenth circuit is composed of the counties of Georgetown and Horry.

(16) The sixteenth circuit is composed of the counties of York and Union.

(B) One judge must be elected from the sixth circuit. Two judges must be elected from the first, second, fourth, eighth, tenth, and sixteenth circuits. Three judges must be elected from the third, seventh, eleventh,

twelfth, fourteenth, and fifteenth circuits. Five judges must be elected from the fifth, ninth, and thirteenth circuits.

(C) In addition to the above judges authorized by this section, there must be seven additional circuit judges elected by the General Assembly from the State at large for terms of office of six years. These additional judges must be elected without regard to county or circuit of residence. Each office of the at-large judges is a separate office and is assigned numerical designations of Seat No. 1 through Seat No. 7, respectively.

Certain at-large judges converted to resident

SECTION 2. (A) Upon the effective date of this act:

(1) At-large Circuit Court Seat 1 is converted to a resident seat and designated Third Circuit Court Seat 3;

(2) At-large Circuit Court Seat 4 is converted to a resident seat and designated Thirteenth Circuit Court Seat 5;

(3) At-large Circuit Court Seats 6 and 12 are converted to resident seats and designated Twelfth Circuit Court Seats 2 and 3, respectively;

(4) At-large Circuit Court Seats 8 and 10 are converted to resident seats and designated Fifth Circuit Court Seats 4 and 5, respectively;

(5) At-large Circuit Court Seat 9 is converted to a resident seat and designated Ninth Circuit Court Seat 5;

(6) At-large Circuit Court Seat 13 is converted to a resident seat and designated Eleventh Circuit Court Seat 3; and

(7) At-large Circuit Court Seat 14 is converted to a resident seat and designated Seventh Circuit Court Seat 3.

(B) Nothing in this act may be construed to require a judge currently serving in an at-large circuit court seat which is converted to a resident circuit court seat pursuant to this act to undergo additional screening until the end of the term for which they were screened and duly elected to an at-large circuit court seat.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 51

(R77, H4261)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-320 SO AS TO DESIGNATE THE MONTH OF SEPTEMBER AS “BLOOD CANCER AWARENESS MONTH.”

Whereas, an estimated 1,698,339 people in the United States are living with or in remission from leukemia, lymphoma, myeloma, myelodysplastic syndromes or myeloproliferative neoplasms. Approximately every three minutes, one person in the US is diagnosed with leukemia, lymphoma, or myeloma; and

Whereas, leukemia, lymphoma, and myeloma are expected to cause the deaths of an estimated 57,260 people in the United States annually. These diseases are expected to account for 9.4 percent of the deaths from cancer, based on the estimated total of 611,720 cancer deaths, and survivors may experience long-term effects of treatment, potentially requiring lifelong follow-up care; and

Whereas, investments in cancer research and control have contributed to significant progress in understanding and treating some blood cancers, increasing survival rates for many blood cancer patients; and

Whereas, continued investment and innovation is necessary to promptly diagnose and effectively and safely treat all blood cancers; nonprofit and voluntary health organizations exist to find cures and ensure access to treatment for blood cancer patients; and

Whereas, the State of South Carolina is committed to the study, prevention, and eradication of blood cancers, and all South Carolinians are encouraged to support patients and their families, as well as efforts to better understand and find cures for these diseases. Now, therefore,

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

Blood Cancer Awareness Month

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

Section 53-3-320. The month of September of each year is designated as "Blood Cancer Awareness Month."

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 52

(R79, H4307)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO COMBINE CERTAIN PRECINCTS AND REDESIGNATE MAP NUMBERS ON WHICH THESE PRECINCTS ARE DESIGNATED.

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

Lancaster County voting precincts

SECTION 1. Section 7-7-350 of the S.C. Code is amended to read:

Section 7-7-350. (A) In Lancaster County there are the following voting precincts:

521 North

Antioch

Black Horse Run

Buford
Camp Creek
Carmel
Chesterfield Avenue
College Park
Douglas
Elgin
Erwin Farm
Flat Creek
Gold Hill
Harrisburg
Heath Springs
Hyde Park
Jim Wilson
Kershaw
McIlwain
Osceola
Pleasant Hill
Pleasant Valley
Possum Hollow
Rich Hill
River Road
Riverside
Six Mile Creek
Springdale
Sun City-Carolina Lakes
Tradesville
Unity
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-57-25.

(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 8th day of May, 2025

Approved the 12th day of May, 2025

No. 53

(R80, H4350)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-110, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO SPLIT CERTAIN PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

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

Beaufort County voting precincts

SECTION 1. Section 7-7-110 of the S.C. Code is amended to read:

Section 7-7-110. (A) In Beaufort County there are the following voting precincts:

- Beaufort 1
- Beaufort 2
- Beaufort 3
- Belfair 1
- Belfair 2
- Bluffton 1A
- Bluffton 1B
- Bluffton 1C
- Bluffton 1D
- Bluffton 2A
- Bluffton 2B

Bluffton 2C
Bluffton 2D
Bluffton 2E
Bluffton 2F
Bluffton 3
Bluffton 4A
Bluffton 4B
Bluffton 4C
Bluffton 4D
Bluffton 4E
Bluffton 4F
Bluffton 5A
Bluffton 5B
Bluffton 5C
Bluffton 5D
Bluffton 5E
Bluffton 6A
Bluffton 6B
Bluffton 7A
Bluffton 7B
Buckwalter 1
Buckwalter 2
Burton 1A
Burton 1B
Burton 1C
Burton 1D
Burton 2A
Burton 2B
Burton 2C
Burton 2D
Burton 3A
Burton 3B
Burton 4
Burton 5A
Burton 5B
Chechessee 1
Chechessee 2
Chechessee 3
Dale Lobeco
Daufuskie
Hilton Head 1A
Hilton Head 1B

Hilton Head 2A
Hilton Head 2B
Hilton Head 2C
Hilton Head 2D
Hilton Head 2E
Hilton Head 3
Hilton Head 4A
Hilton Head 4B
Hilton Head 4C
Hilton Head 4D
Hilton Head 5A
Hilton Head 5B
Hilton Head 5C
Hilton Head 6
Hilton Head 7A
Hilton Head 7B
Hilton Head 7C
Hilton Head 8
Hilton Head 9A
Hilton Head 9B
Hilton Head 9C
Hilton Head 9D
Hilton Head 10
Hilton Head 11
Hilton Head 12
Hilton Head 13
Hilton Head 14
Hilton Head 15A
Hilton Head 15B
Ladys Island 1A
Ladys Island 1B
Ladys Island 2A
Ladys Island 2B
Ladys Island 2C
Ladys Island 2D
Ladys Island 3A
Ladys Island 3B
Ladys Island 3C
Ladys Island 4A
Ladys Island 4B
Ladys Island 4C
Moss Creek 1

Moss Creek 2
Mossy Oaks 1A
Mossy Oaks 1B
Mossy Oaks 2
New River 1
New River 2
New River 3
Palmetto Bluff
Port Royal 1
Port Royal 2
Pritchardville 1
Riverbend 1
Riverbend 2
Rose Hill 1
Rose Hill 2
Sandy Pointe
Seabrook 1
Seabrook 2
Seabrook 3
Sheldon 1
Sheldon 2
Spanish Wells
St. Helena 1A
St. Helena 1B
St. Helena 1C
St. Helena 1D
St. Helena 2A
St. Helena 2B
St. Helena 2C
Sun City 1
Sun City 2
Sun City 3
Sun City 4
Sun City 5
Sun City 6
Sun City 7
Sun City 8
Sun City 9
Sun City 10

(B) The precinct lines defining the above precincts are as shown on the official map prepared by and on file with the Revenue and Fiscal Affairs Office designated as document P-13-25 and as shown on copies

provided to the Board of Voter Registration and Elections of Beaufort County by the Revenue and Fiscal Affairs Office.

(C) The polling places for the precincts provided in this section must be established by the Board of Voter Registration and Elections of Beaufort County subject to the approval of a majority of the Beaufort County Delegation.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 54

(R69, H3910)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 3-1-150 AND 63-3-510, RELATING TO JURISDICTION OVER CERTAIN LANDS RELINQUISHED BY THE UNITED STATES AND THE EXCLUSIVE ORIGINAL JURISDICTION OF THE FAMILY COURT, RESPECTIVELY, SO AS TO PROVIDE FOR CONCURRENT JURISDICTION WITH THE UNITED STATES IN CERTAIN MATTERS INVOLVING JUVENILES WITHIN A MILITARY INSTALLATION AND EXCLUSIVE ORIGINAL JURISDICTION THEREAFTER FOR CERTAIN MATTERS.

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

Concurrent jurisdiction

SECTION 1. Section 3-1-150 of the S.C. Code is amended to read:

Section 3-1-150. (A)(1) Whenever a duly authorized official or agent of the United States, acting pursuant to authority conferred by the

Congress, notifies the State Fiscal Accountability Authority or any other State official, department or agency, that the United States desires or is willing to relinquish to the State the jurisdiction, or a portion thereof, held by the United States over the lands designated in such notice, the State Fiscal Accountability Authority may, in its discretion, accept such relinquishment. Such acceptance may be made by sending a notice of acceptance to the official or agent designated by the United States to receive such notice of acceptance. The State Fiscal Accountability Authority shall send a signed copy of the notice of acceptance, together with the notice of relinquishment received from the United States, to the Secretary of State, who shall maintain a permanent file of the notices.

(2) Upon the sending of the notice of acceptance to the designated official or agent of the United States, the State shall immediately have such jurisdiction over the lands designated in the notice of relinquishment as the notice shall specify.

(3) The provisions of this subsection shall apply to the relinquishment of jurisdiction acquired by the United States under the provisions of Sections 3-1-110 and 3-1-120.

(B)(1) Notwithstanding any other provision of this title, the State shall exercise concurrent jurisdiction with the United States over any military installation of the United States Department of Defense located or established within the State in the matter relating to a violation of federal law by a juvenile within the boundaries of that military installation if:

(a) the United States Attorney, or the United States District Court, for the applicable district in South Carolina, waives exclusive jurisdiction; and

(b) the violation of federal law is also a crime or infraction under state law.

(2) The provisions of this subsection shall apply to the relinquishment of jurisdiction acquired by the United States under the provisions of Sections 3-1-110, 3-1-120, and the specific grants the United States outlined in Chapter 3 of this title.

(C) Upon the establishment of concurrent jurisdiction, any state or local agency may enter into a reciprocal agreement with any agency of the United States for coordination and designation of responsibilities related to the concurrent jurisdiction.

Exclusive original jurisdiction

SECTION 2. Section 63-3-510 of the S.C. Code is amended by adding:

(5) When concurrent jurisdiction has been established pursuant to

Section 3-1-150(B), the court has exclusive original jurisdiction over any case involving a juvenile who is alleged to be delinquent as the result of an act committed within the boundaries of a military installation that is a crime or infraction under state law, except as provided in Section 63-19-1210 as it relates to waiver procedures to the circuit court.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

No. 55

(R78, H4296)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-1-90, RELATING TO SERVICE WITHIN THE STATE OF MILITARY FORCES FROM ANOTHER STATE, SO AS TO REMOVE A REFERENCE TO THE UNITED STATES ARMY; BY AMENDING SECTION 25-1-510, RELATING TO SOUTH CAROLINA NATIONAL GUARD APPOINTMENTS, SO AS TO REMOVE CERTAIN AGE REQUIREMENTS; BY AMENDING SECTION 25-1-1330, RELATING TO ANNUAL SETTLEMENTS FOR FEDERAL AND STATE PROPERTY, SO AS TO REMOVE REFERENCES TO FEDERAL PROPERTY; BY AMENDING SECTION 25-1-1370, RELATING TO ALLOWANCES FOR MAINTENANCE, SO AS TO REMOVE A REQUIREMENT THAT UNITS ARE ENTITLED TO CERTAIN MAINTENANCE FUND ALLOWANCES; BY AMENDING SECTION 42-7-40, RELATING TO APPLICATION TO THE STATE, SO AS TO PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-65, RELATING TO AVERAGE WEEKLY WAGES DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO

PROVIDE FOR OTHER PERSONS CALLED INTO ACTIVE MILITARY SERVICE; BY AMENDING SECTION 42-7-75, RELATING TO STATE AGENCIES' REQUIREMENT TO PAY WORKERS' COMPENSATION PREMIUMS, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY USE CERTAIN METHODS FOR PAYING WORKERS' COMPENSATION PREMIUMS IN CERTAIN CASES; BY REPEALING SECTION 25-1-360 RELATING TO RULES AND REGULATIONS; BY REPEALING SECTION 25-1-380 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR ARMY; BY REPEALING SECTION 25-1-390 RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR AIR; BY REPEALING SECTION 25-1-410 RELATING TO AUDITS AND ALLOWANCES OF DEPARTMENT EXPENSES; BY REPEALING SECTION 25-1-560 RELATING TO PUBLICATIONS OF RELATIVE RANK LIST OF OFFICERS; BY REPEALING SECTION 25-1-580 RELATING TO OFFICERS IN COMMAND OF SUBORDINATE OR DETACHED UNITS OR DIFFERENT UNITS ON DUTY TOGETHER; BY REPEALING SECTION 25-1-810 RELATING TO PROMOTIONS UNDER THE FEDERAL PERSONNEL ACT; BY REPEALING SECTION 25-1-830 RELATING TO OFFICER SELECTION BOARDS; BY REPEALING SECTION 25-1-860 RELATING TO VACANCIES IN STAFF OF HEADQUARTERS AND HEADQUARTERS DETACHMENT; BY REPEALING SECTION 25-1-870 RELATING TO VACANCIES IN GRADE OF MAJOR GENERAL; BY REPEALING SECTION 25-1-880 RELATING TO VACANCIES IN GRADE OF BRIGADIER GENERAL; BY REPEALING SECTION 25-1-890 RELATING TO VACANCIES IN GRADE OF COLONEL; BY REPEALING SECTION 25-1-930 RELATING TO VACANCIES IN GRADE OF WARRANT OFFICER; BY REPEALING SECTION 25-1-1350 RELATING TO REQUIREMENTS FOR SHARING IN APPROPRIATIONS; AND BY REPEALING SECTION 25-1-3105 RELATING TO MEMBERS OF THE MILITARY FORCES TO SERVE AT THE PLEASURE OF THE ADJUTANT GENERAL.

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

Military duty

SECTION 1. Section 25-1-90 of the S.C. Code is amended to read:

Section 25-1-90. No armed military force from another state, territory or district shall be permitted to enter the State for the purpose of doing military duty therein without the permission of the Governor, unless such force is acting under the authority of the United States Government.

Commissioned officers

SECTION 2. Section 25-1-510 of the S.C. Code is amended to read:

Section 25-1-510. All commissioned and warrant officers of the South Carolina National Guard shall be appointed and commissioned or warranted by the Governor. No person must be appointed and commissioned or warranted unless he meets federal requirements for the appointment.

Annual settlements

SECTION 3. Section 25-1-1330 of the S.C. Code is amended to read:

Section 25-1-1330. State property. All property of a nonconsumable nature procured by the Adjutant General from state appropriated funds and like property purchased from unit maintenance funds must be accounted for as state property. Property donated from any sources for National Guard use must be considered state owned property. The Adjutant General shall maintain state property lists for all units and activities of the South Carolina National Guard. The Adjutant General shall cause state property accounts to be audited as he considers necessary. If the audit reflects shortages, the Adjutant General may cause an investigation to be made and take appropriate action. If such shortages are found to be due to the fault or negligence of the responsible party, the Adjutant General shall make demand on the responsible party for payment, to the military fund of South Carolina, for the specified amount.

Maintenance allowance

SECTION 4. Section 25-1-1370 of the S.C. Code is amended to read:

Section 25-1-1370. Facilities owned, leased, or under the control of the military department may be rented periodically. The Adjutant General shall promulgate regulations for a rental program and audit these funds.

Application of article

SECTION 5. Section 42-7-40 of the S.C. Code is amended to read:

Section 42-7-40. This article shall apply to the State including the State Guard, the National Guard, and other persons called into active military service of the State by the Governor or other authority.

Average weekly wages

SECTION 6. Section 42-7-65 of the S.C. Code is amended to read:

Section 42-7-65. Notwithstanding the provisions of Section 42-1-40, for the purpose of this title and while serving in this capacity, the total average weekly wage of the following categories of employees is the following:

(1) for all members of the State and National Guard, and to other persons called into active military service of the State by the Governor or other authority, regardless of rank, seventy-five percent of the average weekly wage in the State for the preceding fiscal year, or the average weekly wage the service member would be entitled to, if any, if injured while performing his civilian employment, if the average weekly wage in his civilian employment is greater;

(2) for all voluntary firemen of organized voluntary rural fire units and voluntary municipal firemen, thirty-seven and one-half percent of the average weekly wage in the State for the preceding fiscal year;

(3) for all members of organized volunteer rescue squads, thirty-seven and one-half percent of the average weekly wage in the State for the preceding fiscal year;

(4) for all volunteer deputy sheriffs, thirty-seven and one-half percent of the average weekly wage in the State for the preceding fiscal year; and

(5) for all volunteer state constables appointed pursuant to Section

23-1-60, while performing duties in connection with their appointments and authorized by the State Law Enforcement Division, thirty-seven and one-half percent of the average weekly wage in the State for the preceding fiscal year.

The wages provided in items (2), (3), (4), and (5) of this section may not be increased as a basis for any computation of benefits because of employment other than as a volunteer. Persons in the categories provided by items (2), (3), (4), and (5) must be notified of the limitation on average weekly wages prescribed in this section by the authority responsible for obtaining coverage under this title.

“Volunteer firemen” and “rescue squad members” mean members of organized units whose membership is certified to the municipal clerk or chairman of the council of the municipality or county in which their unit is based by the chief officer of the unit concerned. A “volunteer deputy sheriff” is a volunteer whose membership is certified by the sheriff to the governing body of the county. No volunteer deputy sheriff may be included under the provisions of this title unless approved by the governing body of the county or municipality. A voluntary constable appointed pursuant to Section 23-1-60 must be included under the provisions of this title only while performing duties in connection with his appointment and as authorized by the State Law Enforcement Division. The workers’ compensation premiums for these constables must be paid from the state general fund upon warrant of the Chief of the State Law Enforcement Division. Notwithstanding any other provision of law, voluntary firemen of organized volunteer fire units and members of organized volunteer rescue squads are covered under this title by the county governing body unless the governing body of the county opts out of the coverage.

The average weekly wage for inmates of the State Department of Corrections as defined in Section 42-1-480 is forty dollars a week. However, the average weekly wage for an inmate who works in a federally approved Prison Industries Enhancement Certification Program must be based upon the inmate’s actual net earnings after any statutory reductions. The average weekly wage for county and municipal prisoners is forty dollars a week. The average weekly wage for students of high schools, state technical schools, and state-supported colleges and universities while engaged in work study, marketing education, or apprentice programs on the premises of private companies or while engaged in the Tech Prep or other structured school-to-work programs on the premises of a sponsoring employer is fifty percent of the average weekly wage in the State for the preceding fiscal year.

Workers' Compensation premiums

SECTION 7. Section 42-7-75 of the S.C. Code is amended to read:

Section 42-7-75. All state agencies shall pay workers' compensation premiums according to Section 42-7-70, as determined by the State Accident Fund. As to the Adjutant General, he may use this method for the civilian employees of his agency and for members of the South Carolina National Guard and State Guard during those periods in which they perform duties relating to a request under the Emergency Management Assistance Compact or similar authority where the costs may be borne by the requesting state, and, with the approval of the State Accident Fund Director, he also may do so as to the department's military members in active service of the State. Absent such agreement between the Adjutant General and the State Accident Fund Director, calculation of premiums for the Adjutant General's Office must exclude losses arising out of service as a member of the South Carolina State and National Guard. In lieu of premiums for those losses the Adjutant General shall pay, at the beginning of each premium year, the amount estimated by the fund to be required to cover actual workers' compensation benefits to guard members during the premium year. If the amount actually paid as benefits differs from the estimated pay out advanced under this paragraph, the difference must be debited or credited to the Adjutant General's account in the same manner that an actual adjusted premium is handled.

The State Treasurer and the Comptroller General shall pay from the general fund of the State to the State Accident Fund any necessary funds to cover actual benefit claims paid during any fiscal year, which exceed the amounts paid in for this purpose by the various agencies, departments, and institutions. The State Accident Fund shall certify quarterly to the State Fiscal Accountability Authority the state's liability for the benefit claims actually paid to claimants who are employees of any agency or political subdivision of this State and who are entitled to such payment under state law. The amount certified must be remitted to the State Accident Fund.

If there are not sufficient funds in the State Accident Fund Trust Account to pay operating expenses and claims as they arise, the State Treasurer shall, from the general fund of the State, deposit in the account monthly sufficient funds to pay expenses and claims required by law to be paid, but the amount deposited may not exceed the amount of investment income which the account would have earned from its inception if all such earnings had been credited to the fund.

Repeals

SECTION 8. Sections 25-1-360, 25-1-380, 25-1-390, 25-1-410, 25-1-560, 25-1-580, 25-1-810, 25-1-830, 25-1-860, 25-1-870, 25-1-880, 25-1-890, 25-1-930, 25-1-1350, and 25-1-3105 of the S.C. Code are repealed.

Time effective

SECTION 9. This act takes effect upon approval by the Governor.

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

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No. 56

(R89, S214)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-31-10, RELATING TO THE COMMISSION FOR MINORITY AFFAIRS, SO AS TO RENAME THE COMMISSION AND TO REMOVE COMMISSION MEMBERSHIP REQUIREMENTS; BY AMENDING SECTION 1-31-20, RELATING TO SUBJECTS OF STUDY FOR THE COMMISSION, SO AS TO STUDY SOCIO-ECONOMIC DEPRIVATION OF COMMUNITIES; AND BY AMENDING SECTION 1-31-40, RELATING TO DUTIES OF THE COMMISSION, SO AS TO DELETE CERTAIN DUTIES.

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

State Commission for Community Advancement and Engagement

SECTION 1. Section 1-31-10 of the S.C. Code is amended to read:

Section 1-31-10. There is created a State Commission for Community Advancement and Engagement consisting of nine members and the

Governor ex officio. The Governor must appoint one person from each of the congressional districts of the State and two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for the remainder of the unexpired term. In making appointments, the Governor and Senate shall take all reasonable steps to ensure that members reflect the ethnic and racial diversity of the State.

Commission studies

SECTION 2. Section 1-31-20 of the S.C. Code is amended to read:

Section 1-31-20. The commission must meet quarterly and at other times as the chairman determines necessary to study the causes and effects of the socio-economic deprivation of communities in the State and to implement programs necessary to address socio-economic inequities confronting the State.

Commission duties

SECTION 3. Section 1-31-40 of the S.C. Code is amended to read:

Section 1-31-40. (A) The commission shall:

(1) provide the State with a single point of contact for statistical and technical assistance in the areas of research and planning for a greater economic future;

(2) work with elected officials on the state, county, and local levels of government in disseminating statistical data and its impact on their constituencies;

(3) provide for publication of a statewide statistical abstract on rural and under-resourced community affairs;

(4) provide statistical analyses for members of the General Assembly on the state of rural and under-resourced communities as the State experiences economic growth and changes;

(5) determine, approve, and acknowledge by certification state recognition for Native American Indian entities; however, notwithstanding their state certification, the tribes have no power or authority to take any action which would establish, advance, or promote any form of gambling in this State;

(6) establish advisory committees representative of the state's

geographic regions, as the commission considers appropriate to advise the commission;

(7) act as liaison with the business community to provide programs and opportunities to fulfill its duties under this chapter;

(8) seek federal and other funding on behalf of the State of South Carolina for the express purpose of implementing various programs and services for rural and under-resourced communities;

(9) promulgate regulations as may be necessary to carry out the provisions of this article including, but not limited to, regulations regarding State Recognition of Native American Indian entities in the State of South Carolina; and

(10) perform other duties necessary to implement programs.

(B) The commission may delegate these powers and duties as necessary.

(C) Nothing in this chapter recognizes, creates, extends, or forms the basis of any right or claim of interest in land or real estate in this State for any Native American tribe which is recognized by the State.

Time effective

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

Ratified the 20th day of May, 2025

Approved the 20th day of May, 2025

No. 57

(R82, S28)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX

OFFENDER REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

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

Obscene visual representations of child sexual abuse, penalties

SECTION 1. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-390. (A) As used in this section:

(1) "Obscene" has the same meaning as Section 16-15-305.

(2) "Visual depiction or representation" means and includes undeveloped film and videotape, and data stored on a computer disk or by electronic means that is capable of conversion into a visual image, and also includes any photograph, film, video, picture, digital image or picture, computer image or picture, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means.

(B) Any person who knowingly produces, distributes, solicits, or possesses with intent to distribute, a visual depiction or representation that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so, is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(C) Any person who knowingly possesses a visual depiction or representation that depicts a minor engaging in sexually explicit conduct, sexually explicit activity, or sexually explicit nudity, and is obscene, or attempts or conspires to do so is guilty of a felony and, upon conviction, must be imprisoned no more than ten years.

(D) The offense is a misdemeanor to be heard by the family court if the person charged under this section is a minor, and the minor has no prior adjudication under this section or for any offense for which a person may be included in the sex offender registry. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

(E) It is not a required element of any offense under this section that the minor depicted actually exists.

(F)(1) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a

prosecuting agency, including the South Carolina Attorney General's Office or the South Carolina Department of Corrections, who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. An employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

(2) This section does not apply to a provider of a telecommunications service or an information service, as those terms are defined in 47 U.S.C. Section 153, for content provided by another person.

(G) Any warrant for arrest for an alleged crime or offense under this section may only be issued upon:

(1) a return of a "true bill" of an indictment by the state grand jury; or

(2) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General's Office.

Sex Offender Registry, addition

SECTION 2. Section 23-3-430(C) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older 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;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or

who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D);

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA); or

(k) obscene visual representation of child sexual abuse (Section 16-15-390). If the person is under eighteen years of age and was adjudicated in the family court, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);

(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) 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) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342); or

(h) violations of Article 3, Chapter 15, Title 16 involving a minor, except as otherwise provided in this article.

(3) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier III offender:

(a) criminal sexual conduct in the first degree (Section 16-3-652);

(b) criminal sexual conduct with minors, first degree (Section 16-3-655(A));

(c) criminal sexual conduct: assaults with intent to commit (Section 16-3-656);

(d) kidnapping (Section 16-3-910) of a person under eighteen years of age except when the offense is committed by a parent;

(e) criminal sexual conduct when the victim is a spouse (Section 16-3-658);

(f) sexual battery of a spouse (Section 16-3-615); or

(g) any offense listed or described in this section committed after the offender becomes a Tier I or Tier II offender.

Sex Offender Registry, conforming changes

SECTION 3. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of

this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) A Tier I offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least fifteen years; or

(b) has been discharged from incarceration without supervision for at least fifteen years for the charge requiring registration; or

(c) has had at least fifteen years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier I offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) A Tier II offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

(a) has been registered for at least twenty-five years;

(b) has been discharged from incarceration without supervision for at least twenty-five years for the charge requiring registration;

(c) has had at least twenty-five years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or

(d) is a Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(3) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(4) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(5) The requesting offender must not have been convicted of failure to register within the previous ten years.

(6) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(7) A filing fee, as set by SLED but not to exceed two hundred fifty

dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

Educating students

SECTION 4. The State Department of Education, the South Carolina Law Enforcement Division, and the Attorney General's Office, as appropriate, shall develop and implement a policy to educate and notify students of the provision of this act. The State Department of Education must file a report as to the status of the adoption and implementation of the education policies under this act to the Governor, the President of the Senate, and the Speaker of the House of Representative, by July 1, 2026.

Severability clause

SECTION 5. 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 6. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 58

(R83, S29)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO THE DEFINITIONS PERTAINING TO THE DISSEMINATION OF HARMFUL MATERIAL TO MINORS, SO AS TO DEFINE “IDENTIFIABLE MINOR” AND “MORPHED IMAGE”; BY AMENDING SECTION 16-15-395, RELATING TO THE DEFINITION OF FIRST DEGREE SEXUAL EXPLOITATION OF MINORS, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS; BY AMENDING SECTION 16-15-405, RELATING TO THE DEFINITION OF SECOND DEGREE SEXUAL EXPLOITATION OF MINORS, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS; BY AMENDING SECTION 16-15-410, RELATING TO THE DEFINITION OF THIRD DEGREE SEXUAL EXPLOITATION OF MINORS, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE MINORS; BY ADDING SECTION 16-15-412 SO AS TO PROVIDE PROCEDURES FOR ARREST WARRANTS WHEN THE OFFENSE INCLUDES MORPHED IMAGES OF IDENTIFIABLE MINORS; BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF MINORS IN THE FIRST, SECOND, OR THIRD DEGREE ON THE APPROPRIATE TIERS OF THE REGISTRY; AND BY AMENDING SECTION 23-3-462, RELATING TO TERMINATION OF REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

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

Definitions

SECTION 1. Section 16-15-375 of the S.C. Code is amended to read:

Section 16-15-375. The following definitions apply to Section 16-15-385, disseminating or exhibiting to minors harmful material or performances; Section 16-15-387, employing a person under the age of eighteen years to appear in a state of sexually explicit nudity in a public

place; Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; Section 16-15-410, third degree sexual exploitation of a minor; Section 16-15-412, morphed image of an identifiable minor; arrest warrant; Section 16-15-415, promoting prostitution of a minor; and Section 16-15-425, participating in prostitution of a minor.

(1) “Harmful to minors” means that quality of any material or performance that depicts sexually explicit nudity or sexual activity and that, taken as a whole, has the following characteristics:

(a) the average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest of minors in sex; and

(b) the average adult person applying contemporary community standards would find that the depiction of sexually explicit nudity or sexual activity in the material or performance is patently offensive to prevailing standards in the adult community concerning what is suitable for minors; and

(c) to a reasonable person, the material or performance taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(2) “Material” means pictures, drawings, video recordings, films, digital electronic files, computer-generated images or pictures, or other visual depictions or representations but not material consisting entirely of written words.

(3) “Minor” means an individual who is less than eighteen years old.

(4) “Prostitution” means engaging or offering to engage in sexual activity with or for another in exchange for anything of value.

(5) “Sexual activity” includes any of the following acts or simulations thereof:

(a) masturbation, whether done alone or with another human or animal;

(b) vaginal, anal, or oral intercourse, whether done with another human or an animal;

(c) touching, in an act of apparent sexual stimulation or sexual abuse, of the clothed or unclothed genitals, pubic area, or buttocks of another person or the clothed or unclothed breasts of a human female;

(d) an act or condition that depicts bestiality, sado-masochistic abuse, meaning flagellation or torture by or upon a person who is nude or clad in undergarments or in a costume which reveals the pubic hair, anus, vulva, genitals, or female breast nipples, or the condition of being fettered, bound, or otherwise physically restrained on the part of the one so clothed;

(e) excretory functions;
(f) the insertion of any part of a person's body, other than the male sexual organ, or of any object into another person's anus or vagina, except when done as part of a recognized medical procedure.

(6) "Sexually explicit nudity" means the showing of:

(a) uncovered, or less than opaquely covered human genitals, pubic area, or buttocks, or the nipple or any portion of the areola of the human female breast; or

(b) covered human male genitals in a discernibly turgid state.

(7) "Identifiable minor":

(a) means a person who:

(1) was a minor at the time the image was created, adapted, or modified, or whose image as a minor was used in the creating, adapting, or modifying of the image; and

(2) is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic, such as a unique birthmark, or other recognizable feature;

(b) shall not be construed to require proof of the actual identity of the identifiable minor.

(8) "Morphed image" means any visual depiction or representation, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where such visual depiction or representation has been created, adapted, or modified to appear that an identifiable minor is engaging in sexual conduct or sexually explicit activity or appearing in a state of sexually explicit nudity.

First degree sexual exploitation of a minor, inclusion of morphed images of identifiable minors

SECTION 2. Section 16-15-395 of the S.C. Code is amended to read:

Section 16-15-395. (A) An individual commits the offense of first degree sexual exploitation of a minor if, knowing the character or content of the material or performance, he:

(1) uses, employs, induces, coerces, encourages, or facilitates a minor to engage in or assist others to engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance or for the purpose of producing material that contains a visual representation depicting this activity or a state of sexually explicit nudity when a

reasonable person would infer the purpose is sexual stimulation;

(2) permits a minor under his custody or control to engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance or for the purpose of producing material that contains a visual representation depicting this activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation;

(3) transports or finances the transportation of a minor through or across this State with the intent that the minor engage in sexual activity or appear in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation for a live performance or for the purpose of producing material that contains a visual representation depicting this activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation; or

(4) records, photographs, films, develops, duplicates, produces, or creates a digital electronic file for sale or pecuniary gain material that contains a visual representation depicting a minor or a morphed image of an identifiable minor engaged in sexual activity or a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

(B) In a prosecution pursuant to this section, the trier of fact may infer that a participant in a sexual activity or a state of sexually explicit nudity depicted in material as a minor through its title, text, visual representations, or otherwise, is a minor.

(C) Mistake of age is not a defense to a prosecution pursuant to this section.

(D) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned for not less than three years nor more than twenty years. No part of the minimum sentence of imprisonment may be suspended nor is the individual convicted eligible for parole until he has served the minimum term of imprisonment. Sentences imposed pursuant to this section must run consecutively with and commence at the expiration of another sentence being served by the person sentenced.

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Second degree sexual exploitation of a minor, inclusion of morphed images of identifiable minors

SECTION 3. Section 16-15-405 of the S.C. Code is amended to read:

Section 16-15-405. (A) An individual commits the offense of second degree sexual exploitation of a minor if, knowing the character or content of the material, he:

(1) records, photographs, films, develops, duplicates, produces, or creates digital electronic file material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation; or

(2) distributes, transports, exhibits, receives, sells, purchases, exchanges, or solicits material that contains a visual representation of a minor or a morphed image of an identifiable minor engaged in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

(B) In a prosecution pursuant to this section, the trier of fact may infer that a participant in sexual activity or a state of sexually explicit nudity depicted in material as a minor through its title, text, visual representations, or otherwise, is a minor.

(C) Mistake of age is not a defense to a prosecution pursuant to this section.

(D) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not less than two years nor more than ten years. No part of the minimum sentence may be suspended nor is the individual convicted eligible for parole until he has served the minimum sentence.

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Third degree sexual exploitation of a minor, inclusion of morphed images of identifiable minors

SECTION 4. Section 16-15-410 of the S.C. Code is amended to read:

Section 16-15-410. (A) An individual commits the offense of third degree sexual exploitation of a minor if, knowing the character or content of the material, he possesses material that contains a visual representation of a minor or a morphed image of an identifiable minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation.

(B) In a prosecution pursuant to this section, the trier of fact may infer that a participant in sexual activity or a state of sexually explicit nudity depicted as a minor through its title, text, visual representation, or otherwise, is a minor.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be imprisoned not more than ten years.

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making material available for inspection to the defendant's counsel in response to discovery requests.

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of subsection (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Warrants

SECTION 5. Article 3, Chapter 15, Title 16 of the S.C. Code is amended by adding:

Section 16-15-412. Any warrant for arrest for an alleged crime or offense that concerns a morphed image or an identifiable minor under Section 16-15-395, first degree sexual exploitation of a minor; Section 16-15-405, second degree sexual exploitation of a minor; or, Section 16-15-410, third degree sexual exploitation of a minor may only be issued upon:

(1) a return of a “true bill” of an indictment by the state grand jury, or

(2) a finding of probable cause following an investigation conducted by the Internet Crimes Against Children Task Force in conjunction with the Attorney General’s Office.

Sex offender registry, tiers

SECTION 6. Section 23-3-430(C)(1) of the S.C. Code is amended to read:

(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older 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;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on

the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D);

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA);

(k) sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(m) sexual exploitation of a minor, third degree (Section 16-15-410); provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, then the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

Sex offender registry, tiers

SECTION 7. Section 23-3-430(C)(2) of the S.C. Code is amended to read:

(2) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier II offender:

(a) criminal sexual conduct in the second degree (Section 16-3-653);

(b) engaging a child for sexual performance (Section 16-3-810);
(c) producing, directing, or promoting sexual performance by a child (Section 16-3-820);

(d) 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) criminal sexual conduct with minors, second degree (Section 16-3-655(B)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(f) criminal sexual conduct with minors, third degree (Section 16-3-655(C)). If evidence is presented at the criminal proceeding, or in any court of competent jurisdiction, and the court makes a specific finding on the record that the conviction obtained for this offense resulted from consensual sexual conduct, as contained in Section 16-3-655(B)(2), provided the offender is eighteen years of age or less, or consensual sexual conduct between persons under sixteen years of age, the convicted person is not an offender and is not required to register pursuant to the provisions of this article;

(g) criminal solicitation of a minor if the purpose or intent of the solicitation or attempted solicitation was to:

(i) persuade, induce, entice, or coerce the person solicited to engage or participate in sexual activity as defined in Section 16-15-375(5);

(ii) perform a sexual activity in the presence of the person solicited (Section 16-15-342);

(h) violations of Article 3, Chapter 15, Title 16 involving a minor;

(i) sexual exploitation of a minor, first degree (Section 16-15-395), except as otherwise provided in this article;

(j) sexual exploitation of a minor, second degree (Section 16-15-405), except as otherwise provided in this article; or

(k) sexual exploitation of a minor, third degree (Section 16-15-410), except as otherwise provided in this article.

Conforming amendments

SECTION 8. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) A Tier I offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

- (a) has been registered for at least fifteen years; or
- (b) has been discharged from incarceration without supervision for at least fifteen years for the charge requiring registration; or
- (c) has had at least fifteen years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or
- (d) is a Tier I offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) A Tier II offender may file a request for termination of the requirement of registration with SLED in a form and process established by the agency, if the person:

- (a) has been registered for at least twenty-five years;
- (b) has been discharged from incarceration without supervision for at least twenty-five years for the charge requiring registration;
- (c) has had at least twenty-five years pass since the termination of active supervision of probation, parole, or any other alternative to incarceration for the charge requiring registration; or
- (d) is a Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction and who is eligible to be removed under the law of the jurisdiction where the conviction occurred.

(3) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(4) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(5) The requesting offender must not have been convicted of failure to register within the previous ten years.

(6) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(7) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

Severability

SECTION 9. 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 10. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 59

(R84, S74)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A COURT OF COMPETENT JURISDICTION TO ISSUE ORDERS AND WARRANTS FOR CERTAIN ELECTRONIC COMMUNICATIONS, AND TO AUTHORIZE THE ATTORNEY GENERAL TO ISSUE A SUBPOENA FOR THE PRODUCTION OF CERTAIN STORED SUBSCRIBER OR CUSTOMER INFORMATION RELEVANT AND MATERIAL TO AN ONGOING INVESTIGATION BY THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE.

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

Warrants and subpoenas, certain electronic records

SECTION 1. Chapter 13, Title 17 of the S.C. Code is amended by adding:

Section 17-13-142. (A) This section specifically authorizes a court of competent jurisdiction in this State, as defined by 18 U.S.C. Section 2711, to issue appropriate orders pursuant to the requirements and procedures of 18 U.S.C. Section 2703(d) for production of stored wire, digital, or electronic transactional records or subscriber information. These orders have statewide application and application to the extent provided by federal law.

(B) This section specifically authorizes a court of competent jurisdiction in this State, as defined by 18 U.S.C. Section 2711, to issue search warrants pursuant to the procedures established by Section 17-13-140, notwithstanding any jurisdictional limitations contained in that section, for production of stored wire, digital, or electronic communications and transactional records pertaining to them. Search warrants have statewide application to the extent provided by federal law.

(C) The Attorney General may issue a subpoena to an electronic communication service or remote computing service to compel disclosure or production of any stored subscriber or customer information pursuant to 18 U.S.C. Section 2703(c)(2). A subpoena may only be issued under the authority provided for in this section and must

demonstrate specific and articulable facts that there are reasonable grounds to believe the information is relevant and material to an ongoing criminal investigation conducted by the Internet Crimes Against Children Task Force of the Attorney General's Office. Subpoenas may not be issued under this section to the extent the subpoena is authorized under other federal or state statutes.

(D) Nothing herein expands the obligations of electronic communications service providers.

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.

Time effective

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

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 60

(R85, S127)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-11-10, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO INCLUDE THE CATAWBA NATION WITHIN THE DEFINITION OF EMPLOYER; AND BY ADDING SECTION 9-11-43 SO AS TO PROVIDE THAT THE CATAWBA NATION IS ELIGIBLE FOR ADMISSION TO THE POLICE OFFICERS RETIREMENT SYSTEM AND TO PROVIDE FOR THE PROCESS FOR ADMISSION.

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

Catawba Nation inclusion in the Police Officers Retirement System

SECTION 1. Section 9-11-10(17) of the S.C. Code is amended to read:

(17) "Employer" means:

- (a) the State;
- (b) a political subdivision, agency, or department of the State which employs police officers and which has been admitted to the system as provided in Section 9-11-40;
- (c) a service organization, the membership of which is composed solely of persons eligible to be members as defined by this section, if the compensation received by the employees of the service organization is provided from monies paid by the members as dues, or otherwise, or from funds derived from public sources and if the contributions prescribed by this chapter are to be paid from the funds of the service organization; and
- (d) the Catawba Nation upon its admission to the system as provided in Section 9-11-43.

Catawba Nation

SECTION 2. Chapter 11, Title 9 of the S.C. Code is amended by adding:

Section 9-11-43. (A) The Catawba Nation may become an employer

for the purposes of this chapter by applying to the board for admission to the system pursuant to Section 9-11-40, complying with the requirements of Section 9-11-40, and complying with the board's rules and regulations. The application must set forth the requested date of admission, which must be the January first, the April first, the July first, or the October first next following receipt by the board of the application.

(B) An employee of the Catawba Nation may not become a member of the system unless substantially all of the employee's time is devoted solely to the performance of governmental service as a police officer pursuant to Section 27-16-70(C).

(C) Notwithstanding any other provision of law, as a condition to joining the system, the Catawba Nation agrees to be subject to all of the state laws, regulations, administrative policies, and plan provisions related to the administration and enforcement of the requirements of the system and agrees that any and all disputes arising pursuant to or by virtue of its participation in the system will be resolved in the appropriate state court or administrative tribunal, notwithstanding any sovereign immunity that might otherwise apply. Nothing in this subsection shall be construed to affect, modify, diminish, or otherwise impair any sovereign immunity enjoyed by the Catawba Nation with respect to any other provision of state law unrelated to the administration and enforcement of the requirements of the system.

Time effective

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

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 61

(R87, S156)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF FENTANYL-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR VIOLATIONS, TO PROHIBIT AN AFFIRMATIVE DEFENSE, AND TO PROVIDE CIRCUMSTANCES UNDER WHICH PERSONS SHALL NOT BE PROSECUTED UNDER THIS SECTION; AND BY AMENDING SECTION 16-1-10, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, SO AS TO ADD FENTANYL-INDUCED HOMICIDE.

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

Fentanyl-induced homicide

SECTION 1. Article 1, Chapter 3, Title 16 of the S.C. Code is amended by adding:

Section 16-3-80. (A) A person who knowingly and unlawfully delivers, dispenses, or otherwise provides fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, commits the felony offense of fentanyl-induced homicide if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance that was unlawfully delivered, dispensed, or otherwise provided.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person, unless there exists clear and convincing evidence that the decedent intended to commit suicide. This section does not prohibit a person from being arrested, charged, or prosecuted for any other applicable offense, whether or not the offense arises from the same

circumstances as provided in this section.

(D) A person who knowingly injects, inhales, absorbs, or ingests any amount of fentanyl along with another consenting person, which is the proximate cause of the death of the consenting person, shall not be prosecuted under this section.

Felony classification

SECTION 2. Section 16-1-10(D) of the S.C. Code is amended by adding a new offense to read:

Section 16-3-80. Fentanyl-induced homicide

Savings clause

SECTION 3. 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 4. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 62

(R88, S210)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES AND TO ADD TERMS; BY AMENDING SECTION 38-90-20, RELATING TO REQUIREMENTS OF CAPTIVE INSURANCE COMPANIES, SO AS TO AMEND MEETING REQUIREMENTS AND OUTLINE COMPONENTS OF A PLAN OF OPERATION; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND CREATED, SO AS TO INCREASE THE ALLOWED TRANSFER OF COLLECTED TAXES; AND BY AMENDING SECTION 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

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

Definitions

SECTION 1. Section 38-90-10 (1), (6), and (21) of the S.C. Code is amended to read:

(1) “Alien or foreign captive insurance company” means an insurance company or protected cell, or its equivalent, of an insurance company formed to write insurance business for its parents and affiliates and licensed pursuant to the laws of an alien or foreign jurisdiction which imposes statutory or regulatory standards in a form acceptable to the director on companies transacting the business of insurance in such jurisdiction, but may not include a corporation controlled by an alien adversary.

(6) “Branch captive insurance company” means an alien or foreign captive insurance company licensed by the director to transact the business of insurance in this State through a business unit with a principal place of business in this State.

(21) “Participant” means an entity as defined in Section 38-90-225, and any affiliates of that entity, that are insured by a sponsored captive insurance company, where the losses of the participant are limited through a participant contract to the assets of a protected cell.

Definitions

SECTION 2. Section 38-90-10 of the S.C. Code is amended by adding:

(34) “Alien adversary” means any alien government or nongovernment person determined by the United States Secretary of Commerce to have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or the security and safety of United States citizens.

(35) “Corporation controlled by an alien adversary” means a legal entity engaged in commerce that:

- (a) is wholly owned by an alien adversary;
- (b) has an alien adversary as a dominant shareholder, directly or indirectly;
- (c) is wholly owned by a citizen of an alien adversary; or
- (d) has one or a number of citizens of an alien adversary whose

cumulative ownership is as a dominant shareholder.

(36) "Dominant shareholder" means the single owner of ten percent or more of a legal entity engaged in commerce's stock, securities, or other indicia of ownership; or multiple owners of twenty percent or more of a legal entity engaged in commerce's stock, securities, or other indicia of ownership.

Licensing, fees

SECTION 3. Section 38-90-20 of the S.C. Code is amended to read:

Section 38-90-20. (A) A captive insurance company, when permitted by its articles of incorporation, articles of organization, operating agreement, or charter, may apply to the director for a license to provide any and all insurance, except workers' compensation insurance written on a direct basis, authorized by this title; however:

(1) a pure captive insurance company may not insure any risks other than those of its parent, affiliated companies, controlled unaffiliated business, risks assumed from a risk pool for the purpose of risk sharing, or a combination of them;

(2) an association captive insurance company may not insure any risks other than those of the member organizations of its association and their affiliated companies;

(3) an industrial insured captive insurance company may not insure any risks other than those of the industrial insureds that comprise the industrial insured group and their affiliated companies;

(4) a special purpose captive insurance company may provide insurance or reinsurance, or both, for risks as approved by the director;

(5) a captive insurance company may not provide personal motor vehicle or homeowner's insurance coverage written on a direct basis;

(6) a captive insurance company may not accept or cede reinsurance except as provided in Section 38-90-110.

(B) To conduct insurance business in this State a captive insurance company shall:

(1) obtain from the director a license authorizing it to conduct insurance business in this State;

(2) beginning the year immediately following the issuance of its license, annually hold at least one board of director's meeting, or in the case of a reciprocal insurer, a subscriber's advisory committee meeting, or in the case of a limited liability company a meeting of the managing board, at which a quorum is physically present in this State, provided that at least two board members or subscriber advisory committee

members, as applicable, must be physically present in this State;

(3) maintain its principal place of business in this State, or in the case of a branch captive insurance company, maintain the principal place of business for its branch operations in this State; and

(4) appoint a resident registered agent to accept service of process and to otherwise act on its behalf in this State. In the case of a captive insurance company:

(a) formed as a corporation, a nonprofit corporation, or a limited liability company, whenever the registered agent cannot with reasonable diligence be found at the registered office of the captive insurance company, the director must be an agent of the captive insurance company upon whom any process, notice, or demand may be served;

(b) formed as a reciprocal insurer, whenever the registered agent cannot with reasonable diligence be found at the registered office of the captive insurance company, the director must be an agent of the captive insurance company upon whom any process, notice, or demand may be served.

(C)(1) Before receiving a license, a captive insurance company:

(a) formed as a corporation or a nonprofit corporation, shall file with the director a certified copy of its articles of incorporation and bylaws, a statement under oath of its president and secretary showing its financial condition, and any other statements or documents required by the director;

(b) formed as a limited liability company, shall file with the director a certified copy of its articles of organization and operating agreement, a statement under oath by its managers showing its financial condition, and any other statements or documents required by the director;

(c) formed as a reciprocal shall:

(i) file with the director a certified copy of the power of attorney of its attorney-in-fact, a certified copy of its subscribers' agreement, a statement under oath of its attorney-in-fact showing its financial condition, and any other statements or documents required by the director; and

(ii) submit to the director for approval a description of the coverages, deductibles, coverage limits, and rates and any other information the director may reasonably require. If there is a subsequent material change in an item in the description, the reciprocal captive insurance company shall submit to the director for approval an appropriate revision and may not offer any additional kinds of insurance until a revision of the description is approved by the director. The reciprocal captive insurance company shall inform the director of any

material change in rates within thirty days of the adoption of the change.

(2) In addition to the information required by item (1), an applicant captive insurance company shall file with the director evidence of:

(a) the amount and liquidity of its assets relative to the risks to be assumed;

(b) the adequacy of the expertise, experience, and character of the person or persons who will manage it;

(c) the overall soundness of its plan of operation;

(d) the adequacy of the loss prevention programs of its parent, member organizations, or industrial insureds as applicable; and

(e) such other factors considered relevant by the director in ascertaining whether the proposed captive insurance company will be able to meet its policy obligations.

(3) In addition to the information required by items (1) and (2) an applicant sponsored captive insurance company shall file with the director:

(a) a business plan demonstrating how the applicant will account for the loss and expense experience of each protected cell at a level of detail found to be sufficient by the director, and how it will report the experience to the director;

(b) all contracts or sample contracts between the sponsored captive insurance company and any participants; and

(c) a statement that expenses will be allocated to each protected cell in an equitable manner.

(4) Information submitted pursuant to this section is confidential as provided in Section 38-90-35 except that information is discoverable by a party in a civil action or contested case to which the captive insurance company that submitted the information is a party, upon a specific finding by the court that:

(a) the captive is a necessary party to the action and not joined only for the purposes of evading the confidentiality provisions of this chapter;

(b) the information sought is relevant, material to, and necessary for the prosecution or defense of the claim asserted in litigation; and

(c) the information sought is not available through another source.

(D)(1) A captive insurance company shall pay to the department a nonrefundable fee of two hundred dollars for processing its application for license. In addition, the director may retain legal, financial, and examination services from outside the department to examine and investigate the application, the reasonable cost of which may be charged against the applicant in an amount that is determined to be appropriate

by the director given the nature, scale, and complexity of the application being investigated.

(2) Section 38-13-60 applies to examinations, investigations, and processing conducted pursuant to the authority of this section.

(3) In addition, a captive insurance company shall pay a license fee for the year of registration of three hundred dollars and an annual renewal fee of five hundred dollars.

(E) If the director is satisfied that the documents and statements filed by the captive insurance company comply with the provisions of this chapter, the director may grant a license authorizing the company to do insurance business in this State until March first at which time the license may be renewed.

(F) A foreign or alien captive insurance company, upon approval of the director, may become a domestic captive insurance company by complying with all of the requirements of law relative to the organization and licensing of a domestic captive insurance company of the same or equivalent type in this State and by filing with the Secretary of State its articles of association, charter, or other organizational document, together with appropriate amendments to them adopted in accordance with the laws of this State bringing those articles of association, charter, or other organizational document into compliance with the laws of this State. After this is accomplished, the captive insurance company is entitled to the necessary or appropriate certificates and licenses to continue transacting business in this State and is subject to the authority and jurisdiction of this State. In connection with this redomestication, the director may waive any requirements for public hearings. It is not necessary for a company redomesticating into this State to merge, consolidate, transfer assets, or otherwise engage in any other reorganization, other than as specified in this section.

(G)(1) A captive insurance company and any protected cell, upon approval of the director, may include within its plan of operation that it will:

(a) receive payments of premium in a specified non-U.S. currency and pay claims on insured losses in a specified non-U.S. currency;

(b) authorize the payment of claims in a specified non-U.S. currency; and

(c) hold a specified non-U.S. currency as capital, surplus, or net assets, or any combination thereof.

(d) The non-U.S. currency may only be the currency of the country in which the owner of insured of the captive insurance company or protected cell is located and may not be the currency of an alien

adversary.

(2) Notwithstanding the foregoing, all amounts paid to the department pursuant to this chapter must be paid in U.S. currency, and all reports and other information required to be submitted to the department pursuant to this chapter must be converted to U.S. currency, based on exchange rates as may be approved by the department.

(3) In determining the exchange rate between U.S. currency and the non-U.S. currency, the captive insurance company must use the applicable exchange rate as published by the U.S. Department of the Treasury as of the applicable date of conversion.

(4) For the purposes of calculating the amount of premium tax due under this chapter, a policy issued by a captive insurance company payable in non-U.S. currency is deemed to be of an equivalent value in U.S. currency based on the conversion date as may be approved by the department and is payable in U.S. currency when due.

Capitalization requirements

SECTION 4. Section 38-90-40(A)(1)(d) of the S.C. Code is amended to read:

(d) in the case of a sponsored captive insurance company, an amount determined by the director after giving due consideration to the company's business plan, feasibility study, and pro formas, including the nature, scale, and complexity of the risks to be insured;

Incorporation options and requirements

SECTION 5. Section 38-90-60(C) of the S.C. Code is amended to read:

(C) In the case of a captive insurance company licensed as a branch captive insurance company, the alien or foreign captive insurance company must register to do business in this State after the certificate of authority has been issued.

Reports

SECTION 6. Section 38-90-70 of the S.C. Code is amended to read:

Section 38-90-70. (A) A captive insurance company may not be required to make an annual report except as provided in this chapter. The director has the authority to waive or grant an extension to the

requirements of this section.

(B)(1) A captive insurance company shall submit annually to the director a report of its financial condition, verified by oath of two of its executive officers. The report must be submitted no later than March first for risk retention groups and no later than July first for all other captive insurance companies.

(2) A captive insurance company, other than a risk retention group, may make a written application to file the annual report on a fiscal year end that is consistent with the parent company's fiscal year end. If an alternative date is granted, the:

(a) income statement and premium schedule of the annual report must be filed before March first of each year for each calendar year-end, verified by oath of two of its executive officers; and

(b) entire annual report must be filed no more than one-hundred-eighty days after the fiscal year end, except as otherwise approved by the director.

(C) In addition to the annual report, a branch captive insurance company shall file with the director a copy of all reports and statements required to be filed under the laws of the jurisdiction in which the alien or foreign captive insurance company is formed, verified by oath of two of its executive officers. The reports and statements of the alien or foreign captive insurance company must be submitted within one-hundred-eighty days after the fiscal year end of the alien or foreign captive insurance company except as otherwise approved by the director. If the director finds that the reports and statements filed by the alien or foreign captive insurance company in its domiciliary jurisdiction provides adequate information concerning the financial condition of the alien or foreign captive insurance company to satisfy the laws of this State, the director may waive the requirement for completion of the Captive Annual Report for business written in the alien or foreign jurisdiction.

(D) Except as provided in Section 38-90-40, a captive insurance company shall report using generally accepted accounting principles, unless the director approves the use of statutory accounting principles, with useful or necessary modifications or adaptations required or approved or accepted by the director for the type of insurance and kinds of insurers to be reported upon, and as supplemented by additional information required by the director. Except as otherwise provided, an association captive insurance company, an industrial insured group, and a risk retention group shall file its report in the form and manner required by Section 38-13-80, and each industrial insured group and each risk retention group shall comply with the requirements provided for in

Section 38-13-85. The director by regulation shall prescribe the forms in which all other captive insurance companies shall report. Information submitted pursuant to this section is confidential as provided in Section 38-90-35, except for reports submitted by a risk retention group.

Discounting of loss and lost adjustment expense reviews

SECTION 7. Section 38-90-75 of the S.C. Code is amended by adding:

(D) The director may allow a sponsored captive insurance company to file one actuarial opinion pursuant to this section on a consolidated basis covering the sponsored captive insurance company and its unincorporated protected cells and incorporated protected cells.

Inspections and examinations

SECTION 8. Section 38-90-80 of the S.C. Code is amended to read:

Section 38-90-80. (A)(1) At least once every five years, and whenever the director determines it to be prudent, the director personally, or by a competent person appointed by the director, shall thoroughly inspect and examine each risk retention group or industrial insured insurance company to ascertain its financial condition, its ability to fulfill its obligations, and whether it has complied with this chapter. The director, at his discretion, may physically visit the risk retention group or industrial insured insurance company. The expenses and charges of the examination must be paid to the State by the company or companies examined and the department shall issue its warrants for the proper charges incurred in all examinations.

(2) A captive insurance company that is not a risk retention group or industrial insured captive insurance company may be examined at the discretion of the director.

(B) All examination reports, preliminary examination reports or results, working papers, recorded information, documents and copies of documents produced by, obtained by, or disclosed to the director or any other person in the course of an examination made under this section are confidential and are not subject to subpoena and may not be made public by the director or an employee or agent of the director without the prior written consent of the company, except to the extent provided in this subsection.

(1) Nothing in this subsection prevents the director from using this information in furtherance of the director's regulatory authority under

this title.

(2) The director may grant access to this information to public officers having jurisdiction over the regulation of insurance in any other state or country, or to law enforcement officers of this State or any other state or country or agency of the federal government at any time, so long as the officers receiving the information agree in writing to hold it in a manner consistent with this section.

(3) The confidentiality provisions of this subsection do not extend to final reports produced by the director in inspecting or examining a risk retention group. In addition, nothing contained in this subsection limits the authority of the director to use and, if appropriate, make public a preliminary examination report, examiner or insurer work papers or other documents, or other information discovered or developed during the course of an examination in the furtherance of a legal or regulatory action which the director considers appropriate.

(C) This section applies to all business written by a captive insurance company; however, the examination for a branch captive insurance company must be of branch business and branch operations only, as long as the alien or foreign captive insurance company provides annually to the director, a certificate of compliance, or its equivalent, issued by or filed with the licensing authority of the jurisdiction in which the alien or foreign captive insurance company is formed and demonstrates to the director's satisfaction that it is operating in sound financial condition in accordance with all applicable laws and regulations of that jurisdiction.

(D) To the extent that the provisions of Chapter 13 do not contradict the provisions of this section, Chapter 13 applies to captive insurance companies licensed under this chapter.

Tax payments

SECTION 9. Section 38-90-140(H) of the S.C. Code is amended to read:

(H) In the case of a sponsored captive insurance company, the aggregate taxes to be paid with respect to the sponsored captive insurance company and its unincorporated protected cells and incorporated protected cells, as calculated under subsections (A) and (B), must be calculated and paid on a consolidated basis as one captive insurance company.

Declaration of inactivity

SECTION 10. Section 38-90-165 of the S.C. Code is amended to read:

Section 38-90-165. (A) The director may declare inactive by written approval a captive insurance company other than a risk retention group or association captive if such captive insurance company has no outstanding insurance liabilities and agrees to cease providing insurance coverage.

(B) During the period the captive insurance company is inactive, the director may by written approval:

(1) reduce the minimum free and unimpaired paid-in capital or surplus, or combination thereof, to no less than twenty-five thousand dollars;

(2) modify the minimum premium tax applicable to the captive insurance company to an amount no less than two thousand dollars and the captive insurance company shall pay no other premium taxes; and

(3) exempt the captive insurance company from the requirement to file such reports as set forth in the written approval.

Captive Insurance Regulatory and Supervision Fund

SECTION 11. Section 38-90-175(A) of the S.C. Code is amended to read:

(A) There is created a fund to be known as the “Captive Insurance Regulatory and Supervision Fund” for the purpose of providing the financial means for the director to administer Chapter 87 and Chapter 90 of this title and for reasonable expenses incurred in promoting the captive insurance industry in the State. The transfer of forty percent of the taxes collected by the department pursuant to Chapter 90 of this title, and all fees and assessments received by the department pursuant to the administration of this chapter must be credited to this fund. All fees received by the department from reinsurers who assume risk only from captive insurance companies, must be deposited into the Captive Insurance Regulatory and Supervision Fund. All fines and administrative penalties must be deposited directly into the South Carolina general fund.

Protected cells

SECTION 12. Section 38-90-215(B)(2) and (C)(2) of the S.C. Code is amended to read:

(2) An unincorporated protected cell has the free and unimpaired paid-in capital and surplus in an amount determined by the director after giving due consideration to the protected cell's business plan, feasibility study, and pro formas, including the nature, scale, and complexity of the risks to be insured, and either:

(a) establish loss and loss expense reserves for business written through the unincorporated protected cell; or

(b) the business written through the unincorporated protected cell must be:

(i) fronted by an insurance company licensed pursuant to the laws of:

(A) any state; or

(B) any jurisdiction if the insurance company is a wholly owned subsidiary of an insurance company licensed pursuant to the laws of any state;

(ii) reinsured by a reinsurer authorized or approved by this State; or

(iii) secured by a trust fund in the United States for the benefit of policyholders and claimants funded by an irrevocable letter of credit or other asset acceptable to the director. The amount of security provided by the trust fund may not be less than the reserves associated with those liabilities, including reserves for losses, allocated loss adjustment expenses, incurred but unreported losses, and unearned premiums for business written through the participant's protected cell. The director may require the sponsored captive to increase the funding of a trust established pursuant to this item. If the form of security in the trust is a letter of credit, the letter of credit must be established, issued, or confirmed by a bank chartered in this State, a member of the federal reserve system, or a bank chartered by another state if that state-chartered bank is acceptable to the director. A trust and trust instrument maintained pursuant to this item must be in a form and upon terms approved by the director.

(2) Except as specifically set forth in this chapter, each incorporated protected cell of a sponsored captive insurance company shall have free and unimpaired paid-in capital and surplus in an amount determined by the director after giving due consideration to the protected cell's business

plan, feasibility study, and pro formas, including the nature, scale, and complexity of the risks to be insured.

Time effective

SECTION 13. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 63

(R90, S507)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2024, 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 S.C. Code is amended to read:

(a) Except as otherwise provided, "Internal Revenue Code" means the Internal Revenue Code of 1986, as amended through December 31, 2024, 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, 2024, are extended, but otherwise not amended, by congressional enactment during 2025, 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 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 64

(R92, H3292)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-2-90 SO AS TO PROVIDE FOR THE REGISTRATION AND OPERATION OF GOLF CARTS ALONG THE STATE'S PUBLIC HIGHWAYS, TO PROVIDE MUNICIPALITIES AND COUNTIES MAY ADOPT ORDINANCES TO REGULATE THE OPERATION OF GOLF CARTS WITHIN THEIR JURISDICTIONS, AND TO PROVIDE CERTAIN PASSENGERS MUST WEAR SAFETY BELTS; AND TO REPEAL SECTION 56-2-105 RELATING TO THE REGISTRATION AND OPERATION OF GOLF CARTS.

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

Golf carts

SECTION 1. Article 1, Chapter 2, Title 56 of the S.C. Code is amended by adding:

Section 56-2-90. (A) To operate a vehicle commonly known as a golf cart on a public highway, the owner must obtain a permit decal and

registration certificate from the Department of Motor Vehicles. Proof of ownership, proof of liability insurance, and payment of a five-dollar fee must be provided. The permit decal must be replaced every five years, or at the time the owner changes his address, whichever is sooner.

(B) A person operating a golf cart on a public highway must be at least sixteen years of age, hold a valid driver's license, and have in his possession:

- (1) the registration certificate;
- (2) proof of liability insurance in conformance with Section 38-77-140; and
- (3) his driver's license.

(C) A municipality or a county within its unincorporated portions, may:

(1) by ordinance stipulate the hours, methods, and locations of golf cart operations, provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less;

(2) by ordinance permit the operation of golf carts at night, provided that golf carts are equipped with working headlights and taillights, and provided that golf carts may be operated only on a highway where the speed limit is thirty-five miles per hour or less; and

(3) on the shoulder of primary highways, secondary highways, streets and roads, designate separate golf cart paths for the purpose of golf cart transportation, provided that:

(a) the municipality or county obtains the necessary approvals, if any, to create 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.

(4) not require proof of property ownership or proof of long-term rental agreement within the municipality or a county within its unincorporated portions as a requirement in which to receive a decal to operate a golf cart within its limits.

(D) In the absence of an ordinance enacted pursuant to subsection (C), a permitted golf cart may:

(1) be operated only during daylight hours;

(2) be operated only on a secondary highway where the speed limit is thirty-five miles per hour or less;

(3) be operated only within four miles of the address on the registration certificate, or only within four miles of a point of ingress and egress of a gated community if the address is within a gated community;

and

(4) cross a highway at an intersection where the speed limit is more than thirty-five miles an hour.

(E) Each golf cart passenger that is under the age of twelve years old, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt.

Repeal

SECTION 2. Section 56-2-105 of the S.C. Code is repealed.

Time effective

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

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 65

(R93, H3571)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-36-20, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMENCEMENT DATE," "LARGE PROJECT," "LARGE PROJECT FACILITY LOCATION AGREEMENT," "NOTICE," "PRE-MARKING," "PRIVATE FACILITY," "PROJECT INITIATOR," AND "SOFT DIGGING," AND TO AMEND THE DEFINITIONS OF "EXCAVATE," "EXCAVATOR," AND "OPERATOR"; BY AMENDING SECTION 58-36-50, RELATING TO THE OPERATORS ASSOCIATION NOTIFICATION CENTER, SO AS TO CLARIFY OPERATOR PENALTY FOR FAILURE TO BE A MEMBER OF THE ASSOCIATION, THE NOTIFICATION CENTER'S DUTIES, AND OTHER CHANGES; BY AMENDING SECTION 58-36-60, RELATING TO NOTICES OF INTENT TO EXCAVATE OR

DEMOLISH, SO AS TO CLARIFY CERTAIN NOTICE REQUIREMENTS, PROVIDE ADDITIONAL TIME FOR NOTICE FOR CERTAIN EXCAVATIONS OR DEMOLITIONS, AND OTHER CHANGES; BY AMENDING SECTION 58-36-70, RELATING TO INFORMATION SUPPLIED BY OPERATORS, SO AS TO REQUIRE NOTICE TO EXCAVATORS PRIOR TO THE COMMENCEMENT DATE, REQUIRE QUARTERLY REPORTS OF DAMAGES CAUSED BY EXCAVATIONS OR DEMOLITIONS, AND TO CLARIFY PAYMENTS OF CIVIL PENALTIES IN CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-36-80, RELATING TO EMERGENCY EXCAVATIONS OR DEMOLITIONS EXEMPT FROM NOTICE REQUIREMENTS AND LIABILITY FOR DAMAGES, SO AS ESTABLISH ADDITIONAL NOTIFICATION AND RESPONSE REQUIREMENTS IN THE EVENT OF AN EMERGENCY AND TO MAKE A FALSE CLAIM OF AN EMERGENCY A VIOLATION OF THIS CHAPTER; BY AMENDING SECTION 58-36-90, RELATING TO NOTICES OF DAMAGES, SO AS TO REQUIRE EXCAVATORS TO IMMEDIATELY REPORT ANY KNOWN DAMAGES TO THE NOTIFICATION CENTER AND FACILITY OPERATOR; BY AMENDING SECTION 58-36-100, RELATING TO DESIGN REQUESTS AND OPERATOR RESPONSES, SO AS TO ADD REFERENCES TO LARGE PROJECTS; BY AMENDING SECTION 58-36-110, RELATING TO EXEMPTIONS FROM NOTICE REQUIREMENTS, SO AS TO STRIKE CURRENT PROVISIONS; BY AMENDING SECTION 58-36-120, RELATING TO PENALTIES AND CIVIL REMEDIES, SO AS TO PROVIDE FOR A COMPLAINT PROCESS AND TO PROVIDE FOR PENALTIES; AND BY ADDING SECTION 58-36-75 SO AS TO PROVIDE A PROCESS FOR LARGE PROJECTS.

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

Underground facility damage prevention

SECTION 1. Sections 58-36-20 through 58-36-120 of the S.C. Code are amended to read:

Section 58-36-20. For purposes of this chapter, the following words and terms are defined as follows:

- (1) "APWA" means the American Public Works Association or

successor organization or entity.

(2) "Association" means a group of operators, or their representatives, formed for the purpose of operating a notification center.

(3) "Business continuation plan" means a plan that includes actions to be taken in an effort to provide uninterrupted service during catastrophic events.

(4) "Commencement date" means the date that an excavator provides to the notification center of the excavator's intent to begin the excavation or demolition for which notice is being given.

(5) "Damage" means the substantial weakening of structural or lateral support of a facility, penetration or destruction of protective coating, housing, or other protective device of a facility and the partial or complete severance of a facility.

(6) "Demolish" or "demolition" means any operation by which a structure or mass of material is wrecked, razed, rendered, moved, or removed by means of any tools, equipment, or discharge of explosives.

(7) "Designer" means any architect, engineer, or other person who prepares or issues a drawing or blueprint for a construction or other project that requires excavation or demolition work.

(8) "Design request" means a communication to the notification center in which a request for identifying existing facilities for advance planning purposes is made. A design request may not be used for excavation purposes.

(9) "Emergency" means a sudden or unforeseen event involving a clear and imminent danger to life, health, or property; the interruption of essential existing utility services; or the blockage of transportation facilities, including highway, rail, water, and air, which require immediate action.

(10)(A) "Excavate" or "excavation" means an operation for the purpose of the displacement, movement, or removal of soil, earth, rock, or other materials in or on the ground by use of hand digging, mechanized equipment or by discharge of explosives. This includes, but is not limited to, augering, blasting, boring, backfilling, digging, ditching, drilling to include directional, horizontal, and vertical, driving, grading, marine construction, partial- and full-depth patching, piling, plowing-in, pulling-in, ripping, scraping, soft digging, spudding, staking, trenching, and tunneling.

(B) "Excavate" or "excavation" shall not include:

(1) activity by the owner of a single-family residential property on their own land when the excavation:

(a) does not encroach on any operator's known right-of-way, easement, or permitted use;

- (b) is performed with nonmechanized equipment; and
 - (c) is less than twelve inches in depth;
 - (2) tilling or plowing of soil when less than twelve inches in depth for agricultural purposes;
 - (3) activity by an operator or an agent of an operator with nonmechanized equipment for the following purposes:
 - (a) locating for a valid notification request; or
 - (b) for the minor repair, connecting, or routine maintenance of an existing facility;
 - (4) road and right-of-way maintenance activities by a governmental entity responsible for the maintenance of those roads and rights-of-way, within the designated right-of-way of such entity, including resurfacing, milling, or emergency replacement of signs critical for maintaining safety, and the reshaping of shoulders and ditches to the original road profile; provided, however, this subsection shall not apply to contractors or subcontractors acting on behalf of an entity pursuant to this subsection, unless such contractor or subcontractor is performing a repair related to a gubernatorial declared emergency or an emergency declared by the Secretary of Transportation.
- (11) "Excavator" means any entity or person engaged in excavation or demolition.
- (12) "Extraordinary circumstances" means circumstances which make it impractical or impossible for the operator to comply with the provisions of this chapter. Extraordinary circumstances may include hurricanes, tornadoes, floods, ice, snow, and acts of God.
- (13) "Facility" means any underground line, underground system, or underground infrastructure used for producing, storing, conveying, transmitting, or distributing communication, electricity, gas, petroleum, petroleum products, hazardous liquids, potable and non-potable water, steam, or sewerage. Provided there is no encroachment on any operator's right-of-way, easement, or permitted use and for purposes of this chapter, the following are not considered as an underground "facility": petroleum storage systems subject to regulation pursuant to Chapter 2, Title 44; septic tanks as regulated by Chapter 55, Title 44; swimming pools and irrigation systems. For purposes of this chapter, and provided there is no encroachment on any operator's right-of-way, easement, or permitted use, liquefied petroleum gas "systems" as defined in Section 40-82-20(8) do not constitute an underground "facility" unless such a system is subject to Title 49 C.F.R. Part 192.
- (14) "Large project" means excavation or demolition that:
- (a) involves more work to locate underground facilities than can reasonably be completed within the requirements of Section 58-36-70;

(b) is reasonably expected to take more than ninety days to complete; and

(c) is either a:

(i) highway infrastructure project that is:

(A) greater than one mile measured linearly or encompasses more than a two-square-mile polygon; and

(B) proposed for areas in which existing underground facilities are located;

(ii) a development project that is located in areas in which existing underground facilities are located; or

(iii) utility infrastructure project that is:

(A) greater than one mile measured linearly or encompasses a two-square-mile polygon; and

(B) proposed for areas in which existing underground facilities are located.

(15) "Large project facility location agreement" means an agreement between the excavators, locators, and facility owners involved in a large project that meets the requirements in Section 58-36-75.

(16) "Locator" means a person that identifies and marks facilities for operators.

(17) "Mechanized equipment" means equipment operated by means of mechanical power, including, but not limited to, trenchers, bulldozers, power shovels, augers, backhoes, scrapers, drills, cable and pipe plows, and other equipment used for plowing-in or pulling-in cable or pipe.

(18) "Non-mechanized equipment" means hand tools.

(19) "Notice" means the provision by an excavator of information to the notification center as required by Section 58-36-60(A).

(20) "Notification center" means an entity that administers a system through which a person can notify operators of proposed excavations or demolitions.

(21) "Operator" means any person, public utility, communications and cable service provider, provider of interactive fiber, municipality, electrical utility, electric and telephone cooperatives, and the South Carolina Public Service Authority as defined in Titles 5, 6, 33, and 58 of the S.C. Code of Laws, who owns or operates a facility for commercial purposes in the State of South Carolina. The term "operator" includes entities that own, maintain, or operate a facility that is used to provide utility service to third parties for commercial or multi-family residential purposes, even where no separate charge is imposed for such utility service.

(22) "Person" means any individual, owner, corporation, partnership, association, or any other entity organized under the laws of any state;

any subdivision or instrumentality of a state; and any authorized representative thereof.

(23) "Positive response" means an automated information system that allows excavators, locators, operators, and other interested parties to determine the status of a locate request until excavation or demolition is complete.

(24) "Pre-marking" means identifying the proposed excavation or demolition site by using APWA uniform color code rules for the proposed excavation. This includes, but is not limited to, utilization of white paint, flags, whiskers, stakes, digital or virtual drawings, prints, and other elements identifying the proposed excavation visually. If the locate notice indicates the existence of pre-marks, the location of those marks must be described on the notice.

(25) "Private facility" is a facility owned and operated by a person or entity that is not an operator.

(26) "Project initiator" means the person or entity that causes a large project to be initiated. The project initiator for large projects for highway infrastructure shall be the South Carolina Department of Transportation; the project initiator for large projects for development shall be the development owner; and the project initiator for a utility infrastructure project shall be the utility infrastructure project owner.

(27) "Soft digging" means any excavation using tools or equipment that utilizes air or water pressure as the direct means to break up soil or earth for removal by vacuum excavation.

(28) "Subaqueous" means a facility that is under a body of water, including rivers, streams, lakes, waterways, swamps, and bogs.

(29) "Tolerance zone" means:

(a) if the diameter of the facility is known, the distance of one-half of the known diameter plus twenty-four inches on either side of the designated center line;

(b) if the diameter of the facility is not marked, twenty-four inches on either side of the outside edge of the mark indicating a facility; or

(c) for subaqueous facilities, a clearance of fifteen feet on either side of the indicated facility.

(30) "Working day" means every day, except Saturday, Sunday, and legal holidays as defined by South Carolina law.

Section 58-36-30. (A) The provisions in this chapter supersede and preempt any ordinance enacted by a local political subdivision that purports to:

(1) require operators to obtain permits from local governments in order to identify facilities;

- (2) require pre-marking or marking of facilities;
- (3) specify the types of paint or other marking devices that are used to identify facilities; or
- (4) require removal of marks.

(B) Nothing in this chapter shall supersede or preempt any ordinance enacted by a municipality that purports to regulate the permitting and inspection of utility work being conducted within the public right-of-way.

(C) A permit issued pursuant to law authorizing an excavation or demolition shall not be deemed to relieve a person from the responsibility for complying with the provisions of this chapter.

Section 58-36-40. (A) Any costs or expenses associated with compliance by an excavator with the requirements in this chapter applicable to excavators shall not be charged to any operator. Any costs or expenses associated with compliance by an operator with the requirements in this chapter applicable to operators shall not be charged to any excavator. Neither the association nor the notification center may impose any charge on any person giving notice to the notification center.

(B) This section shall not excuse an operator or excavator from liability for any damage or injury for which it would be responsible under applicable law.

Section 58-36-50. (A) Operators must maintain an association that will operate a notification center providing for the receipt of notice of excavation or demolition in a defined geographical area. The notification center must be governed by a board of directors composed of operators and damage prevention stakeholders that are members of the association. The by-laws of the association must provide for a board of directors with the following membership:

(1) one representative from each of the six facility members that receive the highest annual notification transmission volumes from the notification center;

(2) one representative of a public water or sewer company;

(3) one representative of an electric cooperative;

(4) one representative of an investor-owned natural gas utility;

(5) one representative of a company that transports hazardous liquids as defined in 49 U.S.C. 60101(a)(4);

(6) one representative of a telephone cooperative;

(7) one representative of a rural water district;

(8) one representative of the South Carolina Association of Municipal Power Systems;

(9) one representative of the South Carolina Association of Counties;

(10) one representative of a company licensed in South Carolina for facility contract locating;

(11) one representative of the South Carolina Department of Transportation;

(12) one representative of a company licensed in South Carolina for construction of roads and highways;

(13) one representative of a company licensed in South Carolina for construction of facilities;

(14) one representative of a company licensed in South Carolina for landscaping or irrigation;

(15) one representative of a company licensed in South Carolina as a general contractor or as a subcontractor in the construction industry;

(16) three representatives employed by different facility operators in South Carolina; and

(17) one representative of a special purpose district providing natural gas.

In choosing members of the association to fill these board positions, the association will solicit nominations from the membership of the association and industry organizations representing entities designated by this subsection. The South Carolina 811 Board of Directors existing as of June 7, 2012, must elect the board as required by the provisions of this subsection within nine months following June 7, 2012.

(B)(1) All operators are required to join the association and utilize the services of the notification center.

(2) Beginning on January 1, 2026, every month that an operator is not a member of the association shall be a separate violation of this chapter.

(C) There shall be only one notification center for the State of South Carolina.

(D) The association shall provide for a reasonable way of apportioning the cost of operating the notification center among its members.

(E) The notification center shall receive notices from persons with the intention of performing excavation or demolition and transmit to the operators the following information:

(1) the name, address, and telephone number of the person providing the notice, and, if different, the excavator completing the proposed excavation or demolition;

(2) the commencement date of the proposed excavation or demolition;

(3) the anticipated duration of the proposed excavation or

demolition;

- (4) the type of proposed excavation or demolition to be conducted;
- (5) the location of the proposed excavation or demolition; and
- (6) whether or not explosives are to be used in the proposed excavation or demolition.

(F) The notification center must maintain a record of the notices received pursuant to subsection (E), and information regarding operators failing to provide a response pursuant to subsection (E), and excavators failing to provide notice pursuant to Section 58-36-60(C). This record must be maintained for at least three years.

(G) The notification center shall receive and transmit notices.

(H) The notification center must have a business continuation plan.

(I) The notification center shall provide and maintain a positive response system.

(J) The notification center shall file with the South Carolina Public Service Commission the telephone number, email address, and physical address of the notification center and a list of the names and email addresses of each operator that received service from the notification center. This filing must be made no later than April fifteenth of each year.

(K) The notification center shall provide to the Chairman of the House of Representatives Labor, Commerce and Industry Committee and the Chairman of the Senate Judiciary Committee a report regarding the activities and operations of the notification center for the preceding calendar year. This report must include, but is not limited to, the following information:

- (1) average speed of answer;
 - (2) abandoned call rate;
 - (3) transmit times;
 - (4) total number of locate requests;
 - (5) total number of transmissions to operators of locate requests;
- and
- (6) business continuation plan.

This report must be made no later than April fifteenth of each year.

(L) The notification center must:

- (1) establish and operate a damage prevention training program;
- (2) establish large project facility location agreements that must include, but not be limited to, the notice and response requirements in Sections 58-36-60(A), (B), (C), and (E) and 58-36-70(B), (C), (E), and (F);
- (3) develop systems and processes to assist project initiators, excavators, and facility operators with implementation of large project

procedures pursuant to Section 58-36-75;

(4) receive complaints forwarded from the Attorney General's Office pursuant to Section 58-36-120;

(a) review notification center records for information relating to such complaints;

(b) contact and obtain information from parties involved in the events giving rise to such complaints;

(5) investigate and mediate complaints within six months from receipt of the referral from the Attorney General's Office; however, the notification center may request that the Attorney General grant an extension of no more than six additional months;

(6) submit a recommendation to the Attorney General after mediation with terms for the resolution of such complaints and all documents and records in connection with the case; and

(7) provide any other assistance that the Attorney General may request in regards to the investigation and resolution of actions in violation of this chapter.

(M) The notification center is not a public body pursuant to Section 30-4-20(a).

Section 58-36-60. (A)(1) Before commencing any excavation or demolition, the excavator must provide timely notice to the notification center of his intent to excavate or demolish. Notice for any excavation or demolition that does not involve a subaqueous facility must be given within three to twelve full working days, not including the day upon which notice is given, before the proposed commencement date of the excavation or demolition. Notice for any excavation or demolition in the vicinity of a subaqueous facility must be made within ten to twenty full working days, not including the day upon which notice is given, before the proposed commencement date of the excavation or demolition.

(2) A subcontractor may rely on a general contractor's notice to the notification center if the notice specifically references the subcontractor by name.

(3) The notification number, as assigned by the notification center and provided to the excavator pursuant to this section, must be provided by the notification center to an operator or an agent working on the operator's behalf if requested, by physical or digital means.

(B) Notice given pursuant to subsection (A) shall expire within fifteen working days after the date and time for commencement of work as provided in the notice. No excavation or demolition may continue after this fifteen-day period unless the person responsible for the excavation or demolition provides a subsequent notice using the same method as

provided in subsection (A). This subsequent notice only extends the commencement date and does not require operators to re-mark facilities unless otherwise required pursuant to subsection (F)(7).

(C) The notice to the notification center must contain:

(1) the name, address, and telephone number of the person providing the notice;

(2) the commencement date of the proposed excavation or demolition;

(3) the anticipated duration of the proposed excavation or demolition;

(4) the type of proposed excavation or demolition to be conducted;

(5) the location of the proposed excavation or demolition, not to exceed one-quarter mile in geographical length, or five adjoining addresses, whichever is less; and

(6) whether or not explosives are to be used in the proposed excavation or demolition.

(D) When demolition of a building is proposed, operators shall be given reasonable time to remove or protect their facilities before demolition commences.

(E) For projects that do not meet the requirements of large projects as defined in Section 58-36-20(14), a notice must not cover an area greater than one linear mile. Notice for projects less than one linear mile but greater than one quarter mile must be reduced to sections not greater than one quarter mile or five adjoining addresses, whichever is less, for purposes of transmitting notice to operators. Notice for projects that do qualify as large projects must be provided as required by Section 58-36-75.

(F) An excavator must comply with the following:

(1) When the excavation site cannot be clearly and adequately identified within the area described in the notice, the excavator must designate the route, specific area to be excavated, or both, by pre-marking before the operator performs a locate.

(2) Check the notification center's positive response system prior to excavating or demolishing to ensure that all operators have responded and that all facilities that may be affected by the proposed excavation or demolition have been marked.

(3) Plan the excavation or demolition to avoid damage to or minimize interference with facilities in and near the construction area.

(4) Excavation or demolition may commence prior to the commencement date provided in the notice required in this section if the excavator has confirmed that all operators responded with an appropriate positive response.

(5) If an operator declares extraordinary circumstances, the excavator must not excavate or demolish until after the time and date that the operator provided in its response.

(6)(a) An operator's failure to respond to the positive response system does not prohibit the excavator from proceeding, provided there are no visible indications of a facility, such as a pole where an aerial facility transitions to underground, marker, pedestal, or valve at the proposed excavation or demolition site. However, if the excavator is aware of or observes indications of an unmarked facility, the excavator must not begin excavation or demolition until an additional notice is provided to the notification center detailing the facility, and an arrangement is made for the facility to be marked by the operator within three hours from the time the additional notice is received by the notification center.

(b) If the three-hour notice is made pursuant to subitem (a) and an operator failed to give a positive response within the timeframe required in this section and the excavator has fully complied with this section, the excavator shall not be deemed liable for any damages to an underground facility that would have been located if the operator had complied with its duties as an operator. This item shall not apply to any underground facility used to transport gas or hazardous liquid subject to the federal pipeline safety laws.

(7) Beginning on the date provided in the excavator's notice to the notification center, the excavator shall preserve the staking, marking, or other designation until no longer required. When a mark is no longer visible, but the work continues in the vicinity of the facility, the excavator must request a re-mark from the notification center to ensure the protection of the facility.

(8) The excavator shall notify the notification center's positive response system when the excavation or demolition is complete.

(9) An excavator may not perform any excavation or demolition within the tolerance zone, including work done in the tolerance zone below or above an existing facility, unless the following conditions are met:

(a) no use of mechanized equipment, except soft digging equipment specifically designed or intended to protect the integrity of the facility, within the marked tolerance zone of an existing facility until:

(i) the excavator has visually identified the precise location of the facility, or has visually confirmed that no facility is present up to the depth of excavation; and

(ii) reasonable precautions are taken to avoid any substantial weakening of the facility's structural or lateral support, or both, or

penetration or destruction of the facilities or their protective coatings.

Mechanical means may be used, as necessary, for initial penetration and removal of pavement or other materials requiring use of mechanical means of excavation and then only to the depth of the pavement or other materials. For parallel type excavations within the tolerance zone, the existing facility shall be visually identified at intervals not to exceed fifty feet along the line of excavation to avoid damages. When excavation involves crossing an existing marked facility, the excavator must visually verify minimum clearance of the tolerance zone above or below the existing facility using appropriate methods, such as hand digging or soft digging techniques to visually identify and protect existing facilities where the excavation crossing occurs. The excavator shall exercise due care at all times to protect the facilities when exposing these facilities;

(b) maintain clearance between a facility and the cutting edge or point of any mechanized equipment, taking into account the known limit of control of such cutting edge or point, as may be reasonably necessary to avoid damage to such facility; and

(c) provide support for facilities in and near the excavation or demolition area, including backfill operations, as may be reasonably required by the operator for the protection of such facilities.

Section 58-36-70. (A) An operator or designated representative must provide to an excavator the following information:

(1) The horizontal location and description of all of its facilities in the area of the proposed excavation or demolition. The location shall be marked by stakes, paint, flags, or any combination thereof as appropriate depending on the site conditions of the proposed excavation or demolition using the APWA Uniform Color Code. If the diameter or width of the facility is greater than three inches, the dimension of the facility will be indicated at least every twenty-five feet in the area of the proposed excavation or demolition. Operators who operate multiple facilities in the same trench shall locate each facility individually.

(2) Any other information that would assist the excavator to identify, and thereby avoid damage to, the marked facilities.

(B) The information in subsection (A) must be provided to the excavator prior to the commencement date provided in the notice or as otherwise provided by written agreement between the excavator and the operator or designated representative of the operator.

These timelines do not apply in the event the operator declares an extraordinary circumstance pursuant to subsection (F) below, or for a large project in which these timelines are modified in a large project facility location agreement.

(C) An operator may reject an excavation or demolition locate request due to homeland security considerations based upon federal statutes or federal regulations until the operator can confirm the legitimacy of the request. The operator must notify the person making the request of the denial and request additional information, through the positive response system, within the time frame established in subsection (B).

(D) An operator must provide a positive response to the notification center prior to the expiration of the required notice period. This response shall indicate the status of the required activities of the operator or designated representative in regard to the proposed excavation or demolition.

(E) If the operator determines that provisions for marking subaqueous facilities are required, the operator or their designated representative will provide a positive response to the notification center not more than three full working days after notice of the proposed excavation or demolition from the notification center.

(F) If extraordinary circumstances prevent the operator from marking the location in the required time period, the operator must notify the excavator either by contacting the notification center or by directly contacting the excavator. The operator must state the date and time when the location will be marked.

(G) All facilities installed by or on behalf of an operator as of June 7, 2012, must be electronically locatable using a generally accepted locating method by operators.

(H) A facility locator must notify the operator if the locator becomes aware of an error or omission in facility placement documentation. The operator must update its records to correct the error or omission.

(I) An operator must prepare, or cause to be prepared, installation records of all facilities installed on or after June 7, 2012, in a public street, alley, or right-of-way dedicated to public use, excluding service drops and services lines. The operator must maintain these records in its possession while the facility is in service.

(J) An operator that fails to become a member of the association as required by Section 58-36-50(B) may not recover for damages to a facility caused by an excavator that has complied with this chapter and has exercised reasonable care in the performance of the excavation or demolition.

(K) An operator must provide to the notification center a report, on a quarterly basis, of damage to its facilities caused by excavations and demolitions. The report must include the date of the incident and a brief summary of the extent of the damage. The board of the notification center must approve forms for use by operators in reporting damages.

These forms shall gather information to improve the protection of underground facilities in this State. Nothing in this section shall be construed to restrict or limit in any way the protections of Rule 407 of the South Carolina Rules of Evidence.

(L) In the event that an operator designates a representative to carry out its duties described in this section and the designated representative fails to carry out those duties, then the operator shall be responsible for payment of any civil penalty in accordance with Section 58-36-120.

Section 58-36-80. (A) An excavator performing an emergency excavation or demolition is exempt from the notice requirements in Section 58-36-60. However, the excavator must, as soon as practicable, provide notice of the emergency to the notification center and oral notice to any affected facility operators. The excavator must provide a description of the circumstances to the notification center and request emergency assistance from each affected operator in locating and providing immediate protection to the facilities.

(B) All operators within the delineated emergency excavation or demolition area are required to respond in the notification center's positive response system within three hours from the notification center's notice of the emergency.

(C) The person responsible for the emergency excavation or demolition shall either be on-site or in communication with the operator, their contract locator, or their representative through the notification center's positive response system. This communication must be made within three hours after the transmission of the notice of the emergency excavation or demolition by the notification center.

(D) The declaration of an emergency excavation or demolition does not relieve any party of liability for causing damage to an operator's facilities, even if those facilities are unmarked.

(E) Any person who falsely claims that an emergency exists requiring excavation or demolition shall have violated the provisions of this chapter.

Section 58-36-90. (A) The excavator performing an excavation or demolition that results in any damage to a facility must, immediately report the location and nature of the damage to the notification center and to the facility operator, if known. This report must be made on a form prepared by, and made available by, the notification center. The excavator must allow the operator reasonable time to accomplish necessary repairs before completing the excavation or demolition in the immediate area of such facility. The excavator shall delay any

backfilling in the immediate area of the damaged facility until authorized by the operator. The repair of any damage shall be performed by the operator or by qualified personnel authorized by the operator.

(B) An excavator responsible for any excavation or demolition that results in damage to a facility where damage results in the escape of any flammable, toxic, or corrosive gas or liquid, or electricity, or endangers life, health, or property, immediately shall notify emergency services, including 911, the notification center and the operator, if known. The excavator must take reasonable measures to protect themselves, those in immediate danger, the general public, property, and the environment until the operator or emergency responders have arrived and completed their assessment.

Section 58-36-100. (A) A designer may submit a design request to the notification center. The design request shall describe the tract or parcel of land for which the design request has been submitted with sufficient particularity, as defined by policies developed and promulgated by the notification center, so that the operator can ascertain the precise tract or parcel of land involved.

(B) Within fifteen working days after a design request has been submitted to the notification center for a proposed project, the operator shall respond by one of the following methods:

(1) designate the location of all facilities within the area of the proposed excavation pursuant to Section 58-36-70(A); or

(2) provide to the person submitting the design request the best available description of all facilities in the area of proposed excavation, which may include drawings of facilities already built in the area, or other facility records that are maintained by the operator.

(C) An operator may reject a design request based on homeland security pending additional information confirming the legitimacy of the request. The operator must notify the person making the request of the denial and request additional information, through the positive response system, within the time frame set forth in Section 58-36-70(B).

(D) The provisions of this section may be used for a large project that follows the procedures established in Section 58-36-75. For excavations that are not large projects, the provisions of Sections 58-36-60 and 58-36-70 must be followed.

Section 58-36-110. Reserved.

Section 58-36-120. (A)(1) A party affected by an alleged violation of this chapter may file a complaint with the Attorney General's Office

within forty-five days of the alleged violation. Upon receipt of the complaint, the Attorney General's Office must refer the complaint to the notification center for an investigation and mediation pursuant to Section 58-36-50(L). Each mediation recommendation proposed by the notification center must be submitted to the Attorney General's Office for approval or rejection.

(2) The Attorney General's Office, upon receipt of a mediation recommendation from the notification center, may approve or reject the mediation recommendation.

(3) If the notification center informs the Attorney General's Office that a mediation recommendation could not be reached or a mediation recommendation is rejected by the Attorney General's Office, the Attorney General's Office shall review the complaint and any additional information gathered by the notification center to determine whether there exists a *prima facie* case that a violation of this chapter has occurred. If the Attorney General's Office determines that there exists a *prima facie* case that a violation of this chapter occurred, the Attorney General's Office shall inform the complainant who shall then be authorized to file an action seeking the imposition of a civil penalty. Actions seeking the imposition of a civil penalty within the jurisdictional threshold of magistrate court pursuant to Section 22-3-10(3) may be brought in magistrate court. All other actions shall be filed in circuit court. If the Attorney General's Office determines that a *prima facie* case has not been established, the Attorney General's Office shall inform the complainant. A determination that a *prima facie* case has not been established by the Attorney General's Office shall preclude the complainant from filing an action seeking the imposition of a civil penalty. A determination that a *prima facie* case has not been established may be reviewed by the circuit court.

(4) Upon filing of an action pursuant to this section, the clerk of court shall forward a copy of the complaint to the notification center.

(5) In any action brought by a complainant seeking the imposition of penalties as authorized by this section, the complainant may seek penalties up to the statutory limit and may, during the litigation, resolve the action by a settlement within the statutory limits.

(6) An employee of the notification center who participated in the investigation of the complaint as provided in Sections 58-36-120(A)(1) and 58-36-50(L) may be called to testify in a proceeding brought to impose penalties pursuant to this section. However, that person may not testify to settlement discussions that would be protected by Rule 408 of the S.C. Rules of Evidence.

(7) Upon the finding by the court of a violation of this chapter, the

court shall award the person bringing such action under this section reasonable attorney's fees and costs.

(B)(1) Except as provided in item (2), the court may impose a civil penalty of up to \$5,000 for each violation of this chapter.

(2) The court may impose a civil penalty of up to \$25,000 for each violation of the following:

(a) operators who do not join the association to operate the notification center as required in Section 58-36-50(B);

(b) persons or entities who damage an underground facility as a result of gross negligence in excavation or demolition;

(c) persons or entities who damage an underground facility and fail to promptly notify the notification center;

(d) persons or entities who damage an underground facility and take actions to conceal the damage;

(e) persons or entities who wilfully remove or otherwise destroy stakes or other physical markings used to mark the approximate location of underground facilities prior to the completion of the excavation or demolition unless that removal or destruction occurs after the excavation or demolition;

(f) persons or entities who intentionally violate requirements of this chapter.

(C) This chapter does not affect any civil remedies for personal injury or property damage except as otherwise specifically provided for in this chapter. The penalty provisions of this chapter are cumulative to, and not in conflict with, provisions of law with respect to civil remedies for personal injury or property damage.

(D) All penalties recovered in any actions brought under this section shall be paid into the state's general fund.

Large projects

SECTION 2. Chapter 36, Title 58 of the S.C. Code is amended by adding:

Section 58-36-75. (A) All project initiators and affected operators, excavators, and locators must comply with the provisions of this section for large projects.

(B) Notwithstanding the notice timelines provided in Section 58-36-60, the project initiator or designee for a large project must provide notice to the notification center at least thirty days prior to the commencement of the large project.

(C) Within three days from receipt of a notice of a large project, the

notification center must provide:

(1) a list of all operators of facilities in the large project area to the project initiator or its designee; and

(2) notice to all of the operators of the proposed large project.

(D) Within fifteen days of the notification of the proposed large project, the project initiator or its designee must provide notice through the notification center of a planning meeting of all affected facility operators, locators, and excavators known by the project initiator or its designee to be involved in any excavation or demolition work on the large project.

(E)(1) At the planning meeting, the project initiator or its designee must provide:

(a) an overview of the proposed large project;

(b) contact information for the project initiator and, if applicable, the project initiator's designee for the initial planning meeting; however, after the initial planning meeting, the contact information for each excavator, locator, facility operator, and their respective agents, involved in the proposed large project must be updated in a timely manner;

(c) expected timelines for the work to be concluded, including descriptions of phases if appropriate; and

(d) a proposed large project facility location agreement which must include, but not be limited to, proposed timelines of notices of excavation, marking of facilities, and positive responses to notices.

(2) The project initiator or its designee and all excavators, locators, and facility operators involved in the large project must negotiate in good faith to reach an agreement on notice and response procedures that will be reasonable for all entities involved in the large project. A large project facility location agreement must include provisions to address the notice and response requirements in Section 58-36-60(A), (B), (C), and (E) and Section 58-36-70(B), (D), (E), and (F); these provisions must meet or exceed the standards in these subsections to protect underground facilities.

(F) All large project facility location agreements must be submitted to the notification center by the project initiator or its designee. The notification center shall be responsible for maintaining records of these agreements and must provide copies of these agreements, upon request, to any of the excavators, locators, facility operators, or any of their respective agents of subcontractors identified on the notification sheet.

(G) All excavators, locators, and facility operators that comply with the provision of a large project facility location agreement are relieved of the notice, pre-marking, marking, and response requirements in Section 58-36-60(A), (B), (C), and (E) and Section 58-36-70(B), (D),

(E), and (F).

(H) In the event any excavator, locator, or facility operator is unable or unwilling to attend the planning meeting or meetings conducted pursuant to this section, that excavator, locator, or operator must comply with the notice and location requirements agreed to in the large project facility location agreement that is a result of the meeting or meetings required under this section.

(I) The notification center must make available to any such excavator, locator, or operator a copy of the large project facility location agreement. Nothing in this section will prevent such excavator, locator, or operator from requesting adjustments to the agreement and nothing will prevent the parties to such agreement from agreeing to the requested adjustments. Any such modifications to the large project facility location agreement must be submitted by the project initiator to the notification center and maintained by it as part of its responsibilities pursuant to Section 58-36-50(L)(2) and (3).

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 one year after approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 66

(R94, H3752)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOCIAL WORK INTERSTATE COMPACT ACT” BY ADDING ARTICLE 3 TO CHAPTER 63, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS CONCERNING THE COMPACT, AMONG OTHER THINGS; BY ADDING SECTION 40-63-32 SO AS TO REQUIRE CERTAIN CRIMINAL RECORDS CHECKS FOR SOCIAL WORKER LICENSURE APPLICANTS, AND TO PROVIDE FOR THE CONFIDENTIALITY AND PERMITTED USES OF THE RESULTS OF THESE CRIMINAL RECORDS CHECKS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 63, TITLE 40 AS ARTICLE 1, ENTITLED “GENERAL PROVISIONS”; AND BY AMENDING SECTION 23-23-60, RELATING TO CERTIFICATES OF COMPLIANCE ISSUED BY THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, SO AS TO PROVIDE INDIVIDUALS SEEKING SUCH CERTIFICATION SHALL UNDERGO CERTAIN FINGERPRINT-BASED STATE AND FEDERAL CRIMINAL RECORDS CHECKS, TO AUTHORIZE THE RETENTION AND SPECIFIC USES OF SUCH FINGERPRINTS, AND TO PROVIDE CERTIFICATION CLASSIFICATIONS.

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

Citation

SECTION 1. This act may be cited as the “Social Work Interstate Compact Act.”

Social Work Interstate Compact

SECTION 2. Chapter 63, Title 40 of the S.C. Code is amended by adding:

Article 3

Social Work Interstate Compact

Section 40-63-510. (A) The purpose of this compact is to facilitate interstate practice of regulated social workers with the goal of improving public access to competent social work services. The compact seeks to preserve the regulatory authority of states to protect public health and safety through the current system of state licensure.

(B) This compact is designed to achieve the following objectives:

(1) increase public access to social work services by providing for the mutual recognition of other member state licenses;

(2) enhance the member states' ability to protect the public's health and safety;

(3) encourage the cooperation of member states in regulating multistate practice;

(4) support military families;

(5) facilitate the exchange of licensure and disciplinary information among member states;

(6) authorize all member states to hold a regulated social worker accountable for abiding by the member state's scope of practice in the member state in which the client is located at the time care is rendered;

(7) allow for the use of telehealth to facilitate increased access to regulated social work services;

(8) support the uniformity of social work licensure requirements throughout the states to promote public safety and access to services; and

(9) promote mobility and address workforce shortages by eliminating the necessity for licenses in multiple states.

Section 40-63-520. (A) As used in this compact, and except as otherwise provided, the following definitions shall apply:

(1) "Active Duty Military" means any individual in full-time duty status in the active uniformed service of the United States including members of the National Guard and Reserve.

(2) "Adverse Action" means any administrative, civil, equitable or criminal action permitted by a state's laws which is imposed by a licensing authority or other authority against a regulated social worker, including actions against an individual's license or multistate authorization to practice such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice, or any other encumbrance on licensure affecting a regulated social worker's authorization to practice, including issuance of a cease and desist action.

(3) “Alternative Program” means a nondisciplinary monitoring or practice remediation process approved by a social work licensing authority to address impaired practitioners.

(4) “Compact Commission” or “Commission” means the national administrative body whose membership consists of all member states that have enacted the compact.

(5) “Current Significant Investigative Information” means:

(a) investigative information that a licensing authority, after a preliminary inquiry that includes notification and an opportunity for the regulated social worker to respond has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction as may be defined by the commission; or

(b) investigative information that indicates that the regulated social worker represents an immediate threat to public health and safety, as may be defined by the commission, regardless of whether the regulated social worker has been notified and has had an opportunity to respond.

(6) “Data System” means a repository of information about licensees, including, but not limited to, continuing education, examination, licensure, current significant investigative information, disqualifying event, interstate compact license and adverse action information or other information as required by the commission.

(7) “Domicile” means the jurisdiction in which the licensee resides and intends to remain indefinitely.

(8) “Disqualifying Event” means any adverse action or incident which results in an encumbrance that disqualifies or makes the licensee ineligible to either obtain, retain or renew an interstate compact license.

(9) “Encumbered License” means a license in which an adverse action restricts the practice of social work by the licensee and said adverse action is reportable to the National Practitioners Data Bank (NPDB).

(10) “Encumbrance” means a revocation or suspension of, or any limitation on, the full and unrestricted practice of social work licensed and regulated by a licensing authority.

(11) “Executive Committee” means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the compact and commission.

(12) “Home State” means the member state that is the licensee’s primary domicile.

(13) “Impaired Practitioner” means an individual who has a condition that may impair their ability to engage in full and unrestricted practice as a regulated social worker without some type of intervention

and may include, but are not limited to, alcohol and drug dependence, mental health impairment, and neurological or physical impairments.

(14) “Licensee” means an individual who currently holds an authorization from the state to practice as a regulated social worker.

(15) “Licensing Authority” means the board or agency of a member state, or equivalent, that is responsible for the licensing and regulation of regulated social workers.

(16) “Member State” means a state, commonwealth, district, or territory of the United States of America that has enacted the compact.

(17) “Multistate Authorization to Practice” means a legal authorization, which is equivalent to a license, associated with an interstate compact license permitting the practice of social work in a remote state.

(18) “Interstate Compact License” means a license to practice as a regulated social worker issued by a home state licensing authority that authorizes the regulated social worker to practice in all party states under a multistate authorization to practice.

(19) “Qualifying National Exam” means a national licensing examination developed and administered by a national association of social work licensing authorities or other competency assessment approved by the commission.

(20) “Regulated Social Worker” means any clinical, master’s or bachelor’s social worker licensed by a member state regardless of the title used by that member state.

(21) “Remote State” means a member state other than the home state, where a licensee is exercising or seeking to exercise the multistate authorization to practice.

(22) “Rule of the Commission” means a regulation or regulations duly promulgated by the commission, as authorized by the compact, that has the force of law.

(23) “Scope of Practice” means the procedures, actions, and processes a regulated social worker in a state is permitted to undertake in that state and the circumstances under which the regulated social worker is permitted to undertake those procedures, actions and processes. Such procedures, actions and processes and the circumstances under which they may be undertaken may be established through official means, including, but not limited to, statute, rules and regulations, case law, and other processes available to the state regulatory authority or other government agency.

(24) “Single State License” means a social work license issued by any state that authorizes practice only within the issuing state and does not include a multistate authorization to practice in any member state.

(25) “Social Work” or “Social Work Services” means the application of social work theory, knowledge, methods, ethics, and the professional use of self to restore or enhance social, psychosocial, or biopsychosocial functioning of individuals, couples, families, groups, organizations, and communities through the care and services provided by a regulated social worker as set forth in the member state’s statutes and regulations in the state where the services are being provided.

(26) “State” means any state, commonwealth, district, or territory of the United States of America that regulates the practice of social work.

(27) “Unencumbered License” means a license that authorizes a regulated social worker to engage in the full and unrestricted practice of social work.

Section 40-63-530. (A) To be eligible to participate in the compact, a potential member state must currently meet all of the following criteria:

(1) License and regulate clinical, master’s, or bachelor’s categories of social work practice.

(2) Require applicants for licensure to pass a corresponding qualifying national exam for the category of licensure sought as outlined in Section 40-63-540.

(3) Require applicants for licensure to graduate from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university recognized by the licensing authority and that corresponds to the licensure sought as outlined in Section 40-63-540.

(4) Require applicants for clinical licensure to complete a period of supervised practice.

(5) Have a mechanism in place for receiving, investigating, and adjudicating complaints about licensees.

(B) To maintain membership in the compact a member state shall:

(1) participate fully in the commission’s data system, including using the commission’s unique identifier as defined in rules;

(2) notify the commission, in compliance with the terms of the compact and rules, of any adverse action or the availability of current significant investigative information regarding a licensee;

(3) implement or utilize procedures for considering the criminal history records of applicants for an initial interstate compact license. These procedures shall include the submission of fingerprints or other biometric based information by applicants for the purpose of obtaining an applicant’s criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that

state's criminal records for the sole purpose of affirming or denying eligibility for participation in the compact; provided:

(a) a member state must utilize or fully implement a criminal background check requirement, within a time frame established by rule of the commission, by receiving the results of the Federal Bureau of Investigation record search and shall use the results in making licensure decisions determining eligibility for participation in the compact; and

(b) communication between a member state, the commission and among member states, through the data system or otherwise, regarding the verification of any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544;

(4) comply with the rules of the commission;

(5) require an applicant to obtain or retain a license in the home state and meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable home state laws;

(6) authorize a licensee holding an interstate compact license in any member state to practice in accordance with the terms of the compact and rules of the commission; and

(7) designate a delegate to participate in the commission meetings.

(C) Home states may charge a fee for granting the interstate compact license.

(D) An interstate compact license issued by a home state to a resident in that state shall be recognized by all compact member states as authorizing social work practice under a multistate authorization to practice corresponding to each category of licensure regulated in the member state.

Section 40-63-540. (A) To be eligible for an interstate compact license under the terms and provisions of the compact, a regulated social worker, regardless of category must:

(1) hold an active, unencumbered license in the home state;

(2) have an active United States social security number, qualifying national exam number, or an identifier as determined by the commission;

(3) pay any applicable fees, including any state fee, for the interstate compact license;

(4) meet any continuing competence requirements established by the home state;

(5) notify the home state of any adverse action, encumbrance, or restriction on any professional license taken by any member state or nonmember state within thirty days from the date the action is taken; and

(6) abide by the laws, regulations, and scope of practice in the

member state where the client is located at the time care is rendered.

(B) A regulated social worker who is a clinical category social worker must meet the following requirements:

(1) passed a clinical-category qualifying national exam. Regulated social workers holding an active and unencumbered license, who were licensed in a state before a qualifying national exam was required, may be exempted from this requirement, as provided for by the rules of the commission; and

(2) graduated with a master's degree, or higher, in social work, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university recognized by the licensing authority; and

(3) completed a period of three thousand hours or two years of full-time postgraduate supervised clinical practice.

(C) A regulated social worker who is a master's category social worker must have:

(1) passed a master's-category qualifying national exam. Regulated social workers holding an active and unencumbered license, who were licensed in a state before a qualifying national exam was required, may be exempted from this requirement, as provided for by the rules of the commission; and

(2) graduated with a master's degree, or higher, in social work, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university recognized by the licensing authority.

(D) A regulated social worker who is a bachelor's-category social worker must have:

(1) passed a bachelor's-category qualifying national exam. Regulated social workers holding an active and unencumbered license, who were licensed in a state before a qualifying national exam was required, may be exempted from this requirement, as provided for by the rules of the commission; and

(2) graduated with a bachelor's degree, or higher, in social work, from a program that is accredited by an accrediting agency recognized by the Council for Higher Education Accreditation, or its successor, or by the United States Department of Education and operated by a college or university recognized by the licensing authority.

(E) The interstate compact license for a regulated social worker is subject to the renewal requirements of the home state. The regulated social worker must maintain compliance with the requirements of

subsection (A).

(F) The regulated social worker's services in a remote state are subject to that member state's regulatory authority. A remote state may, in accordance with due process and that member state's laws, remove a regulated social worker's multistate authorization to practice in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens.

(G) If a home state license is encumbered, the regulated social worker's multistate authorization to practice shall be deactivated in all remote states until the home state license is no longer encumbered.

(H) If a multistate authorization to practice is encumbered in a remote state, the regulated social worker's multistate authorization to practice may be deactivated in that state until the multistate authorization to practice is no longer encumbered.

(I) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

Section 40-63-550. (A) If qualified, a regulated social worker may hold an interstate compact license issued by a home state licensing authority, which authorizes the regulated social worker to practice in all member states under a multistate authorization to practice.

(B) If an interstate compact license holder with multistate authorization to practice changes primary state of domicile by moving between two member states:

(1) the interstate compact license holder shall file an application for obtaining a new home state license based on their interstate compact license which grants a multistate authorization to practice, pay all applicable fees, and notify the current and new home member state in accordance with applicable rules adopted by the commission; and

(2) upon receipt of an application for obtaining a new home state license based on the interstate compact license which grants a multistate authorization to practice, the new home member state may verify that the regulated social worker meets the pertinent criteria outlined in Section 40-63-540 via the data system, without need for primary source verification except for:

(i) a Federal Bureau of Investigation fingerprint-based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the commission in accordance with Public Law 92-544;

(ii) other criminal background check as required by the new home state; and

(iii) completion of any requisite jurisprudence requirements of

the new home state.

(3) The former home state may convert the former home state license into a multistate authorization to practice once the new home state has activated the new home state license in accordance with applicable rules adopted by the commission.

(4) Notwithstanding any other provision of this compact, if the regulated social worker cannot meet the criteria in Section 40-63-540, the new home state may apply its requirements for issuing a new single state license.

(5) The regulated social worker shall pay all applicable fees to the new home state in order to be issued a new home state license.

(C) If a regulated social worker changes primary state of domicile by moving from a member state to a nonmember state, the nonmember state criteria shall apply for issuance of a single state license in the new nonmember state.

(D) Nothing in this compact shall interfere with a regulated social worker's ability to hold a single state license in multiple states, however for the purposes of this compact, a regulated social worker shall have only one home state license.

(E) Nothing in this compact shall affect the requirements established by a member state for the issuance of a single state license.

Section 40-63-560. Active duty military personnel, or their spouse, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual may only change their home state through application for licensure in the new state, or through the process outlined in Section 40-63-550.

Section 40-63-570. (A) In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

(1) take adverse action against a regulated social worker's multistate authorization to practice within that member state, and issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing authority in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings

pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state in which the witnesses or evidence are located; and

(2) only the home state shall have the power to take adverse action against a regulated social worker's home state license.

(B) For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

(C) The home state shall complete any pending investigations of a regulated social worker who changes primary state of domicile during the course of the investigations. The home state shall also have the authority to take appropriate action and shall promptly report the conclusions of the investigations to the administrator of the data system. The administrator of the data system shall promptly notify the new home state of any adverse actions.

(D) A member state, if otherwise permitted by state law, may recover from the affected regulated social worker the costs of investigations and dispositions of cases resulting from any adverse action taken against that regulated social worker.

(E) A member state may take adverse action based on the factual findings of another member state, provided that the member state follows its own procedures for taking the adverse action.

(F) Joint investigations:

(1) In addition to the authority granted to a member state by its respective regulated social work practice act or other applicable state law, any member state may participate with other member states in joint investigations of licensees; and

(2) Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

(G) If adverse action is taken by the home state against the interstate compact license of a regulated social worker, the regulated social worker's multistate authorization to practice in all other member states shall be deactivated until all encumbrances have been removed from the interstate compact license. All home state disciplinary orders that impose adverse action against the license of a regulated social worker shall include a statement that the regulated social worker's multistate authorization to practice is deactivated in all member states until all conditions of the decision, order or agreement are satisfied.

(H) If a member state takes adverse action, it shall promptly notify the

administrator of the data system. The administrator of the data system shall promptly notify the home state and all other member states of any adverse actions by remote states.

(I) Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

Section 40-63-580. (A) The compact member states hereby create and establish a joint government agency whose membership consists of all member states that have enacted the compact known as the Social Work Compact Commission. The commission is an instrumentality of the compact states acting jointly and not an instrumentality of any one state. The commission shall come into existence on or after the effective date of the compact as set forth in Section 40-63-620.

(B) Membership, voting, and meetings:

(1) Each member state shall have and be limited to one delegate selected by that member state's licensing authority.

(2) The delegate shall be either:

(a) a current member of the state licensing authority at the time of appointment, who is a regulated social worker or public member of the licensing authority; or

(b) an administrator of the licensing authority or their designee.

(3) The commission shall by rule or bylaws establish a term of office for delegates and may by rule or bylaws establish term limits.

(4) The commission may recommend removal or suspension of any delegate from office.

(5) A member state's state licensing authority shall fill any vacancy of its delegate occurring on the commission within sixty days of the vacancy.

(6) Each delegate shall be entitled to one vote on all matters before the commission requiring a vote by commission delegates.

(7) A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates to meet by telecommunication, videoconference or other means of communication.

(8) The commission shall meet at least once during each calendar year. Additional meetings may be held as set forth in the bylaws. The commission may meet by telecommunication, video conference or other similar electronic means.

(C) The commission shall have the following powers and duties:

(1) establish the fiscal year of the commission;

(2) establish code of conduct and conflict of interest policies;

- (3) establish and amend rules and bylaws;
- (4) maintain its financial records in accordance with the bylaws;
- (5) meet and take such actions as are consistent with the provisions of this compact, the commission's rules and the bylaws;
- (6) initiate and conclude legal proceedings or actions in the name of the commission, provided that the standing of any state licensing board to sue or be sued under applicable law shall not be affected;
- (7) maintain and certify records and information provided to a member state as the authenticated business records of the commission and designate an agent to do so on the commission's behalf;
- (8) purchase and maintain insurance and bonds;
- (9) borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;
- (10) conduct an annual financial review;
- (11) hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;
- (12) assess and collect fees;
- (13) accept any and all appropriate gifts, donations, grants of money, other sources of revenue, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that at all times the commission shall avoid any appearance of impropriety or conflict of interest;
- (14) lease, purchase, retain, or otherwise to own, hold, improve or use, any property real, personal, or mixed; or any undivided interest therein;
- (15) sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;
- (16) establish a budget and make expenditures;
- (17) borrow money;
- (18) appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;
- (19) provide and receive information from, and cooperate with, law enforcement agencies;
- (20) establish and elect an executive committee, including a chair and vice chair;
- (21) determine whether a state's adopted language is materially different from the model compact language such that the state would not

qualify for participation in the compact; and

(22) perform such other functions as may be necessary or appropriate to achieve the purposes of this compact.

(D) The executive committee:

(1) The executive committee shall have the power to act on behalf of the commission according to the terms of this compact. The powers, duties, and responsibilities of the executive committee shall include:

(a) oversee the day-to-day activities of the administration of the compact including enforcement and compliance with the provisions of the compact, its rules and bylaws, and other duties as deemed necessary;

(b) recommend to the commission changes to the rules or bylaws, changes to this compact legislation, fees charged to compact member states such as fees charged to licensees, and other fees;

(c) ensure compact administration services are appropriately provided, including by contract;

(d) prepare and recommend the budget;

(e) maintain financial records on behalf of the commission;

(f) monitor compact compliance of member states and provide compliance reports to the commission;

(g) establish additional committees as necessary;

(h) exercise the powers and duties of the commission during the interim between commission meetings, except for adopting or amending rules, adopting or amending bylaws, and exercising any other powers and duties expressly reserved to the commission by rules or bylaws; and

(i) other duties as provided in the rules or bylaws of the commission.

(2) The executive committee shall be composed of up to nine members:

(a) the chair and vice chair of the commission shall be voting members of the executive committee;

(b) five voting members who are elected by the commission from the current membership of the commission; and

(c) up to two ex-officio, nonvoting members from two recognized national social worker organizations.

(d) The ex-officio members will be selected by their respective organizations (and which will rotate terms in alphabetical order of the organizations).

(3) The commission may remove any member of the executive committee as provided in the commission's bylaws.

(4) The executive committee shall meet at least annually.

(a) Executive committee meetings shall be open to the public, except that the executive committee may meet in a closed, nonpublic

meeting as provided in subsection (F)(2).

(b) The executive committee shall give seven days' notice of its meetings, posted on its website and as determined to provide notice to persons with an interest in the business of the commission.

(c) The executive committee may hold a special meeting in accordance with subsection (F)(1)(b).

(E) The commission shall adopt and provide to the member states an annual report.

(F) Meetings of the commission:

(1) All meetings shall be open to the public, except that the commission may meet in a closed, nonpublic meeting as provided in subsection (F)(2):

(a) public notice for all meetings of the full commission of meetings shall be given in the same manner as required under the rulemaking provisions in Section 40-63-610, except that the commission may hold a special meeting as provided in subsection (F)(1)(b).

(b) the commission may hold a special meeting when it must meet to conduct emergency business by giving forty-eight hours' notice to all commissioners, on the commission's website, and other means as provided in the commission's rules. The commission's legal counsel shall certify that the commission's need to meet qualifies as an emergency.

(2) The commission or the executive committee or other committees of the commission may convene in a closed, nonpublic meeting for the commission or executive committee or other committees of the commission to receive legal advice or to discuss:

(a) noncompliance of a member state with its obligations under the compact;

(b) the employment, compensation, discipline or other matters, practices or procedures related to specific employees;

(c) current or threatened discipline of a licensee by the commission or by a member state's licensing authority;

(d) current, threatened, or reasonably anticipated litigation;

(e) negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;

(f) accusing any person of a crime or formally censuring any person;

(g) trade secrets or commercial or financial information that is privileged or confidential;

(h) information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(i) investigative records compiled for law enforcement purposes;

(j) information related to any investigative reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact;

(k) matters specifically exempted from disclosure by federal or member state law; or

(l) other matters as promulgated by the commission by rule.

(3) If a meeting, or portion of a meeting, is closed, the presiding officer shall state that the meeting will be closed and reference each relevant exempting provision, and such reference shall be recorded in the minutes.

(4) The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release only by a majority vote of the commission or order of a court of competent jurisdiction.

(G) Financing of the commission:

(1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, as provided in subsection(C)(12).

(3) The commission may levy on and collect an annual assessment from each member state and impose fees on licensees of member states to whom it grants an interstate compact license to cover the cost of the operations and activities of the commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount for member states shall be allocated based upon a formula that the commission, shall promulgate by rule.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the financial review and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be subject to an annual financial review

by a certified or licensed public accountant, and the report of the financial review shall be included in and become part of the annual report of the commission.

(H) Qualified immunity, defense, and indemnification:

(1) The members, officers, executive director, employees and representatives of the commission shall be immune from suit and liability, both personally and in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or wilful or wanton misconduct of that person. The procurement of insurance of any type by the commission shall not in any way compromise or limit the immunity granted hereunder.

(2) The commission shall defend any member, officer, executive director, employee and representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or as determined by the commission that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining their own counsel at their own expense; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or wilful or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, and representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

(4) Nothing herein shall be construed as a limitation on the liability of any licensee for professional malpractice or misconduct, which shall be governed solely by any other applicable state laws.

(5) Nothing in this compact shall be interpreted to waive or otherwise abrogate a member state's state action immunity or state action affirmative defense with respect to antitrust claims under the Sherman Act, Clayton Act, or any other state or federal antitrust or anticompetitive law or regulation.

(6) Nothing in this compact shall be construed to be a waiver of sovereign immunity by the member states or by the commission.

Section 40-63-590. (A) The commission shall provide for the development, maintenance, operation, and utilization of a coordinated database and reporting system containing licensure, adverse action, and the presence of current significant investigative information on all licensed individuals in member states.

(B) Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the data system on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) identifying information;
- (2) licensure data;
- (3) adverse actions against a license or an interstate compact license and information related thereto;
- (4) nonconfidential information related to alternative program participation, the beginning and end dates of such participation, and other information related to such participation not made confidential under member state law;

(5) any denial of application for licensure, and the reason for such denial;

(6) the presence of current significant investigative information; and

(7) other information that may facilitate the administration of this compact or the protection of the public, as determined by the rules of the commission.

(C) The records and information provided to a member state pursuant to this compact or through the data system, when certified by the commission or an agent thereof, shall constitute the authenticated business records of the commission, and shall be entitled to any associated hearsay exception in any relevant judicial, quasi-judicial or administrative proceedings in a member state.

(D) Current significant investigative information pertaining to a licensee in any member state will only be available to other member states.

(E) It is the responsibility of the member states to report any adverse

action against a licensee and to monitor the database to determine whether adverse action has been taken against a licensee. Adverse action information pertaining to a licensee in any member state will be available to any other member state.

(F) Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

(G) Any information submitted to the data system that is subsequently expunged pursuant to federal law or the laws of the member state contributing the information shall be removed from the data system.

Section 40-63-600. (A) The commission shall promulgate reasonable rules in order to effectively and efficiently implement and administer the purposes and provisions of the compact. A rule shall be invalid and have no force or effect only if a court of competent jurisdiction holds that the rule is invalid because the commission exercised its rulemaking authority in a manner that is beyond the scope and purposes of the compact, or the powers granted hereunder, or based upon another applicable standard of review.

(B) The rules of the commission shall have the force of law in each member state, provided however that where the rules of the commission conflict with the laws of the member state that establish the member state's scope of practice as held by a court of competent jurisdiction, the rules of the commission shall be ineffective in that state to the extent of the conflict.

(C) The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules shall become binding as of the date specified in each rule.

(D) If a majority of the legislatures of the member states rejects a rule or portion of a rule, by enactment of a statute or resolution in the same manner used to adopt the compact within four years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

(E) Rules shall be adopted at a regular or special meeting of the commission.

(F) Prior to adoption of a proposed rule, the commission shall hold a public hearing and allow persons to provide oral and written comments, data, facts, opinions, and arguments.

(G) Prior to adoption of a proposed rule by the commission, and at least thirty days in advance of the meeting at which the commission will hold a public hearing on the proposed rule, the commission shall provide a notice of proposed rulemaking:

(1) on the website of the commission or other publicly accessible platform;

(2) to persons who have requested notice of the commission's notices of proposed rulemaking; and

(3) in such other way as the commission may by rule specify.

(H) The notice of proposed rulemaking shall include:

(1) the time, date, and location of the public hearing at which the commission will hear public comments on the proposed rule and, if different, the time, date, and location of the meeting where the commission will consider and vote on the proposed rule;

(2) if the hearing is held via telecommunication, video conference, or other electronic means, the commission shall include the mechanism for access to the hearing in the notice of proposed rulemaking;

(3) the text of the proposed rule and the reason therefore;

(4) a request for comments on the proposed rule from any interested person; and

(5) the manner in which interested persons may submit written comments.

(I) All hearings will be recorded. A copy of the recording and all written comments and documents received by the commission in response to the proposed rule shall be available to the public.

(J) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

(K) The commission shall, by majority vote of all members, take final action on the proposed rule based on the rulemaking record and the full text of the rule. The commission also:

(1) may adopt changes to the proposed rule provided the changes do not enlarge the original purpose of the proposed rule;

(2) shall provide an explanation of the reasons for substantive changes made to the proposed rule as well as reasons for substantive changes not made that were recommended by commenters; and

(3) shall determine a reasonable effective date for the rule. Except for an emergency as provided in Section 40-63-610(L), the effective date of the rule shall be no sooner than thirty days after issuing the notice that it adopted or amended the rule.

(L) Upon determination that an emergency exists, the commission may consider and adopt an emergency rule with twenty-four or forty-eight hours' notice, with opportunity to comment, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For

the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

- (1) meet an imminent threat to public health, safety, or welfare;
- (2) prevent a loss of commission or member state funds;
- (3) meet a deadline for the promulgation of a rule that is established by federal law or rule; or
- (4) protect public health and safety.

(M) The commission or an authorized committee of the commission may direct revisions to a previously adopted rule for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

(N) No member state's rulemaking requirements shall apply under this compact.

Section 40-63-610. (A) Oversight:

(1) The executive and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to implement the compact.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings. Nothing herein shall affect or limit the selection or propriety of venue in any action against a licensee for professional malpractice, misconduct or any such similar matter.

(3) The commission shall be entitled to receive service of process in any proceeding regarding the enforcement or interpretation of the compact and shall have standing to intervene in such a proceeding for all purposes. Failure to provide the commission service of process shall render a judgment or order void as to the commission, this compact, or promulgated rules.

(B) Default, technical assistance, and termination:

- (1) If the commission determines that a member state has defaulted

in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall provide written notice to the defaulting state. The notice of default shall describe the default, the proposed means of curing the default, and any other action that the commission may take, and shall offer training and specific technical assistance regarding the default.

(2) The commission shall provide a copy of the notice of default to the other member states.

(C) If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the delegates of the member states, and all rights, privileges and benefits conferred on that state by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

(D) Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, the defaulting state's state licensing authority and each of the member states' state licensing authority.

(E) A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

(F) Upon the termination of a state's membership from this compact, that state shall immediately provide notice to all licensees within that state of such termination. The terminated state shall continue to recognize all licenses granted pursuant to this compact for a minimum of six months after the date of said notice of termination.

(G) The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact, unless agreed upon in writing between the commission and the defaulting state.

(H) The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

(I) Dispute resolution:

(1) Upon request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states

and between member and nonmember states.

(2) The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

(J) Enforcement:

(1) By majority vote as provided by rule, the commission may initiate legal action against a member state in default in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or the defaulting member state's law.

(2) A member state may initiate legal action against the commission in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices to enforce compliance with the provisions of the compact and its promulgated rules. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney's fees.

(3) No person other than a member state shall enforce this compact against the commission.

Section 40-63-620. (A) The compact shall come into effect on the date on which the compact statute is enacted into law in the seventh member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact. All actions taken for the benefit of the commission and/or in furtherance of the purposes of the administration of the compact prior to the effective date of the compact and/or the commission coming into existence shall be considered to be actions of the commission unless specifically repudiated by the commission.

(B) Any state that joins the compact subsequent to the commission's initial adoption of the rules and bylaws shall be subject to the rules and bylaws as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

(C) Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until one hundred eighty days after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's licensing authority to comply with the investigative and adverse action reporting requirements of this compact prior to the effective date of withdrawal.

(D) Upon the enactment of a statute withdrawing from this compact, a state shall immediately provide notice of such withdrawal to all licensees within that state. Notwithstanding any subsequent statutory enactment to the contrary, such withdrawing state shall continue to recognize all licenses granted pursuant to this compact for a minimum of six months after the date of such notice of withdrawal.

(E) Nothing contained in this compact shall be construed to invalidate or prevent any social work licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

(F) This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

Section 40-63-630. (A) This compact and the commission's rulemaking authority shall be liberally construed so as to effectuate the purposes, and the implementation and administration of the compact. Provisions of the compact expressly authorizing or requiring the promulgation of rules shall not be construed to limit the commission's rulemaking authority solely for those purposes.

(B) The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is held by a court of competent jurisdiction to be contrary to the constitution of any member state, a state seeking participation in the compact, or of the United States, or the applicability thereof to any government, agency, person or circumstance is held to be unconstitutional by a court of competent jurisdiction, the validity of the remainder of this compact and the applicability thereof to any other government, agency, person or circumstance shall not be affected thereby.

(C) Notwithstanding subsection (B), the commission may deny a state's participation in the compact or, in accordance with the requirements of Section 40-63-620(B), terminate a member state's participation in the compact, if it determines that a constitutional requirement of a member state is, or would be with respect to a state

seeking to participate in the compact, a material departure from the compact. Otherwise, if this compact shall be held to be contrary to the constitution of any member state, the compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

Section 40-63-640. (A) A licensee providing services in a remote state under a multistate authorization to practice shall adhere to the laws and regulations, including scope of practice, of the remote state where the client is located at the time care is rendered.

(B) Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

(C) Any laws in a member state in conflict with the compact are superseded to the extent of the conflict.

(D) Any lawful actions of the commission, including all rules and bylaws properly promulgated by the commission, are binding upon the member states.

(E) All permissible agreements between the commission and the member states are binding in accordance with their terms.

(F) In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

Social workers licensure requirements, criminal records checks, results retention and uses

SECTION 3. Chapter 63, Title 40 of the S.C. Code is amended by adding:

Section 40-63-32. In addition to other requirements established by law, a person applying for initial licensure as a social worker pursuant to this chapter or participation in the Social Work Interstate Compact set forth in Article 3 must undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division (SLED), and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation (FBI). The results of these criminal records checks must be reported to the department. SLED and the FBI are authorized to retain the fingerprints for identification and certification purposes and for notification of the department regarding criminal charges. Costs of conducting a criminal history background check must be borne by the applicant. The department shall keep

information received pursuant to this section confidential, except that information relied upon in denying licensure may be disclosed to the board as may be necessary to support the administrative action.

Redesignation of existing provisions of Chapter 63, Title 40

SECTION 4. The existing sections of Chapter 63, Title 40 are designated as Article 1, entitled "General Provisions."

Law enforcement certifications, criminal records checks, fingerprint retention and uses

SECTION 5. Section 23-23-60 of the S.C. Code is amended by adding:

(E) An individual seeking certification pursuant to this section shall undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division (SLED) and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation (FBI). SLED is authorized to retain the fingerprints for certification purposes and for notification of the academy regarding criminal charges. Both SLED and the FBI may retain the applicant's fingerprints for future submission to the Next Generation Identification (NGI) program and for latent fingerprint searches. The results of these criminal record checks must be reported to the academy and cannot be further disseminated. Certification is defined as:

(1) Class I Law Enforcement (Class I LE) - Law enforcement officers with full arrest powers.

(2) Class II Local Corrections (Class II LCO) - Local Detention Officers.

(3) Class II State Corrections (Class II SCO) - South Carolina Department of Corrections Officers.

(4) Class II Juvenile Corrections (Class II JCO) - South Carolina Department of Juvenile Justice Officers.

(5) Class I Law Enforcement/Corrections (Class I LECO) - Law enforcement officers employed with one law enforcement agency, whose job requires the routine performance of both Class I LE duties and jail/detention center duties.

(6) Class III Special Law Enforcement (Class III SLE) - Law enforcement officers with limited powers of arrest or special duties.

(7) Class III Special Law Enforcement/Corrections (Class III SLECO) - Law enforcement officers employed with one law enforcement agency, whose job requires the routine performance of both

Class III SLE and Class II Corrections/Jail/Detention Center duties. In order for a detention center and/or a sheriff's office to send candidates for Class III SLECO, the detention center must fall under the sheriff's authority.

(8) Class IV (TCO) - means a telecommunications operator or dispatcher employed in an E-911 system.

Time effective

SECTION 6. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 67

(R95, H4247)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 39-73-10, RELATING TO STATE COMMODITY CODE DEFINITIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR OF THE STATE COMMODITY CODE BE THE SOUTH CAROLINA ATTORNEY GENERAL; BY AMENDING SECTION 39-73-40, RELATING TO TRANSACTIONS WHERE PROHIBITION IS NOT APPLICABLE, SO AS TO ADD AGENTS OR INVESTMENT ADVISOR REPRESENTATIVES AS INDIVIDUALS SUBJECT TO ORDERS TO DENY, SUSPEND, OR REVOKE A PERSON'S LICENSE; BY AMENDING SECTION 39-73-60, RELATING TO PROHIBITED ACTS, SO AS TO REPLACE SECTION 39-73-310 WITH SECTION 39-73-30; BY AMENDING SECTION 39-73-315, RELATING TO ADMINISTRATOR ACTIONS TO PREVENT VIOLATIONS OR IMMINENT VIOLATIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR CAN ISSUE ORDERS RELATED TO ANY ACTION THAT MAY VIOLATE THIS CHAPTER; BY AMENDING SECTION 39-73-320, RELATING TO LEGAL,

EQUITABLE, AND SPECIAL REMEDIES AVAILABLE TO A COURT FOR ENFORCEMENT, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY MAINTAIN AN ACTION IN THE RICHLAND COUNTY COURT OF COMMON PLEAS; BY AMENDING SECTION 39-73-325, RELATING TO PENALTIES FOR VIOLATIONS, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY REFER VIOLATIONS TO THE APPROPRIATE DIVISION OF THE OFFICE OF ATTORNEY GENERAL OR OTHER AUTHORITY; BY AMENDING SECTION 39-73-330, RELATING TO THE ADMINISTRATION OF THIS CHAPTER, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-340, RELATING TO THE AUTHORITY TO PROMULGATE REGULATIONS, FORMS, AND ORDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 39-73-350, RELATING TO THE APPLICABILITY OF SECTIONS 39-73-20, 39-73-50, AND 39-73-60 TO PERSONS WHO SELL, BUY, OR OFFER TO SELL OR BUY COMMODITIES IN THIS STATE, SO AS TO PROVIDE GUIDELINES FOR APPLICABLE RADIO AND TELEVISION COMMUNICATIONS; BY AMENDING SECTION 39-73-360, RELATING TO JUDICIAL REVIEW, SO AS TO PROVIDE GUIDELINES; BY AMENDING SECTION 39-73-370, RELATING TO DEFENSE IN A CASE BASED ON FAILURE TO MAKE PHYSICAL DELIVERY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 39-73-375 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY RETAIN FUNDS FROM FINES AND PENALTIES TO OFFSET RELEVANT EXPENSES; BY REPEALING SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS; AND BY AMENDING SECTION 4-9-145, RELATING TO LITTER CONTROL OFFICERS, SO AS TO PROVIDE WHAT DATA IS USED TO DETERMINE THE NUMBER OF LITTER CONTROL OFFICERS.

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

Administrator definition

SECTION 1. Section 39-73-10(1) of the S.C. Code is amended to read:

- (1) "Administrator" means the South Carolina Attorney General.

Agent and investment advisors

SECTION 2. Section 39-73-40(D) of the S.C. Code is amended to read:

(D) The administrator, by order, may deny, suspend, revoke, or place limitations on the authority to engage in business as a qualified seller under item (2) of subsection (A) if the administrator finds that the order is in the public interest and that the person, the person's officers, directors, partners, agents, servants, or employees, a person occupying a similar status or performing similar functions, or a person who directly or indirectly controls or is controlled by the seller, or his affiliates or subsidiaries:

(1) has filed a notice of intention under subsection (C) with the administrator or the designee of the administrator which was incomplete in material respect or contained a statement which was, in light of the circumstances under which it was made, false or misleading with respect to a material fact;

(2) within the last ten years, has pled guilty or nolo contendere to, or been convicted of a crime indicating a lack of fitness to engage in the investment commodity business;

(3) has been enjoined permanently or temporarily by a court of competent jurisdiction from engaging in or continuing conduct or a practice which injunction indicates a lack of fitness to engage in the investment commodities business;

(4) is the subject of an order of the administrator denying, suspending, or revoking the person's license as a securities broker-dealer, agent, sales representative, investment advisor, or investment advisor representative;

(5) is the subject of one or more of the following orders which currently are effective and which were issued within the last five years:

(a) an order by a securities agency or an administrator of another state, Canadian province or territory, the Securities and Exchange Commission, or the Commodity Futures Trading Commission entered after notice and opportunity for hearing, denying, suspending, or revoking the person's registration as a futures commission merchant, commodity trading adviser, commodity pool operator, securities broker-dealer, agent, sales representative, investment adviser or investment advisor representative, or the substantial equivalent of the foregoing;

(b) suspension or expulsion from membership in, or association with, a self-regulatory organization registered under the Securities Exchange Act of 1934 or the Commodity Exchange Act;

- (c) a United States Postal Service fraud order;
- (d) a cease and desist order entered after notice and opportunity of hearing by the administrator or a securities agency or an administrator of another state, Canadian province or territory, the Securities and Exchange Commission, or the Commodity Futures Trading Commission;
- (e) an order entered by the Commodity Futures Trading Commission denying, suspending, or revoking registration under the Commodity Exchange Act.
- (6) has engaged in an unethical or a dishonest act or practice in the investment commodities or securities business; or
- (7) has failed reasonably to supervise sales representatives or employees.

Prohibited acts

SECTION 3. Section 39-73-60 of the S.C. Code is amended to read:

Section 39-73-60. No person, directly or indirectly, in or in connection with the purchase or sale of, the offer to sell, the offer to purchase, the offer to enter into, or the entry into of, a commodity contract or commodity option subject to Sections 39-73-20, 39-73-30, or 39-73-40(A)(2) or (4), may:

- (1) cheat or defraud or attempt to cheat or defraud a person or employ a device, a scheme, or an artifice to defraud a person;
- (2) make a false report, enter a false record, or make an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading;
- (3) engage in a transaction, an act, a practice, or a course of business, including without limitation a form of advertising or solicitation which operates or would operate as a fraud or deceit upon a person; or
- (4) misappropriate or convert the funds, security, or property of a person.

Issuing orders

SECTION 4. Section 39-73-315 of the S.C. Code is amended to read:

Section 39-73-315. (A) If the administrator determines that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or a rule

adopted or order issued under this chapter, then the administrator may:

(1) issue an order directing the person to cease and desist from engaging in the act, practice, or course of business or to take other action necessary or appropriate to comply with this chapter;

(2) issue an order imposing a civil penalty of not more than ten thousand dollars for a single violation or one hundred thousand dollars for multiple violations in a single proceeding or a series of related proceedings; or

(3) initiate the actions specified in Section 39-73-320.

(B) An order issued pursuant to subsection (A) is effective on the date of issuance. Upon issuance of the order, the administrator shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or costs of investigation the administrator will seek, a statement of the reasons for the order, and notice that, within thirty days after receipt of a request in a record from the person, the matter will be scheduled for a hearing. If a person subject to the order does not request a hearing and none is ordered by the administrator within thirty days after the date of service of the order, then the order, which may include a civil penalty or any costs of the investigation if a civil penalty or costs were sought, becomes final as to that person by operation of law. If a hearing is requested or ordered, then the administrator, after notice of and opportunity for hearing to each person subject to the order, may modify or vacate the order or extend it until final determination.

(C) If a hearing is requested or ordered pursuant to subsection (B), then a hearing must be held. A final order may not be issued unless the administrator makes findings of fact and conclusions of law in a record. The final order may make final, vacate, or modify the order issued under subsection (A).

(D) In a final order under subsection (C), the administrator may impose a civil penalty in an amount not to exceed ten thousand dollars for each violation.

(E) In a final order, the administrator may charge the actual cost of an investigation or proceeding for a violation of this chapter or a rule adopted or order issued under this chapter.

(F) If a petition for judicial review of a final order is not filed in accordance with this chapter, then the administrator may file a certified copy of the final order with the clerk of a court of competent jurisdiction. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(G) If a person does not comply with an order under this section, then the administrator may petition a court of competent jurisdiction to enforce the order. The court may not require the administrator to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, then the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount not less than five hundred dollars but not greater than five thousand dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances.

(H) All orders issued under this section are public documents subject to the Freedom of Information Act and must be published on the Attorney General's website searchable by the name of the parties involved.

Cause of action

SECTION 5. Section 39-73-320 of the S.C. Code is amended to read:

Section 39-73-320. (A) If the administrator believes that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter or that a person has, is, or is about to engage in an act, practice, or course of business that materially aids a violation of this chapter or a rule adopted or order issued under this chapter, then the administrator may maintain an action in the Richland County Court of Common Pleas to enjoin the act, practice, or course of business and to enforce compliance with this chapter or a rule adopted or order issued under this chapter.

(B) In an action pursuant to this section and on a proper showing, the court may:

(1) issue a permanent or temporary injunction, restraining order, or declaratory judgment;

(2) order other appropriate or ancillary relief, which might include:

(a) an asset freeze, accounting, writ or attachment, writ of general or specific execution, and appointment of a receiver or conservator, that may be the administrator, for the defendant or the defendant's assets;

(b) ordering the administrator to take charge and control of a defendant's property, including investment accounts and accounts in a depository institution, rents, and profits; to collect debts; and to acquire and dispose of property;

(c) imposing a civil penalty in an amount not to exceed ten thousand dollars for each violation; an order of rescission, restitution, or disgorgement directed to a person that has engaged in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter; and

(d) ordering the payment of prejudgment and post-judgment interest; or

(3) order such other relief as the court considers appropriate.

(C) The administrator may not be required to post a bond in an action or proceeding under this chapter.

(D)(1) Upon a proper showing by the administrator or securities or commodity agency of another state that a person, other than a government or governmental agency or instrumentality, has violated, or is about to violate, the commodity code of that state or a regulation or order of the administrator or securities or commodity agency of that state, the court may grant appropriate legal and equitable remedies.

(2) Upon showing of a violation of the securities or commodity act of the foreign state or a regulation or order of the administrator or securities or commodity agency of the foreign state, the court, in addition to traditional legal or equitable remedies, including temporary restraining orders, permanent or temporary prohibitory or mandatory injunctions, and writs of prohibition or mandamus, may grant the following special remedies:

(a) disgorgement;

(b) appointment of a receiver, conservator, or ancillary receiver or conservator for the defendant or the defendant's assets located in this State.

(3) Appropriate remedies when the defendant is shown only about to violate the securities or commodity act of the foreign state or a regulation or order of the administrator or securities or commodity agency of the foreign state is limited to:

(a) temporary restraining order;

(b) temporary or permanent injunction;

(c) writ or prohibition or mandamus; or

(d) order appointing a receiver, conservator, or ancillary receiver or conservator for the defendant or the defendant's assets located in this State.

Penalties

SECTION 6. Section 39-73-325 of the S.C. Code is amended to read:

Section 39-73-325. (A) A person who wilfully violates this chapter or a regulation or order of the administrator under this chapter, upon conviction, must be fined not more than twenty thousand dollars, or imprisoned not more than ten years, or both, for each violation.

(B) A person convicted of violating this chapter or a regulation or order under this chapter may be fined but must not be imprisoned if the person proves he had no knowledge of the rule or order.

(C) The administrator may refer evidence available concerning violations of this chapter or a regulation or order of the administrator to the appropriate division of the Office of Attorney General, the appropriate solicitor, or other appropriate prosecution, law enforcement, or licensing authorities who, with or without a reference from the administrator, may institute the appropriate criminal proceedings under this chapter.

Administration

SECTION 7. Section 39-73-330(A) of the S.C. Code is amended to read:

(A) This chapter must be administered by the South Carolina Attorney General.

Conforming changes

SECTION 8. Section 39-73-340(A) of the S.C. Code is amended to read:

(A) In addition to specific authority granted elsewhere in this chapter, the administrator may make, amend, or rescind regulations, forms, and orders as are necessary to carry out this chapter. The regulations or forms must include, but are not limited to, regulations defining terms, whether or not used in this chapter. The definitions must not be inconsistent with this chapter. For the purpose of regulations or forms the administrator may classify commodities and commodity contracts, persons, and matters within the administrator's jurisdiction.

Programs and communications

SECTION 9. Section 39-73-350(D) of the S.C. Code is amended to read:

(D) An offer to sell or to buy is not made in this State when:

(1) the publisher circulates or there is circulated on his behalf in this State a bona fide newspaper or other publication of general, regular, and paid circulation which is not published in this State or which is published in this State but has had more than two-thirds of its circulation outside this State during the past twelve months; and

(2) a radio or television program or other electronic communication originating outside this State is received in this State. A radio or television program, or other electronic communication, is considered as having originated in this State if either the broadcast studio or the originating source of transmission is located in this State, unless:

(a) the program or communication is syndicated and distributed from outside this State for redistribution to the general public in this State;

(b) the program or communication is supplied by a radio, television, or other electronic network with the electronic signal originating from outside this State for redistribution to the general public in this State;

(c) the program or communication is an electronic communication that originates outside this State and is captured for redistribution to the general public in this State by a community antenna or cable, radio, cable television, or other electronic system; or

(d) the program or communication consists of an electronic communication that originates in this State, but which is not intended for distribution to the general public in this State.

Judicial review

SECTION 10. Section 39-73-360 of the S.C. Code is amended to read:

Section 39-73-360. A person aggrieved by a final order of the administrator may obtain a review of the order in the Richland County Court of Common Pleas by filing in the court, within thirty days after entry of the order, a written petition praying that the order may be modified or set aside, in whole or in part. The aggrieved person, upon filing a petition, may move before the court in which the petition is filed to stay the effectiveness of the administrator's final order until such time

as the court has reviewed the order. If the court orders a stay, then the aggrieved person must post any bond set by the court in which a petition is filed. A copy of the petition must be served upon the administrator and the administrator shall certify and file in court a copy of the filing and evidence upon which the order was entered. When these have been filed, the court has exclusive jurisdiction to affirm, modify, enforce, or set aside the order, in whole or in part. The findings of the administrator regarding the facts, if supported by competent, material, and substantial evidence, are conclusive.

Conforming changes

SECTION 11. Section 39-73-370 of the S.C. Code is amended to read:

Section 39-73-370. It is a defense in a complaint, information, indictment, a writ, or a proceeding brought under this chapter alleging a violation of Section 39-73-20 based solely on the failure in an individual case to make physical delivery within the applicable time under Section 39-73-10(5) or Section 39-73-40(A)(2) if:

(1) failure to make physical delivery was due solely to factors beyond the control of the seller, the seller's officers, directors, partners, agents, servants, or employees, persons occupying a similar status or performing similar functions, persons who directly or indirectly control or are controlled by the seller, or the seller's affiliates, subsidiaries, or successors; or

(2) physical delivery was completed within a reasonable time under the applicable circumstances.

Fines and penalties

SECTION 12. Chapter 73, Title 39 of the S.C. Code is amended by adding:

Section 39-73-375. The Office of Attorney General may retain the first seven hundred fifty thousand dollars in fines and penalties received in a fiscal year in settlement of litigation enforcement actions and reimbursements of expenses arising from violations under this chapter to offset investigative, prosecutorial, and administrative costs of enforcing this chapter, after which any excess fines and penalties received in a fiscal year must be deposited into the general fund. The Attorney General shall issue an annual report to the President of the Senate, the Speaker of the House, the Chairman of the Senate Finance

Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, and the Chairman of the House Labor, Commerce and Industry Committee. This report shall include the total amount of civil penalties collected by the Office of Attorney General for violations of the Commodities Code, the amount of restitution and disgorgement ordered to be paid for violations of the Commodities Code, the amount of fines and penalties retained by the Office of Attorney General pursuant to this section, and the amount of excess fines and penalties that were deposited into the general fund pursuant to this section.

Repeal

SECTION 13. Section 39-73-355 of the S.C. Code is repealed.

Litter control officers

SECTION 14. Section 4-9-145(B) of the S.C. Code is amended to read:

(B)(1) The number of litter control officers vested with custodial arrest authority who are appointed and commissioned pursuant to subsection (A) must not exceed the greater of:

(a) the number of officers appointed and commissioned by the county on July 1, 2001; or

(b) one officer for every twenty-five thousand persons in the county, based upon the most recent census. Each county may appoint and commission at least one officer, without regard to the population of the county.

(2)(a) A litter control officer appointed and commissioned pursuant to subsection (A) may exercise the power of arrest with respect to his primary duties of enforcement of litter control laws and ordinances and other state and local laws and ordinances as may arise incidental to the enforcement of his primary duties only if the officer has been certified as a law enforcement officer pursuant to Chapter 23, Title 23.

(b) In the absence of an arrest for a violation of the litter control laws and ordinances, a litter control officer authorized to exercise the power of arrest pursuant to subitem (a) may not stop a person or make an incidental arrest of a person for a violation of other state and local laws and ordinances.

(3) For purposes of this section, the phrase "litter control officer" means a code enforcement officer authorized to enforce litter control laws and ordinances.

Severability

SECTION 15. 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 16. This act takes effect upon approval by the Governor.

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

No. 68

(R96, H4267)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-320 SO AS TO DESIGNATE THE TWENTY-FIRST DAY OF NOVEMBER AS "MAYFLOWER COMPACT DAY."

Whereas, the Mayflower Compact was the first written document providing for self-government in what would later become the United States of America. It laid the foundations for the Declaration of Independence, which stated that governments derive their powers "from the consent of the governed," and the US Constitution; and

Whereas, the Mayflower Compact was the first governing document of

Plymouth Colony. It was written by the men aboard the Mayflower, consisting of separatists, merchant adventurers, and tradesmen; and

Whereas, due to storms, the Mayflower crew and passengers found themselves far from the Colony of Virginia, where they had permission to start a new colony; and

Whereas, since they were not in Virginia, the laws and governance of Virginia no longer applied to their new colony. Therefore, the passengers decided they needed to work together to define how they would govern themselves; and

Whereas, of one hundred one Mayflower passengers, forty-one signed the Compact while anchored in Provincetown Harbor, Massachusetts. Many of the others were too sick to join the discussion and signing of the Compact; and

Whereas, the Mayflower Compact of 1620 laid the foundation of liberty based on law and order. The Mayflower passengers drew up a form of government that has been designated as the first real constitution of modern times. It was democratic, an acknowledgment of liberty under law and order and the giving to each person the right to participate in the government, and each of its signees promised to be obedient to laws enacted under its authority; and

Whereas, the Mayflower Compact reads as follows:

“IN THE NAME OF GOD, AMEN. We, whose names are underwritten, the Loyal Subjects of our dread Sovereign Lord King James, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. Having undertaken for the Glory of God, and Advancement of the Christian Faith, and the Honour of our King and Country, a Voyage to plant the first Colony in the northern Parts of Virginia; Do by these Presents, solemnly and mutually, in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politick, for our better Ordering and Preservation, and Furtherance of the Ends aforesaid: And by Virtue hereof do enact, constitute, and frame, such just and equal Laws, Ordinances, Acts, Constitutions, and Offices, from time to time, as shall be thought most meet and convenient for the general Good of the Colony; unto which we promise all due Submission and Obedience. IN WITNESS whereof we have hereunto subscribed our names at Cape-Cod the eleventh of

November, in the Reign of our Sovereign Lord King James, of England, France, and Ireland, the eighteenth, and of Scotland the fifty-fourth, Anno Domini; 1620.” Now, therefore,

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

Mayflower Compact Day

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

Section 53-3-320. The twenty-first day of November of each year is designated as “Mayflower Compact Day” in South Carolina.

Time effective

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

Ratified the 20th day of May, 2025

Approved the 22nd day of May, 2025

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No. 69

(R97, H4025)

AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, 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
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. SUPERINTENDENT OF EDU		
STATE SUPERINTENDENT	214,000	214,000
OF EDUCATION	(1.00)	(1.00)
CLASSIFIED POSITIONS	25,461,259	17,764,794
	(325.04)	(175.48)
UNCLASSIFIED POSITIONS	248,655	248,655
	(3.00)	(1.00)
OTHER PERSONAL SERVICES	2,681,251	335,241
OTHER OPERATING EXPENSES	78,290,054	7,633,983
AID TO SCHOOL DISTRICTS	1,900,000	1,900,000
TOTAL I. SUPERINTENDENT	108,795,219	28,096,673
OF EDUCATION	(329.04)	(177.48)
II. BOARD OF EDUCATION		
CLASSIFIED POSITIONS	130,000	130,000
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	74,787	74,787
OTHER OPERATING EXPENSES	53,247	53,247
TOT II. BOARD OF EDUCATION	258,034	258,034
	(2.00)	(2.00)
V. SCHOOL EFFECTIVENESS		
& VIRTUALSC		
CLASSIFIED POSITIONS	4,188,807	4,188,807
	(84.00)	(84.00)
UNCLASSIFIED POSITIONS	2,791,793	2,791,793
	(28.00)	(28.00)
OTHER PERSONAL SERVICES	5,379,651	5,379,651
OTHER OPERATING EXPENSES	2,757,276	2,757,276
TOTAL V. SCHOOL	15,117,527	15,117,527
EFFECTIVENESS & VIRTUALSC	(112.00)	(112.00)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VII. OPERATIONS AND SUPPORT		
B. BUS SHOPS		
CLASSIFIED POSITIONS	18,800,424	13,800,424
	(457.62)	(376.02)
OTHER PERSONAL SERVICES	485,624	98,102
OTHER OPERATING EXPENSES	52,958,535	38,410,935
AID TO DISTRICTS	500,000	500,000
AID SCHL DIST -	2,996,195	2,996,195
BUS DRIVERS' WORKERS' COMP		
AID SCH DISTRICT	93,364,236	93,364,236
- DRIVER SALARY/F		
AID SCH DISTRICT	1,023,062	1,023,062
- CONTRACT DRIVERS		
BUS DRV AIDE	129,548	129,548
AID OTHER STATE AGENCIES	69,751	69,751
TOTAL B. BUS SHOPS	170,327,375	150,392,253
	(457.62)	(376.02)
C. BUSES		
BUS LEASES	3,000,000	3,000,000
BUS PURCHASES	8,015,506	8,015,506
EAA TRANSPORTATION	3,153,136	3,153,136
EEDA TRANSPORTATION	608,657	608,657
TOTAL C. BUSES	14,777,299	14,777,299
TOTAL VII. OPERATIONS AND SUPPORT	185,104,674	165,169,552
	(457.62)	(376.02)
VIII. EDUCATION IMPROVEMENT ACT		
A. STANDARDS, TEACHING, LEARNING, ACCOUNT		
1. STUDENT LEARNING		
EEDA	8,413,832	
ST AID TO CLASSROOMS - EIA	770,826,434	
INDUSTRY	3,000,000	
CERTS/CREDENTIALS		
ADULT EDUCATION	17,073,736	

STATUTES AT LARGE
General and Permanent Laws--2025
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC EIA - ARTS CURRICULA	1,487,571	
CAREER & TECHNOLOGY EDU	29,572,135	
COMPUTER SCIENCE CERT	3,000,000	
AND PROF LEARNING		
INSTRUCTIONAL SUPPORT	3,794,751	
FOR DISTRICTS		
SUMMER READING CAMPS	14,551,375	
READING COACHES	9,922,556	
TOT 1. STUDENT LEARNING	861,642,390	
 2. STUDENT TESTING		
ASSESSMENT/TESTING	27,561,400	
TOTAL 2. STUDENT TESTING	27,561,400	
 3. CURRICULUM & STANDARDS		
CLASSIFIED POSITIONS	126,232	
	(2.00)	
OTHER PERSONAL SERVICES	4,736	
OTHER OPERATING EXPENSES	41,987	
INSTRUCTIONAL MATERIALS	33,114,241	
MATH RESOURCES AND SUPPT	11,500,000	
READING	3,271,026	
TOTAL 3. CURRICULUM & STANDARDS	48,058,222	
	(2.00)	
 4. ASSIST, INTERVENTION & REWARD		
EAA TECHNICAL ASSISTANCE	23,801,301	
POWER SCH/DATA COLLECTION	7,500,000	
SCH VALUE ADDED INSTRUMT	1,400,000	
TOTAL 4. ASSIST, INTERVENTION & REWARD	32,701,301	
 TOT A. STANDARDS,TEACH, LEARNING,ACCOUNT	969,963,313	
	(2.00)	

OF SOUTH CAROLINA
General and Permanent Laws—2025
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. EARLY CHILDHOOD EDU		
ALLOC EIA - 4	8,513,846	
YR EARLY CHILDHOOD		
CERDEP - SCDE	78,465,168	
EARLY LITERACY TRAINING	2,975,000	
INTENSIVE DEVELOPMENTAL	3,300,000	
EDUCATION & THERAPY		
TOTAL B. EARLY	93,254,014	
CHILDHOOD EDUCATION		
C. TEACHER QUALITY		
1. RETENTION & REWARD		
TEACHER OF THE YEAR	155,000	
TEACHER QUALITY COMMISS	372,724	
TEACHER SUPPLIES	20,455,350	
NATIONAL BOARD CERT	34,500,000	
RURAL TEACHER RECRUIT	8,348,392	
TEACHSC	727,650	
TOT 1. RETENTION & REWARD	64,559,116	
2. PROFESSIONAL DEVELOP		
ADEPT	873,909	
PROFESSIONAL DEVELOPMENT	2,771,758	
TOT 2. PROFESSIONAL	3,645,667	
DEVELOPMENT		
TOT C. TEACHER QUALITY	68,204,783	
D. LEADERSHIP		
CLASSIFIED POSITIONS	6,058,244	
	(95.62)	
OTHER PERSONAL SERVICES	84,700	
OTHER OPERATING EXPENSES	10,373,123	
TECHNOLOGY	12,271,826	
HIGH-QUALITY CHARTER SCH	272,750	
LEADERSHIP PROGRAM		
TOTAL D. LEADERSHIP	29,060,643	
	(95.62)	

STATUTES AT LARGE
General and Permanent Laws--2025
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. EIA EMPLOYER CONTRIB		
EMPLOYER CONTRIBUTIONS	1,397,821	
TOTAL E. EIA EMPLOYER	1,397,821	
CONTRIBUTIONS		
 F. PARTNERSHIPS		
LITERACY & DISTANCE	415,000	
LEARNING (P360)		
REACH OUT & READ (A850)	1,250,000	
SC YOUTH CHALLENGE	1,000,000	
ACADEMY (E240)		
ARTS EDU PROGRAMS (H910)	1,170,000	
FIRST STEPS TO	49,236,562	
SCHOOL READINESS		
EDUCATION OVERSIGHT	2,187,264	
COMMITTEE (A850)		
SCIENCE PLUS (A850)	919,906	
STEM CENTERS SC (H120)	2,000,000	
TEACH FOR AMERICA SC (A850)	2,000,000	
GOVERNOR'S SCH FOR ARTS	2,386,897	
& HUMANITIES (H640)		
WIL LOU GRAY	979,061	
OPPORTUNITY SCHOOL (H710)		
SCH FOR DEAF & BLIND (H750)	9,627,770	
DISABILITIES & SPECIAL	408,653	
NEEDS (J160)		
SC COUNCIL ON ECONOMIC	300,000	
EDUCATION (H270)		
JOHN DE LA HOWE SC (L120)	827,035	
CLEMSON AGRI EDUCATION	2,140,308	
TEACHERS (P200)		
CENTER FOR EDUCATIONAL	715,933	
PARTNERSHIPS (H270)		
CENTERS OF EXCELLENCE (H030)	1,137,526	
TEACHER RECRUIT PROG (H030)	4,243,527	
TEACHER LOAN PROG (E160)	5,089,881	
BABYNET AUTISM THERAPY (J020)	3,926,408	
CALL ME MISTER (H120)	1,195,000	

OF SOUTH CAROLINA
General and Permanent Laws—2025
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
REGIONAL EDUCATION	1,975,913	
CENTERS (R600)		
FAMILY CONNECTION SC (H630)	600,000	
SDE GRANTS COMMITTEE	9,004,313	
GOV SCHOOL FOR MATH	2,165,779	
& SCIENCE (H650)		
CENTER EDUC RECRUIT, RETEN,	2,231,680	
& ADV (CERRA) (H470)		
DEPT OF JUVENILE	2,834,000	
JUSTICE (N120)		
THE CONTINUUM (H630)	2,500,000	
CAROLINA COLLABORATIVE FOR	1,200,000	
ALTERNATIVE PREP (H270)		
EDUCATION DATA	3,605,978	
DASHBOARD (A850)		
JOBS FOR AMERICA'S	3,000,000	
GRADUATES (H590)		
DEPT OF CORRECTIONS (N040)	379,750	
SC TEACHER (H270)	2,000,000	
SOUTH CAROLINA FFA PROPERTY	50,000	
MAINTENANCE AND RENO		
SAVE THE CHILDREN (A850)	1,000,000	
PROJECT HYPE (H630)	950,000	
PROJECT READ	100,000	
TRANSFORM SC (A850)	400,000	
TOTAL F. PARTNERSHIPS	127,154,144	
G. TRANSPORTATION		
OTHER OPERATING EXPENSES	22,032,195	
TOTAL G. TRANSPORTATION	22,032,195	
TOTAL VIII. EDUCATION	1,311,066,913	
IMPROVEMENT ACT	(97.62)	
X. AID TO SCHOOL DISTRICTS		
A. DISTRIBU TO SUBDIVISIONS		
EDUCATION SCHOLARSHIP	60,000,000	60,000,000
TRUST FUND		
STATE AID TO CLASSROOMS	3,760,647,982	3,760,647,982

STATUTES AT LARGE
General and Permanent Laws--2025
H630-DEPARTMENT OF EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CERDEP - SCDE	8,223,882	8,223,882
ALLOC SCHOOL DIST	1,764,413,600	
ALLOC OTHER ST AGENCIES	15,041,000	
ALLOC OTHER ENTITIES	20,673,744	
TEACHER SUPPLY	2,860,000	2,860,000
ADULT ED	500,000	500,000
READING COACHES	29,483,100	29,483,100
AID SCHOOL DISTRICT	298,204,284	298,204,284
- RETIREE INS		
TOTAL A. DISTRIBUTION	5,960,047,592	4,159,919,248
TO SUBDIVISIONS		
 B. SPECIAL ALLOCATIONS		
ABSTINENCE UNTIL MARRIAGE	100,000	100,000
EMERGING PROGRAMS		
CONTINUATION TEEN	546,972	546,972
PREGNANCY PREVENTION		
STUDENT LOAN CORP	1,065,125	1,065,125
- CAREER CHANGERS		
AID TO OTHER ENTITIES	5,617	5,617
SC COUNCIL ON HOLOCAUST	350,000	350,000
ARCHIBALD RUTLEDGE	10,478	10,478
SCHOLARSHIPS		
POWER SCH/DATA COLLECTION	3,190,000	3,190,000
EDUCATIONAL EXPERIENCE	1,500,000	1,500,000
PARTNERSHIPS		
TOT B. SPECIAL ALLOCATIONS	6,768,192	6,768,192
 TOTAL X. AID	5,966,815,784	4,166,687,440
TO SCHOOL DISTRICTS		
 XIV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	23,910,371	18,099,601
TOT XIV. EMPLOYEE BENEFITS	23,910,371	18,099,601
 TOT DEPARTMENT OF EDU	7,611,068,522	4,393,428,827
	(998.28)	(667.50)

SECTION 2
H620-FIRST STEPS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	159,064	
	(1.00)	
CLASSIFIED POSITIONS	1,669,388	89,964
	(12.00)	(2.00)
OTHER PERSONAL SERVICES	130,000	
OTHER OPERATING EXPENSES	1,635,000	
TOTAL I. ADMINISTRATION	3,593,452	89,964
	(13.00)	(2.00)
II. PROGRAMS AND SERVICES		
A. LOCAL FIRST STEPS		
PARTNERSHIPS		
CLASSIFIED POSITIONS	3,211,195	1,264,864
	(27.50)	(16.00)
OTHER PERSONAL SERVICES	20,000	
OTHER OPERATING EXPENSES	10,478,354	655,598
LP FORMULA FUNDING	14,435,228	
READY GRANTS	3,000,000	3,000,000
TOTAL A. LOCAL	31,144,777	4,920,462
FIRST STEPS PARTNERSHIPS	(27.50)	(16.00)
B. FULL DAY 4K (CERDEP)		
CLASSIFIED POSITIONS	2,223,987	314,730
	(37.00)	(3.00)
OTHER OPERATING EXPENSES	47,990,398	13,452,200
TOT B. FULL DAY 4K (CERDEP)	50,214,385	13,766,930
	(37.00)	(3.00)
C. EARLY CHILDHOOD		
ADVISORY COUNCIL (ECAC)		
CLASSIFIED POSITIONS	362,132	267,132
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	275,000	
OTHER OPERATING EXPENSES	2,862,852	685,080
TOTAL C. EARLY CHILDHOOD	3,499,984	952,212
ADVISORY COUNCIL (ECAC)	(3.00)	(3.00)

STATUTES AT LARGE
General and Permanent Laws--2025
H620-FIRST STEPS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. PROGRAMS AND SERVICES	84,859,146 (67.50)	19,639,604 (22.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,220,822	809,766
TOT III. EMPLOYEE BENEFITS	3,220,822	809,766
TOTAL FIRST STEPS	91,673,420 (80.50)	20,539,334 (24.00)

SECTION 3
H660-LOTTERY EXPENDITURE ACCOUNT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. LOTTERY EXPENDITURE ACCOUNT		
LOTTERY EXPENDITURES	539,086,859	
UNCLAIMED PRIZES	23,500,000	
TOTAL I. LOTTERY EXPENDITURE ACCOUNT	562,586,859	
TOTAL LOTTERY EXPENDITURE ACCOUNT	562,586,859	

SECTION 4
A850-EDUCATION OVERSIGHT COMMITTEE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	140,000	
	(1.00)	
UNCLASSIFIED LEGISLATIVE	479,328	
MISC (P)	(9.00)	
TAXABLE SUBSISTENCE	2,000	
OTHER PERSONAL SERVICES	140,000	

OF SOUTH CAROLINA
General and Permanent Laws—2025
A850-EDUCATION OVERSIGHT COMMITTEE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	1,166,242	
TOTAL I. ADMINISTRATION	1,927,570	
	(10.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	259,694	
TOTAL II. EMPLOYEE BENEFITS	259,694	
TOTAL EDUCATION	2,187,264	
OVERSIGHT COMMITTEE	(10.00)	

SECTION 5
H710-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
SUPERINTENDENT	143,000	143,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	234,286	234,286
	(5.00)	(5.00)
OTHER PERSONAL SERVICES	4,085	4,085
OTHER OPERATING EXPENSES	24,419	24,419
TOTAL I. ADMINISTRATION	405,790	405,790
	(6.00)	(6.00)
II. EDUCATIONAL PROGRAM		
A. ACADEMIC PROGRAM		
CLASSIFIED POSITIONS	809,613	809,613
	(16.62)	(16.36)
UNCLASSIFIED POSITIONS	577,990	482,990
	(11.55)	(6.45)
OTHER PERSONAL SERVICES	38,770	38,770
OTHER OPERATING EXPENSES	216,589	171,589
TOTAL A. ACADEMIC	1,642,962	1,502,962
PROGRAM	(28.17)	(22.81)

H710-WIL LOU GRAY OPPORTUNITY SCHOOL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. VOCATIONAL EDUCATION		
UNCLASSIFIED POSITIONS	108,429	108,429
	(4.43)	(3.50)
OTHER OPERATING EXPENSES	202,040	177,040
TOTAL B. VOCATIONAL	310,469	285,469
EDUCATION	(4.43)	(3.50)
 C. LIBRARY		
UNCLASSIFIED POSITIONS	32,841	32,841
	(0.81)	(0.61)
OTHER OPERATING EXPENSES	2,837	2,837
TOTAL C. LIBRARY	35,678	35,678
	(0.81)	(0.61)
TOTAL II. EDUCATIONAL	1,989,109	1,824,109
PROGRAM	(33.41)	(26.92)
 III. STUDENT SERVICES		
CLASSIFIED POSITIONS	2,007,467	2,007,467
	(41.39)	(41.39)
OTHER PERSONAL SERVICES	15,000	15,000
OTHER OPERATING EXPENSES	233,000	200,000
TOTAL III. STUDENT SERVICES	2,255,467	2,222,467
	(41.39)	(41.39)
 IV. SUPPORT SERVICES		
CLASSIFIED POSITIONS	922,499	826,499
	(18.61)	(15.84)
OTHER PERSONAL SERVICES	55,000	25,000
OTHER OPERATING EXPENSES	2,996,133	2,497,912
TOT IV. SUPPORT SERVICES	3,973,632	3,349,411
	(18.61)	(15.84)
 V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,888,410	1,833,410
TOT V. EMPLOYEE BENEFITS	1,888,410	1,833,410
 TOTAL WIL LOU GRAY	10,512,408	9,635,187
OPPORTUNITY SCHOOL	(99.41)	(90.15)

SECTION 6
H750-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
PRESIDENT	160,000	160,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,596,145	1,576,771
	(26.62)	(26.12)
UNCLASSIFIED POSITIONS	77,851	40,485
	(3.00)	(0.50)
OTHER PERSONAL SERVICES	134,084	1,200
OTHER OPERATING EXPENSES	3,886,140	3,356,477
S C ASSOC FOR THE BLIND	138,256	138,256
TOTAL I. ADMINISTRATION	5,992,476	5,273,189
	(30.62)	(27.62)
II. EDUCATION		
A. DEAF EDUCATION		
CLASSIFIED POSITIONS	441,640	441,640
	(9.20)	(9.20)
UNCLASSIFIED POSITIONS	282,618	
	(14.54)	
OTHER OPERATING EXPENSES	667,323	667,323
TOTAL A. DEAF EDUCATION	1,391,581	1,108,963
	(23.74)	(9.20)
B. BLIND EDUCATION		
CLASSIFIED POSITIONS	410,434	410,434
	(7.90)	(7.90)
UNCLASSIFIED POSITIONS	229,258	
	(10.69)	
OTHER OPERATING EXPENSES	725,757	725,757
AID OTHER STATE AGENCIES	50,000	50,000
TOTAL B. BLIND EDUCATION	1,415,449	1,186,191
	(18.59)	(7.90)
C. MULTIHANDICAPPED EDUCATION		
CLASSIFIED POSITIONS	554,734	554,734
	(16.90)	(16.90)

STATUTES AT LARGE (No. 69)
General and Permanent Laws--2025
H750-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	320,679 (12.79)	
OTHER OPERATING EXPENSES	333,421	333,421
TOTAL C.	1,208,834	888,155
MULTIHANDICAPPED EDUC	(29.69)	(16.90)
 TOTAL II. EDUCATION	 4,015,864 (72.02)	 3,183,309 (34.00)
 III. STUDENT SUPPT SERVICES		
CLASSIFIED POSITIONS	551,380 (27.15)	262,338 (13.35)
UNCLASSIFIED POSITIONS	587,186 (24.05)	523,372 (7.76)
OTHER PERSONAL SERVICES	499,003	14,823
OTHER OPER EXPENSES	1,437,431	373,039
TOTAL III. STUDENT	3,075,000	1,173,572
SUPPORT SERVICES	(51.20)	(21.11)
 IV. RESIDENTIAL LIFE		
CLASSIFIED POSITIONS	1,526,512 (69.67)	1,526,512 (69.67)
UNCLASSIFIED POSITIONS	62,750 (4.36)	62,750 (2.10)
OTHER PERSONAL SERVICES	331,596	331,596
OTHER OPERATING EXPENSES	555,000	255,000
TOTAL IV. RESIDENTIAL LIFE	2,475,858 (74.03)	2,175,858 (71.77)
 V. OUTREACH SERVICES		
CLASSIFIED POSITIONS	1,708,652 (33.02)	118,467 (2.50)
UNCLASSIFIED POSITIONS	579,504 (31.61)	
OTHER PERSONAL SERVICES	1,063,173	
OTHER OPERATING EXPENSES	1,475,210	
TOT V. OUTREACH SERVICES	4,826,539 (64.63)	118,467 (2.50)

H750-SCHOOL FOR THE DEAF AND THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VI. PHYSICAL SUPPORT		
CLASSIFIED POSITIONS	943,895	943,895
	(22.88)	(22.88)
OTHER PERSONAL SERVICES	18,500	18,500
OTHER OPERATING EXPENSES	1,628,525	1,628,525
TOTAL VI. PHYSICAL SUPPORT	2,590,920	2,590,920
	(22.88)	(22.88)
VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	7,686,935	5,336,922
TOT VII. EMPLOYEE BENEFITS	7,686,935	5,336,922
TOTAL SCHOOL FOR THE	30,663,592	19,852,237
DEAF AND THE BLIND	(315.38)	(179.88)

SECTION 7**L120-GOVERNOR'S SCHOOL FOR AGRICULTURE AT
JOHN DE LA HOWE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
SUPERINTENDENT	152,000	152,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	961,311	961,311
	(12.00)	(12.00)
OTHER PERSONAL SERVICES	20,761	1,952
OTHER OPERATING EXPENSES	576,658	551,658
TOTAL I. ADMINISTRATION	1,710,730	1,666,921
	(13.00)	(13.00)
II. PROGRAMS AND SERVICES		
A. EDUCATION		
CLASSIFIED POSITIONS	767,207	732,870
	(8.38)	(6.00)
UNCLASSIFIED POSITIONS	784,502	759,283
	(22.01)	(12.75)
OTHER PERSONAL SERVICES	84,064	54,064

**L120-GOVERNOR'S SCHOOL FOR AGRICULTURE AT
JOHN DE LA HOWE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	618,989	178,872
TOTAL A. EDUCATION	2,254,762	1,725,089
	(30.39)	(18.75)
 B. RESIDENTIAL SERVICES		
CLASSIFIED POSITIONS	977,167	977,167
	(26.00)	(26.00)
OTHER OPERATING EXPENSES	673,942	484,305
CASE SERVICES	2,000	
TOT B. RESIDENTIAL SERVICES	1,653,109	1,461,472
	(26.00)	(26.00)
 C. FACILITIES MAINTENANCE		
CLASSIFIED POSITIONS	820,683	820,683
	(15.00)	(15.00)
OTHER OPERATING EXPENSES	1,211,374	1,130,397
TOTAL C.	2,032,057	1,951,080
FACILITIES MAINTENANCE	(15.00)	(15.00)
 D. FARM		
CLASSIFIED POSITIONS	723,376	723,376
	(16.00)	(16.00)
OTHER OPERATING EXPENSES	157,754	99,879
TOTAL D. FARM	881,130	823,255
	(16.00)	(16.00)
 E. OUTREACH		
CLASSIFIED POSITIONS	209,272	209,272
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	2,236	2,236
OTHER OPERATING EXPENSES	89,000	89,000
TOTAL E. OUTREACH	300,508	300,508
	(7.00)	(7.00)
 TOTAL II. PROGRAMS AND SERVICES	7,121,566	6,261,404
	(94.39)	(82.75)

**L120-GOVERNOR'S SCHOOL FOR AGRICULTURE AT
JOHN DE LA HOWE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,880,793	1,824,590
TOT III. EMPLOYEE BENEFITS	1,880,793	1,824,590
TOTAL GOVERNOR'S SCHOOL FOR AGRICULTURE AT JOHN DE LA HOWE	10,713,089 (107.39)	9,752,915 (95.75)

**SECTION 8
H670-EDUCATIONAL TELEVISION COMMISSION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. INTERNAL ADMINISTRATION		
PRESIDENT & GEN MANAGER	200,000 (1.00)	
CLASSIFIED POSITIONS	1,309,178 (18.00)	495,678 (1.00)
OTHER PERSONAL SERVICES	225,000	
OTHER OPERATING EXPENSES	1,245,000	100,000
TOTAL I.	2,979,178	595,678
INTERNAL ADMINISTRATION	(19.00)	(1.00)
II. PROGRAM AND SERVICES		
A. TOWERNET		
CLASSIFIED POSITIONS	5,150,760 (51.00)	2,645,760 (38.00)
OTHER PERSONAL SERVICES	115,000	
OTHER OPERATING EXPENSES	3,045,813	776,313
TOTAL A. TOWERNET	8,311,573 (51.00)	3,422,073 (38.00)
B. EDUCATION		
CLASSIFIED POSITIONS	2,319,503 (31.00)	1,234,503 (20.00)
OTHER PERSONAL SERVICES	133,124	67,124

H670-EDUCATIONAL TELEVISION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	3,470,000	1,485,000
TOTAL B. EDUCATION	5,922,627	2,786,627
	(31.00)	(20.00)
 C. CONTENT		
CLASSIFIED POSITIONS	2,863,402	1,211,402
	(47.20)	(20.00)
OTHER PERSONAL SERVICES	222,608	47,608
OTHER OPERATING EXPENSES	10,053,600	600,000
TOTAL C. CONTENT	13,139,610	1,859,010
	(47.20)	(20.00)
 D. ENTERPRISE ACTIVITIES		
CLASSIFIED POSITIONS	300,000	
	(6.00)	
OTHER OPERATING EXPENSES	195,000	
TOTAL D.	495,000	
ENTERPRISE ACTIVITIES	(6.00)	
 TOTAL II. PROGRAM AND SERVICES	27,868,810	8,067,710
	(135.20)	(78.00)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	4,010,294	1,899,894
TOT III. EMPLOYEE BENEFITS	4,010,294	1,899,894
 TOTAL EDUCATIONAL TELEVISION COMMISSION	34,858,282	10,563,282
	(154.20)	(79.00)

SECTION 9
H640-GOVERNOR'S SCHOOL FOR
ARTS AND HUMANITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. GOVERNOR'S SCHOOL FOR ARTS AND HUMANITIES		
CLASSIFIED POSITIONS	3,320,005	3,255,005
	(62.02)	(61.52)

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H640-GOVERNOR'S SCHOOL FOR
ARTS AND HUMANITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	2,896,573	2,827,573
	(39.33)	(38.58)
OTHER PERSONAL SERVICES	845,106	526,835
OTHER OPERATING EXPENSES	3,660,416	3,210,416
TOT I. GOVERNOR'S SCHOOL	10,722,100	9,819,829
FOR ARTS AND HUMANITIES	(101.35)	(100.10)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,974,726	2,872,226
TOT II. EMPLOYEE BENEFITS	2,974,726	2,872,226
TOTAL GOVERNOR'S SCHOOL	13,696,826	12,692,055
FOR ARTS AND HUMANITIES	(101.35)	(100.10)

SECTION 10
H650-GOVERNOR'S SCHOOL FOR
SCIENCE AND MATHEMATICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. GOVERNOR'S SCHOOL FOR		
SCIENCE AND MATHEMATICS		
PRESIDENT	211,150	211,150
CLASSIFIED POSITIONS	3,587,244	3,587,244
	(70.30)	(70.30)
UNCLASSIFIED POSITIONS	4,287,938	4,287,938
	(39.79)	(39.02)
OTHER PERSONAL SERVICES	148,600	148,600
OTHER OPERATING EXPENSES	7,091,750	5,845,250
TOTAL I. GOVERNOR'S SCH	15,326,682	14,080,182
FOR SCIENCE AND MATH	(110.09)	(109.32)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	4,091,283	4,091,283
TOT II. EMPLOYEE BENEFITS	4,091,283	4,091,283
TOTAL GOVERNOR'S SCH FOR	19,417,965	18,171,465
SCIENCE AND MATHEMATICS	(110.09)	(109.32)

SECTION 11
H030-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	248,061	248,061
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,380,626	3,223,626
	(46.00)	(46.00)
UNCLASSIFIED POSITIONS		
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	60,765	60,765
OTHER OPERATING EXPENSES	711,020	683,520
TOTAL I. ADMINISTRATION	4,400,472	4,215,972
	(48.00)	(48.00)
II. OTHER AGENCIES AND ENTITIES		
ACADEMIC ENDOWMENT	160,592	160,592
AFRICAN AMERICAN LOAN PRO	119,300	119,300
EPSCOR	161,314	161,314
GREENVILLE TC - UNIVER CNT	594,390	594,390
PERFORMANCE FUNDING	1,397,520	1,397,520
STATE ELECTRONIC LIBRARY	4,950,866	164,289
UNIVERSITY CNTR	1,969,899	1,969,899
OF GRNVILLE-OPERATIONS		
TOTAL II. OTHER AGENCIES AND ENTITIES	9,353,881	4,567,304
III. LICENSING		
CLASSIFIED POSITIONS	239,534	47,972
	(3.00)	(0.60)
OTHER OPERATING EXPENSES	109,929	
TOTAL III. LICENSING	349,463	47,972
	(3.00)	(0.60)
IV. STATE APPROVING SECTION		
UNCLASSIFIED POSITIONS	42,600	
OTHER PERSONAL SERVICES	162,129	

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H030-COMMISSION ON HIGHER EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	144,200	
TOTAL IV. STATE	348,929	
APPROVING SECTION		
V. CHE GRANT & OTHER HIGHER EDUCATION COLLABORATION		
EEDA	1,180,576	1,180,576
SMARTSTATE PROGRAM ADMINISTRATION	935,284	50,000
TOTAL V. CHE GRANT & OTHER HIGHER EDU COLLAB	2,115,860	1,230,576
VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,685,236	1,510,976
TOT VI. EMPLOYEE BENEFITS	1,685,236	1,510,976
VII. SCHOLARSHIPS & ASSISTANCE		
EDUCATIONAL ENDOWMENT	24,000,000	24,000,000
SREB CONTRACT PROGRAM & ASSESSMENTS	6,585,183	6,585,183
TOTAL VII. SCHOLARSHIPS & ASSISTANCE	30,585,183	30,585,183
TOTAL COMMISSION ON HIGHER EDUCATION	48,839,024 (51.00)	42,157,983 (48.60)

SECTION 12
H060-HIGHER EDUCATION
TUITION GRANTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	120,000	120,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	146,733	146,733
	(4.00)	(4.00)

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H060-HIGHER EDUCATION
TUITION GRANTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	456,608	456,608
TOTAL I. ADMINISTRATION	723,341	723,341
	(5.00)	(5.00)
II. TUITION GRANTS		
OTHER OPERATING EXPENSES	57,808,624	27,558,624
TOTAL II. TUITION GRANTS	57,808,624	27,558,624
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	139,719	139,719
TOT III. EMPLOYEE BENEFITS	139,719	139,719
TOTAL HIGHER EDUCATION	58,671,684	28,421,684
TUITION GRANTS COMMISSION	(5.00)	(5.00)

SECTION 13
H090-THE CITADEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	259,669	259,669
	(1.00)	(1.00)
CLASSIFIED POSITIONS	21,395,437	9,514,470
	(384.05)	(170.71)
UNCLASSIFIED POSITIONS	25,840,627	11,550,204
	(163.50)	(97.93)
OTHER PERSONAL SERVICES	5,521,551	
OTHER OPERATING EXPENSES	26,104,443	5,627,219
TOT A. E&G-UNRESTRICTED	79,121,727	26,951,562
	(548.55)	(269.64)
B. E&G-RESTRICTED		
OTHER PERSONAL SERVICES	3,029,402	
OTHER OPERATING EXPENSES	66,078,992	
TOTAL B. E&G-RESTRICTED	69,108,394	

OF SOUTH CAROLINA
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H090-THE CITADEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL I. EDUCATION & GENERAL	148,230,121 (548.55)	26,951,562 (269.64)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	2,058,237 (95.20)	
UNCLASSIFIED POSITIONS	2,951,807 (28.00)	
OTHER PERSONAL SERVICES	1,301,054	
OTHER OPERATING EXPENSES	30,297,111	
TOTAL II. AUXILIARY ENTERPRISES	36,608,209 (123.20)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	15,939,446	3,834,626
TOT III. EMPLOYEE BENEFITS	15,939,446	3,834,626
TOTAL THE CITADEL	200,777,776 (671.75)	30,786,188 (269.64)

SECTION 14
H120-CLEMSON UNIVERSITY –
EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	331,532 (1.00)	331,532 (1.00)
CLASSIFIED POSITIONS	120,504,412 (1,947.16)	11,089,373 (1,005.85)
NEW POSITIONS -		
ACADEMIC PROG DIRECTOR	(1.00)	
NEW POSITIONS -		
ACCNT/FISCAL ANALYST III	(1.00)	
NEW POSITIONS -		
ADMINISTRATIVE COORD I	(4.00)	
NEW POSITIONS -		
AGRI/ANIMAL ASSOC II	(3.00)	

STATUTES AT LARGE
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H120-CLEMSON UNIVERSITY –
EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -		
ALUMNI/DEVPMT MANAGER II	(1.00)	
NEW POSITIONS -		
ASSISTANT LIBRARIAN	(1.00)	
NEW POSITIONS -		
BLDING/GROUNDS SPECIALIST II	(8.00)	
NEW POSITIONS -		
BLDING/GROUNDS SPECIALIST III	(2.00)	
NEW POSITIONS -		
CURRICULUM MANAGER I	(1.00)	
NEW POSITIONS -		
DATA ARCHITECT	(1.00)	
NEW POSITIONS -		
DATA COORDINATOR I	(2.00)	
NEW POSITIONS - DATA ENTRY		
& CONTROL CLERK I	(1.00)	
NEW POSITIONS - DIGITAL		
MEDIA DESIGNER I	(1.00)	
NEW POSITIONS -		
DIRECTOR	(1.00)	
NEW POSITIONS - DIRECTOR		
OF PROJECT MANAGEMENT	(2.00)	
NEW POSITIONS - DIRECTOR		
OF STRATEGIC COMMUNICATIONS	(1.00)	
NEW POSITIONS -		
ENVIRONMENTAL/HEALTH MGR II	(1.00)	
NEW POSITIONS - FIRE		
SAFETY OFFICER II	(3.00)	
NEW POSITIONS - FIRE		
SAFETY OFFICER III	(1.00)	
NEW POSITIONS - GENERAL		
MAINTENANCE TECHNICIAN II	(4.00)	
NEW POSITIONS - GENERAL		
MAINTENANCE TECHNICIAN III	(1.00)	
NEW POSITIONS -		
GRANTS ADMINISTRATOR II	(11.00)	

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H120-CLEMSON UNIVERSITY –
EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -		
IT MANAGER III	(1.00)	
NEW POSITIONS -		
IT SPECIALIST	(1.00)	
NEW POSITIONS - LAW		
ENFORCEMENT OFFICER I	(3.00)	
NEW POSITIONS -		
LIBRARY MANAGER I	(1.00)	
NEW POSITIONS - NETWORK		
AND SYSTEMS ADMINISTRATOR II	(1.00)	
NEW POSITIONS -		
OPERATIONS MANAGER I	(4.00)	
NEW POSITIONS -		
OPERATIONS MANAGER II	(1.00)	
NEW POSITIONS -		
PLUMBER I	(2.00)	
NEW POSITIONS -		
PROGRAM COORDINATOR I	(2.00)	
NEW POSITIONS -		
PROGRAM MANAGER I	(5.00)	
NEW POSITIONS -		
PROGRAM MANAGER II	(5.00)	
NEW POSITIONS -		
PROJECT COORDINATOR	(1.00)	
NEW POSITIONS -		
PROJECT MANAGER I	(6.00)	
NEW POSITIONS -		
PROJECT MANAGER II	(1.00)	
NEW POSITIONS - RESEARCH		
AND PLANNING ADMINISTRATOR	(1.00)	
NEW POSITIONS -		
RESEARCH ASSOCIATE	(1.00)	
NEW POSITIONS -		
RESEARCH SPECIALIST I	(1.00)	
NEW POSITIONS -		
RESEARCH SPECIALIST II	(1.00)	
NEW POSITIONS -		
SECURITY SPECIALIST I	(3.00)	

STATUTES AT LARGE
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EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -		
SENIOR APPLICATIONS ANALYST	(2.00)	
NEW POSITIONS -		
SENIOR NETWORK ENGINEER	(1.00)	
NEW POSITIONS -		
SENIOR SYSTEMS ENGINEER	(5.00)	
NEW POSITIONS - STUDENT		
SERVICES MANAGER I	(1.00)	
NEW POSITIONS - STUDENT		
SERVICES MANAGER II	(4.00)	
NEW POSITIONS - STUDENT		
SERVICES PROGRAM COORD II	(11.00)	
NEW POSITIONS -		
SUPPLY SPECIALIST I	(2.00)	
NEW POSITIONS -		
SYSTEMS ARCHITECT	(1.00)	
NEW POSITIONS -		
SYSTEMS ENGINEER I	(12.00)	
NEW POSITIONS -		
SYSTEMS ENGINEER II	(5.00)	
NEW POSITIONS -		
SYSTEMS PROGRAMMER I	(1.00)	
NEW POSITIONS -		
SYSTEMS PROGRAMMER II	(1.00)	
NEW POSITIONS -		
SYSTEMS PROG/DEVELOPER III	(1.00)	
NEW POSITIONS -		
TRADES SPECIALIST III	(1.00)	
NEW POSITIONS -		
TRADES SPECIALIST IV	(2.00)	
NEW POSITIONS -		
TRAINING/DEVT DIRECTOR I	(1.00)	
UNCLASSIFIED POSITIONS	280,523,762	127,996,169
	(1,093.62)	(301.86)
NEW POSITIONS -		
ACADEMIC PROGRAM DIRECTOR	(1.00)	(1.00)
NEW POSITIONS -		
ASSISTANT LIBRARIAN	(3.00)	

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H120-CLEMSON UNIVERSITY –
EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -		
ASSISTANT PROFESSOR	(2.25)	(2.25)
NEW POSITIONS -		
ASSISTANT VICE PRESIDENT	(1.00)	
NEW POSITIONS -		
ASSOCIATE PROFESSOR	(0.75)	(0.75)
NEW POSITIONS -		
ASSOCIATE VICE PRESIDENT	(1.00)	
NEW POSITIONS		
- ATTORNEY-UNCLASSIFIED	(1.00)	
NEW POSITIONS -		
DIRECTOR	(1.00)	
NEW POSITIONS -		
ENVIRONMENTAL/HLTH MGR III	(1.00)	
NEW POSITIONS -		
PROFESSOR	(0.75)	(0.75)
NEW POSITIONS -		
SENIOR APPLICATIONS ANALYST	(1.00)	
OTHER PERSONAL SERVICES	58,461,915	13,942,717
OTHER OPERATING EXPENSES	222,515,114	9,509,685
ENERGY CENTER	500,000	500,000
INSTITUTE FOR THE	4,000,000	4,000,000
STUDY OF CAPITALISM		
SCHOLARSHIPS	51,469,972	2,000,000
STUDENT EXPERIENTIAL LEARN	2,000,000	2,000,000
TOT A. E&G-UNRESTRICTED	740,306,707	171,369,476
	(3,199.53)	(1,313.46)
B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	4,614,367	
	(60.33)	
UNCLASSIFIED POSITIONS	28,569,453	
	(117.83)	
OTHER PERSONAL SERVICES	43,344,491	
OTHER OPERATING EXPENSES	136,481,637	
SCHOLARSHIPS	195,598,138	
TOTAL B. E&G-RESTRICTED	408,608,086	
	(178.16)	

STATUTES AT LARGE
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H120-CLEMSON UNIVERSITY –
EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL I. EDUCATION & GENERAL	1,148,914,793 (3,377.69)	171,369,476 (1,313.46)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	33,219,231 (366.59)	
UNCLASSIFIED POSITIONS	49,013,656 (143.38)	
OTHER PERSONAL SERVICES	13,054,226	
OTHER OPERATING EXPENSES	186,657,378	
SCHOLARSHIPS	18,260,090	
DEBT SERVICE	6,879,163	
PRINCIPAL - LOAN NOTE	5,995,028	
INT PYMNT - CLEMSON STOCK	9,080,141	
TOTAL II. AUXILIARY ENTERPRISES	322,158,913 (509.97)	
III. COLLEGE OF VETERINARY MEDICINE		
A. VETERINARY MEDICINE UNRESTRICTED		
CLASSIFIED POSITIONS	1,361,000 (26.00)	1,061,000 (26.00)
UNCLASSIFIED POSITIONS	(5.00)	(5.00)
OTHER OPERATING EXPENSES	10,500,000	10,000,000
TOTAL A. VETERINARY MEDICINE UNRESTRICTED	11,861,000 (31.00)	11,061,000 (31.00)
B. VETERINARY MEDICINE EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,439,000	1,439,000
TOTAL B. VETERINARY MED EMPLOYEE BENEFITS	1,439,000	1,439,000
TOTAL III. COLLEGE OF VETERINARY MEDICINE	13,300,000 (31.00)	12,500,000 (31.00)

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General and Permanent Laws—2025
H120-CLEMSON UNIVERSITY –
EDUCATION & GENERAL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	322,652,620	35,457,661
TOT IV. EMPLOYEE BENEFITS	322,652,620	35,457,661
TOT CLEMSON UNIVERSITY -	1,807,026,326	219,327,137
EDUCATION & GENERAL	(3,918.66)	(1,344.46)

SECTION 15
H150-UNIVERSITY OF CHARLESTON

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PRESIDENT	320,500	320,500
	(1.00)	(1.00)
CLASSIFIED POSITIONS	40,646,766	11,885,087
	(746.94)	(248.47)
UNCLASSIFIED POSITIONS	77,861,570	36,941,449
	(562.49)	(238.91)
OTHER PERSONAL SERVICES	19,492,220	
OTHER OPERATING EXPENSES	77,373,320	979,175
LOWCOUNTRY GRAD CENTER	785,099	785,099
TOT I. EDU & GENERAL	216,479,475	50,911,310
	(1,310.43)	(488.38)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	3,017,553	
	(77.50)	
UNCLASSIFIED POSITIONS	2,974,443	
	(26.25)	
OTHER PERSONAL SERVICES	2,553,791	
OTHER OPERATING EXPENSES	37,732,732	
TOT II. AUXILIARY SERVICES	46,278,519	
	(103.75)	

STATUTES AT LARGE
General and Permanent Laws--2025
H150-UNIVERSITY OF CHARLESTON

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	39,219,917	8,503,835
TOT III. EMPLOYEE BENEFITS	39,219,917	8,503,835
 TOTAL UNIVERSITY	 301,977,911	 59,415,145
OF CHARLESTON	(1,414.18)	(488.38)

SECTION 16
H170-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	254,800	254,800
	(1.00)	(1.00)
CLASSIFIED POSITIONS	41,918,171	5,061,627
	(796.20)	(55.83)
UNCLASSIFIED POSITIONS	62,782,187	20,654,102
	(578.31)	(140.91)
OTHER PERSONAL SERVICES	24,736,760	6,327,452
OTHER OPERATING EXPENSES	52,995,433	
SCHOLARSHIPS	12,000,000	
TOT A. E&G-UNRESTRICTED	194,687,351	32,297,981
	(1,375.51)	(197.74)
 B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	248,500	
	(3.50)	
UNCLASSIFIED POSITIONS	80,585	
	(7.12)	
OTHER PERSONAL SERVICES	1,242,869	
OTHER OPERATING EXPENSES	10,332,589	
SCHOLARSHIPS	18,060,000	
TOTAL B. E&G-RESTRICTED	29,964,543	
	(10.62)	
 TOT I. EDU & GENERAL	 224,651,894	 32,297,981
	(1,386.13)	(197.74)

OF SOUTH CAROLINA
General and Permanent Laws—2025
H170-COASTAL CAROLINA UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	4,186,054	
	(85.92)	
OTHER PERSONAL SERVICES	2,194,666	
OTHER OPERATING EXPENSES	16,756,850	
TOTAL II.	23,137,570	
AUXILIARY ENTERPRISES	(85.92)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	49,746,268	4,923,107
TOT III. EMPLOYEE BENEFITS	49,746,268	4,923,107
TOTAL COASTAL	297,535,732	37,221,088
CAROLINA UNIVERSITY	(1,472.05)	(197.74)

SECTION 17
H180-FRANCIS MARION UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION AND GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	307,386	307,386
	(1.00)	(1.00)
CLASSIFIED POSITIONS	13,937,248	6,304,331
	(242.07)	(166.19)
UNCLASSIFIED POSITIONS	30,472,773	18,493,122
	(235.04)	(132.99)
OTHER PERSONAL SERVICES	553,614	
OTHER OPERATING EXPENSES	10,156,072	6,866,758
TOT A. E&G-UNRESTRICTED	55,427,093	31,971,597
	(478.11)	(300.18)
B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	68,412	
	(1.25)	
UNCLASSIFIED POSITIONS	1,003,223	
	(5.00)	
OTHER PERSONAL SERVICES	832,842	

STATUTES AT LARGE
General and Permanent Laws--2025
H180-FRANCIS MARION UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	31,503,252	
TOTAL B. E&G-RESTRICTED	33,407,729 (6.25)	
TOTAL I. EDUCATION AND GENERAL	88,834,822 (484.36)	31,971,597 (300.18)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	9,804 (7.00)	
OTHER PERSONAL SERVICES	4,864	
OTHER OPERATING EXPENSES	1,035,704	
TOT II. AUXILIARY SERVICES	1,050,372 (7.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	13,763,263	6,019,397
TOT III. EMPLOYEE BENEFITS	13,763,263	6,019,397
TOTAL FRANCIS MARION UNIVERSITY	103,648,457 (491.36)	37,990,994 (300.18)

SECTION 18
H210-LANDER UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PRESIDENT	279,442 (1.00)	279,442 (1.00)
CLASSIFIED POSITIONS	22,158,606 (226.60)	6,045,339 (92.75)
NEW POSITIONS -	50,000	50,000
ADMINISTRATIVE ASSISTANT	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	22,345,467 (262.31)	12,948,192 (79.95)
NEW POSITIONS -	110,000	110,000
DEVELOPMENT OFFICER	(1.00)	(1.00)
OTHER PERSONAL SERVICES	2,085,055	

OF SOUTH CAROLINA
General and Permanent Laws—2025
H210-LANDER UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	47,920,057	3,815,933
TOT I. EDUCATION & GENERAL	94,948,627	23,248,906
	(491.91)	(175.70)
 II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	794,415	
	(11.00)	
UNCLASSIFIED POSITIONS	70,500	
OTHER PERSONAL SERVICES	371,420	
OTHER OPERATING EXPENSES	17,459,964	
TOTAL II.	18,696,299	
AUXILIARY ENTERPRISES	(11.00)	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	11,015,766	3,538,304
TOT III. EMPLOYEE BENEFITS	11,015,766	3,538,304
 TOTAL LANDER UNIVERSITY	124,660,692	26,787,210
	(502.91)	(175.70)

SECTION 19
H240-SOUTH CAROLINA STATE UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. EDUCATION & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	257,990	257,990
	(1.00)	(1.00)
CLASSIFIED POSITIONS	12,361,214	8,651,653
	(11.51)	(10.16)
UNCLASSIFIED POSITIONS	20,299,297	14,946,989
	(299.47)	(203.12)
OTHER PERSONAL SERVICES	2,049,280	
OTHER OPERATING EXPENSES	17,417,103	4,577,493
TEACHER TRAINING & DEVPMT	51,506	
TRANSPORTATION CENTER	1,334,489	
TOTA. E&G-UNRESTRICTED	53,770,879	28,434,125
	(311.98)	(214.28)

STATUTES AT LARGE
General and Permanent Laws--2025
H240-SOUTH CAROLINA STATE UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	549,426	
	(0.07)	
UNCLASSIFIED POSITIONS	13,493,782	
	(0.20)	
OTHER PERSONAL SERVICES	4,676,603	
OTHER OPERATING EXPENSES	45,511,798	
EIA-TEACHER RECRUITMENT	467,000	
TOTAL B. E&G-RESTRICTED	64,698,609	
	(0.27)	
TOT I. EDUC & GENERAL	118,469,488	28,434,125
	(312.25)	(214.28)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	842,970	
	(62.73)	
OTHER PERSONAL SERVICES	1,094,336	
OTHER OPERATING EXPENSES	10,322,914	
TOTAL II.	12,260,220	
AUXILIARY ENTERPRISES	(62.73)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	25,484,940	5,724,476
TOT III. EMPLOYEE BENEFITS	25,484,940	5,724,476
TOTAL SOUTH CAROLINA	156,214,648	34,158,601
STATE UNIVERSITY	(374.98)	(214.28)

SECTION 20A
H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. UNIV OF SOUTH CAROLINA		
A. USC-NON-MED		
UNRESTRICTED E&G		
PRESIDENT	352,184	352,184
	(1.00)	(1.00)

OF SOUTH CAROLINA
General and Permanent Laws—2025
H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	137,060,870	40,944,569
	(2,371.47)	(1,550.57)
NEW POSITIONS -		
ACCOUNTANT/FIS ANALYST II	(25.00)	
NEW POSITIONS -		
ACCOUNTING/FIS MANAGER II	(25.00)	
NEW POSITIONS -		
ADMINISTRATIVE COORD I	(25.00)	
NEW POSITIONS -		
ADMINISTRATIVE MANAGER II	(25.00)	
UNCLASSIFIED POSITIONS	290,565,052	189,271,265
	(1,508.89)	(923.81)
NEW POSITIONS - PROFESSOR		
	(100.00)	
OTHER PERSONAL SERVICES	66,620,863	
OTHER OPERATING EXPENSES	237,339,231	12,702,000
ANNE FRANK CENTER	500,000	500,000
CENTER FOR CIVIL RIGHTS	500,000	500,000
HISTORY AND RESEARCH		
CENTER FOR OUTCOMES	1,000,000	1,000,000
RESEARCH AND EVALUATION		
INTERNSHIP PROGRAM	2,000,000	2,000,000
KENNEDY PHARMACY	400,000	400,000
INNOVATION CENTER		
LAW LIBRARY	1,170,076	1,170,076
PALMETTO POISON CENTER	701,763	701,763
SMALL BUSINESS DEVELOP CTR	791,734	791,734
TOTAL A. USC-NON-MED	739,001,773	250,333,591
UNRESTRICTED E&G	(4,081.36)	(2,475.38)
B. USC-NON-MED-RESTRICTED		
E&G		
CLASSIFIED POSITIONS	7,963,925	
	(44.09)	
UNCLASSIFIED POSITIONS	18,617,643	
	(205.82)	
OTHER PERSONAL SERVICES	48,153,772	

STATUTES AT LARGE
General and Permanent Laws--2025
H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	253,240,354	
TOTAL B. USC-NON-MED-RESTRICTED E&G	327,975,694 (249.91)	
C. USC-NON-MED AUXILIARY		
CLASSIFIED POSITIONS	23,433,515 (259.08)	
UNCLASSIFIED POSITIONS	55,637,961 (112.00)	
OTHER PERSONAL SERVICES	11,692,182	
OTHER OPERATING EXPENSES	124,389,879	
TOTAL C. USC-NON-MED AUXILIARY	215,153,537 (371.08)	
TOTAL I. UNIVERSITY OF SOUTH CAROLINA	1,282,131,004 (4,702.35)	250,333,591 (2,475.38)
II. USC-MEDICINE		
A. USC-MEDICINE UNRESTRICTED		
CLASSIFIED POSITIONS	7,997,059 (168.55)	2,069,712 (86.70)
UNCLASSIFIED POSITIONS	20,326,305 (187.13)	16,199,551 (127.30)
OTHER OPERATING EXPENSES	22,308,067	2,500,000
CHILD ABUSE AND NEGLECT	3,200,000	3,200,000
MEDICAL RESPONSE PROGRAM		
TOTAL A. USC-MEDICINE UNRESTRICTED	53,831,431 (355.68)	23,969,263 (214.00)
B. USC-MEDICINE RESTRICTED		
CLASSIFIED POSITIONS	4,456,700 (136.58)	
UNCLASSIFIED POSITIONS	10,179,419 (111.84)	
OTHER PERSONAL SERVICES	6,267,010	
OTHER OPERATING EXPENSES	26,316,490	
TOTAL B. USC-MEDICINE RESTRICTED	47,219,619 (248.42)	

OF SOUTH CAROLINA
General and Permanent Laws—2025
H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. USC-MEDICINE EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	14,756,787	3,866,178
TOTAL C. USC-MEDICINE EMPLOYEE BENEFITS	14,756,787	3,866,178
 TOTAL II. USC-MEDICINE	 115,807,837	 27,835,441
	(604.10)	(214.00)
 III. USC GREENVILLE SCHOOL OF MEDICINE		
A. UNRESTRICTED		
CLASSIFIED POSITIONS	2,675,000	
	(15.00)	
UNCLASSIFIED POSITIONS	3,700,000	
	(30.00)	
OTHER OPER EXPENSES	21,286,743	1,000,000
TOT A. UNRESTRICTED	27,661,743	1,000,000
	(45.00)	
 B. RESTRICTED		
CLASSIFIED POSITIONS	120,000	
	(5.00)	
UNCLASSIFIED POSITIONS		
	(1.00)	
OTHER PERSONAL SERVICES	60,000	
OTHER OPERATING EXPENSES	17,990,000	
TOTAL B. RESTRICTED	18,170,000	
	(6.00)	
 C. GREENVILLE-MEDICINE: EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,780,000	
TOTAL C. GREENVILLE-MED: EMPLOYEE BENEFITS	1,780,000	
 TOTAL III. USC GREENVILLE SCHOOL OF MEDICINE	 47,611,743	 1,000,000
	(51.00)	

STATUTES AT LARGE
General and Permanent Laws--2025
H270-UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	174,469,373	46,717,951
TOT IV. EMPLOYEE BENEFITS	174,469,373	46,717,951
 TOTAL UNIVERSITY OF SOUTH CAROLINA	 1,620,019,957 (5,357.45)	 325,886,983 (2,689.38)

SECTION 20B
H290-USC - AIKEN CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUCATION & GENERAL- UNRESTRICTED		
CLASSIFIED POSITIONS	9,773,694	4,768,694
	(184.80)	(49.06)
UNCLASSIFIED POSITIONS	23,302,180	17,027,180
	(166.42)	(106.82)
OTHER PERSONAL SERVICES	5,308,876	
OTHER OPERATING EXPENSES	7,460,073	2,031,334
TOTAL A. EDUCATION & GENERAL-UNRESTRICTED	45,844,823 (351.22)	23,827,208 (155.88)
 B. EDUC & GENERAL- RESTRICTED		
CLASSIFIED POSITIONS	64,471	
	(5.44)	
UNCLASSIFIED POSITIONS	1,487,302	900,000
	(6.85)	
OTHER PERSONAL SERVICES	575,217	
OTHER OPERATING EXPENSES	20,680,364	
TOTAL B. EDUC & GENERAL-RESTRICTED	22,807,354 (12.29)	900,000
 TOT I. EDUCATION & GENERAL	 68,652,177 (363.51)	 24,727,208 (155.88)

OF SOUTH CAROLINA
General and Permanent Laws—2025
H290-USC - AIKEN CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	524,713	
	(13.75)	
UNCLASSIFIED POSITIONS	20,000	
OTHER PERSONAL SERVICES	180,000	
OTHER OPERATING EXPENSES	3,002,789	
TOT II. AUXILIARY SERVICES	3,727,502	
	(13.75)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	9,530,335	3,225,444
TOT III. EMPLOYEE BENEFITS	9,530,335	3,225,444
TOTAL USC - AIKEN CAMPUS	81,910,014	27,952,652
	(377.26)	(155.88)

SECTION 20C
H340-USC - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL-UNRESTRICTED		
CLASSIFIED POSITIONS	15,592,547	5,981,310
	(252.72)	(53.81)
UNCLASSIFIED POSITIONS	32,367,499	23,067,499
	(249.21)	(131.01)
OTHER PERSONAL SERVICES	7,200,000	
OTHER OPERATING EXPENSES	20,746,940	5,080,713
TOTAL A. EDUC	75,906,986	34,129,522
& GENERAL-UNRESTRICTED	(501.93)	(184.82)
B. EDUC & GENERAL-RESTRICTED		
CLASSIFIED POSITIONS	67,000	
	(0.54)	
UNCLASSIFIED POSITIONS	64,858	
	(1.53)	
OTHER PERSONAL SERVICES	748,397	

STATUTES AT LARGE
General and Permanent Laws--2025
H340-USC - UPSTATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	29,500,838	
TOTAL B. EDUC	30,381,093	
& GENERAL-RESTRICTED	(2.07)	
 TOT I. EDU & GENERAL	 106,288,079	 34,129,522
	(504.00)	(184.82)
 II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	525,000	
	(12.00)	
OTHER PERSONAL SERVICES	354,480	
OTHER OPERATING EXPENSES	3,430,750	
TOT II. AUXILIARY SERVICES	4,310,230	
	(12.00)	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	15,189,622	4,331,429
TOT III. EMPLOYEE BENEFITS	15,189,622	4,331,429
 TOTAL USC - UPSTATE	 125,787,931	 38,460,951
	(516.00)	(184.82)

SECTION 20D
H360-USC - BEAUFORT CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. EDUCATION & GENERAL		
A. EDUC & GENERAL-		
UNRESTRICTED		
CLASSIFIED POSITIONS	6,543,187	2,410,058
	(128.49)	(28.74)
UNCLASSIFIED POSITIONS	16,654,541	10,887,512
	(108.60)	(22.75)
OTHER PERSONAL SERVICES	4,215,027	
OTHER OPERATING EXPENSES	5,778,547	2,414,362
TOTAL A. EDUC	33,191,302	15,711,932
& GENERAL-UNRESTRICTED	(237.09)	(51.49)

OF SOUTH CAROLINA
General and Permanent Laws—2025
H360-USC - BEAUFORT CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. EDUC & GENERAL- RESTRICTED		
CLASSIFIED POSITIONS	52,532	
	(2.00)	
UNCLASSIFIED POSITIONS	346,918	
	(1.75)	
OTHER PERSONAL SERVICES	227,292	
OTHER OPERATING EXPENSES	12,043,157	
TOTAL B. EDUC & GENERAL-RESTRICTED	12,669,899	
	(3.75)	
TOTAL I. EDUCATION & GENERAL	45,861,201	15,711,932
	(240.84)	(51.49)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS		
	(5.00)	
OTHER OPERATING EXPENSES	30,000	
TOT II. AUXILIARY SERVICES	30,000	
	(5.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,401,896	1,296,239
TOT III. EMPLOYEE BENEFITS	6,401,896	1,296,239
TOT USC - BEAUFORT CAMPUS	52,293,097	17,008,171
	(245.84)	(51.49)

SECTION 20E
H370-USC - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL- UNRESTRICTED		
CLASSIFIED POSITIONS	1,757,027	591,038
	(53.03)	(5.41)
UNCLASSIFIED POSITIONS	6,743,773	5,398,248
	(45.50)	(21.25)

STATUTES AT LARGE
General and Permanent Laws--2025
H370-USC - LANCASTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	2,411,481	500,000
OTHER OPERATING EXPENSES	7,153,792	3,470,012
TOTAL A. EDUC	18,066,073	9,959,298
& GENERAL-UNRESTRICTED	(98.53)	(26.66)
 B. EDUC & GEN-RESTRICTED		
CLASSIFIED POSITIONS	11,376	
UNCLASSIFIED POSITIONS	10,000	
OTHER PERSONAL SERVICES	250,000	
OTHER OPERATING EXPENSES	7,667,375	
TOTAL B. EDUC	7,938,751	
& GENERAL-RESTRICTED		
 TOTAL I. EDUCATION & GENERAL	26,004,824	9,959,298
	(98.53)	(26.66)
 II. AUXILIARY SERVICES		
OTHER OPERATING EXPENSES	15,000	
TOT II. AUXILIARY SERVICES	15,000	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,330,311	1,216,336
TOT III. EMPLOYEE BENEFITS	3,330,311	1,216,336
 TOTAL USC - LANCASTER CAMPUS	29,350,135	11,175,634
	(98.53)	(26.66)

SECTION 20F
H380-USC - SALKEHATCHIE CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL-UNRESTRICTED		
CLASSIFIED POSITIONS	2,303,874	1,340,458
	(34.75)	(3.00)
UNCLASSIFIED POSITIONS	2,135,125	1,803,549
	(24.02)	(21.24)

OF SOUTH CAROLINA
General and Permanent Laws—2025
H380-USC - SALKEHATCHIE CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	1,421,818	400,000
OTHER OPERATING EXPENSES	4,823,594	2,050,494
SALKEHATCHIE LDERSHIP CNTR	100,460	100,460
TOTAL A. EDUC	10,784,871	5,694,961
& GENERAL-UNRESTRICTED	(58.77)	(24.24)
 B. EDUC & GENERAL- RESTRICTED		
CLASSIFIED POSITIONS	20,779	
UNCLASSIFIED POSITIONS	175,265	
	(1.00)	
OTHER PERSONAL SERVICES	112,310	
OTHER OPERATING EXPENSES	5,436,801	
TOTAL B. EDUC	5,745,155	
& GENERAL-RESTRICTED	(1.00)	
 TOTAL I. EDUCATION & GENERAL	16,530,026	5,694,961
	(59.77)	(24.24)
 II. AUXILIARY		
CLASSIFIED POSITIONS	46,437	
OTHER PERSONAL SERVICES	15,000	
OTHER OPERATING EXPENSES	241,756	
TOTAL II. AUXILIARY	303,193	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,842,194	726,453
TOT III. EMPLOYEE BENEFITS	1,842,194	726,453
 TOTAL USC - SALKEHATCHIE CAMPUS	18,675,413	6,421,414
	(59.77)	(24.24)

SECTION 20G
H390-USC - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL-UNRESTRICTED		
CLASSIFIED POSITIONS	2,721,246	1,846,763
	(33.00)	(12.29)
UNCLASSIFIED POSITIONS	3,947,008	3,701,146
	(34.10)	(14.11)
OTHER PERSONAL SERVICES	917,816	500,000
OTHER OPERATING EXPENSES	7,655,031	3,490,133
TOTAL A. EDUC	15,241,101	9,538,042
& GENERAL-UNRESTRICTED	(67.10)	(26.40)
B. EDUC & GENERAL-RESTRICTED		
CLASSIFIED POSITIONS	32,845	
	(1.46)	
OTHER PERSONAL SERVICES	254,534	
OTHER OPERATING EXPENSES	5,692,440	
TOTAL B. EDUC	5,979,819	
& GENERAL-RESTRICTED	(1.46)	
TOTAL I. EDUCATION & GENERAL	21,220,920	9,538,042
	(68.56)	(26.40)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	67,342	
	(4.00)	
OTHER PERSONAL SERVICES	40,416	
OTHER OPERATING EXPENSES	412,089	
TOT II. AUXILIARY SERVICES	519,847	
	(4.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,525,280	1,101,902

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H390-USC - SUMTER CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT III. EMPLOYEE BENEFITS	2,525,280	1,101,902
TOT USC - SUMTER CAMPUS	24,266,047 (72.56)	10,639,944 (26.40)

SECTION 20H
H400-USC - UNION CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
A. EDUC & GENERAL-UNRESTRICTED		
CLASSIFIED POSITIONS	1,974,528 (26.76)	994,528 (6.54)
UNCLASSIFIED POSITIONS	2,337,657 (11.06)	2,187,657 (11.06)
OTHER PERSONAL SERVICES	2,100,000	800,000
OTHER OPERATING EXPENSES	2,651,120	1,812,955
TOTAL A. EDUC & GENERAL-UNRESTRICTED	9,063,305 (37.82)	5,795,140 (17.60)
B. EDUC & GEN-RESTRICTED		
CLASSIFIED POSITIONS	11,416	
UNCLASSIFIED POSITIONS	134,456	
OTHER PERSONAL SERVICES	40,220	
OTHER OPERATING EXPENSES	3,932,454	
TOTAL B. EDUC & GENERAL-RESTRICTED	4,118,546	
TOTAL I. EDUCATION & GENERAL	13,181,851 (37.82)	5,795,140 (17.60)
II. AUXILIARY SERVICES		
CLASSIFIED POSITIONS	25,000 (1.00)	
OTHER PERSONAL SERVICES	5,000	

STATUTES AT LARGE
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H400-USC - UNION CAMPUS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	200,000	
TOT II. AUXILIARY SERVICES	230,000 (1.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,069,814	1,097,212
TOT III. EMPLOYEE BENEFITS	2,069,814	1,097,212
TOTAL USC - UNION CAMPUS	15,481,665 (38.82)	6,892,352 (17.60)

SECTION 21
H470-WINTHROP UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATION & GENERAL		
PRESIDENT	257,990 (1.00)	257,990 (1.00)
CLASSIFIED POSITIONS	21,716,669 (353.67)	9,739,669 (215.73)
UNCLASSIFIED POSITIONS	40,647,841 (397.00)	19,888,341 (226.23)
OTHER PERSONAL SERVICES	8,584,219	744,219
OTHER OPERATING EXPENSES	85,489,942	3,604,942
ALLOC EIA-TCHR RECRUIT PROG	3,968,320	
TOTAL I. EDUCATION & GENERAL	160,664,981 (751.67)	34,235,161 (442.96)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	2,374,000 (60.11)	
UNCLASSIFIED POSITIONS	355,500 (3.00)	
OTHER PERSONAL SERVICES	760,500	
OTHER OPERATING EXPENSES	9,545,000	
TOTAL II. AUXILIARY ENTERPRISES	13,035,000 (63.11)	

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H470-WINTHROP UNIVERSITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	18,474,289	5,425,054
TOT III. EMPLOYEE BENEFITS	18,474,289	5,425,054
TOTAL WINTHROP UNIVERSITY	192,174,270 (814.78)	39,660,215 (442.96)

SECTION 23
H510-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. EDUCATIONAL & GENERAL		
A. E&G-UNRESTRICTED		
PRESIDENT	375,950 (1.00)	375,950 (1.00)
CLASSIFIED POSITIONS	79,801,278 (2,094.85)	23,193,647 (789.76)
NEW POSITIONS -		
ACCNT/FISCAL ANALYST I	(4.00)	
NEW POSITIONS -		
ACCNT/FISCAL ANALYST II	(1.00)	
NEW POSITIONS -		
ACCNTING/FISCAL MANAGER I	(4.00)	
NEW POSITIONS -		
ADMINISTRATIVE ASSISTANT	(5.00)	
NEW POSITIONS -		
ADMINISTRATIVE COORD I	(15.00)	
NEW POSITIONS -		
ADMINISTRATIVE COORD II	(15.00)	
NEW POSITIONS -		
GRANTS ADMINISTRATOR II	(4.00)	
NEW POSITIONS -		
NURSE ADMINISTRATOR/MGR III	(1.00)	
NEW POSITIONS -		
PROGRAM COORDINATOR I	(5.00)	
NEW POSITIONS -		
PROGRAM COORDINATOR II	(3.00)	

H510-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -		
PROGRAM MANAGER III	(3.00)	
NEW POSITIONS -		
RESEARCH SPECIALIST II	(1.00)	
UNCLASSIFIED POSITIONS	170,600,077	71,981,452
	(1,847.82)	(328.93)
NEW POSITIONS -		
ASSISTANT PROFESSOR	(127.00)	
NEW POSITIONS -		
ASSOCIATE PROFESSOR	(65.00)	
NEW POSITIONS -		
CLINICAL INSTRUCTOR	(2.00)	
NEW POSITIONS - PROFESSOR		
	(30.00)	
OTHER PERSONAL SERVICES	15,004,662	
OTHER OPER EXPENSES	386,710,403	41,358,753
DIABETES CENTER	123,470	123,470
HOSPITAL AUTHORITY -	14,225,000	6,225,000
TELEMEDICINE PROGRAM		
HYPERTENSION INITIATIVE	240,433	240,433
INSTITUTE OF MEDICINE	100,000	100,000
MUSC HEALTH SOLUTIONS	3,000,000	3,000,000
RURAL BEHAVIORAL HEALTH	1,500,000	1,500,000
PROFESSIONAL INCENTIVE		
RURAL DENTISTS INCENTIVE	176,101	176,101
SCHOLARSHIPS & FELLOWSHIPS	1,356,224	
TOT A. E&G-UNRESTRICTED	673,213,598	148,274,806
	(4,228.67)	(1,119.69)
 B. E&G-RESTRICTED		
CLASSIFIED POSITIONS	21,778,752	
	(151.59)	
UNCLASSIFIED POSITIONS	59,601,977	
	(364.16)	
OTHER PERSONAL SERVICES	25,626,950	
OTHER OPERATING EXPENSES	100,099,775	

H510-MEDICAL UNIVERSITY OF SOUTH CAROLINA

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SCHOLARSHIPS & FELLOWS	1,353,905	
TOT B. E&G-RESTRICTED	208,461,359 (515.75)	
TOTAL I. EDUCATIONAL & GENERAL	881,674,957 (4,744.42)	148,274,806 (1,119.69)
II. AUXILIARY ENTERPRISES		
CLASSIFIED POSITIONS	1,259,562 (64.75)	
UNCLASSIFIED POSITIONS	6,924 (1.00)	
OTHER PERSONAL SERVICES	112,294	
OTHER OPERATING EXPENSES	12,060,434	
TOTAL II. AUXILIARY ENTERPRISES	13,439,214 (65.75)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	85,969,278	28,016,014
TOT III. EMPLOYEE BENEFITS	85,969,278	28,016,014
TOT MEDICAL UNIVERSITY OF SOUTH CAROLINA	981,083,449 (4,810.17)	176,290,820 (1,119.69)

SECTION 24**H530-AREA HEALTH EDUCATION CONSORTIUM**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. CONSORTIUM		
A. CONSORTIUM-GENERAL		
CLASSIFIED POSITIONS	987,503 (8.67)	851,522 (8.39)
NEW POSITIONS -	121,024	121,024
PROGRAM COORDINATOR II	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	1,686,735 (5.87)	1,458,424 (5.35)
OTHER PERSONAL SERVICES	228,044	217,528
OTHER OPERATING EXPENSES	6,836,983	4,604,535

H530-AREA HEALTH EDUCATION CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
RURAL PHYSICIANS PROGRAM	868,847	868,847
TOTAL A. CONSORTIUM-GENERAL	10,729,136 (16.54)	8,121,880 (15.74)
B. CONSORTIUM-RESTRICTED		
CLASSIFIED POSITIONS	39,740 (0.40)	6,740
UNCLASSIFIED POSITIONS	134,631 (1.35)	44,831
OTHER OPERATING EXPENSES	694,100	
TOTAL B. CONSORTIUM-RESTRICTED	868,471 (1.75)	51,571
TOTAL I. CONSORTIUM	11,597,607 (18.29)	8,173,451 (15.74)
II. FAMILY PRACTICE		
CLASSIFIED POSITIONS	294,008 (2.77)	294,008 (2.77)
UNCLASSIFIED POSITIONS	1,748,835 (8.26)	1,748,835 (8.26)
OTHER PERSONAL SERVICES	445	445
OTHER OPERATING EXPENSES	2,193,756	1,992,085
TOTAL II. FAMILY PRACTICE	4,237,044 (11.03)	4,035,373 (11.03)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,357,474	2,329,674
TOT III. EMPLOYEE BENEFITS	2,357,474	2,329,674
TOTAL AREA HEALTH EDUCATION CONSORTIUM	18,192,125 (29.32)	14,538,498 (26.77)

SECTION 25
H590-STATE BOARD FOR TECHNICAL &
COMPREHENSIVE EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. PRESIDENT'S OFFICE		
EXECUTIVE DIRECTOR	299,879	299,879
	(1.00)	(1.00)
CLASSIFIED POSITIONS	935,225	935,225
	(11.00)	(11.00)
UNCLASSIFIED POSITIONS	345,218	345,218
OTHER PERSONAL SERVICES	10,000	10,000
OTHER OPERATING EXPENSES	118,250	118,250
TOT A. PRESIDENT'S OFFICE	1,708,572	1,708,572
	(12.00)	(12.00)
B. FINANCE AND HUMAN RESOURCES		
CLASSIFIED POSITIONS	3,953,134	3,953,134
	(33.00)	(33.00)
UNCLASSIFIED POSITIONS	358,407	358,407
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	30,000	30,000
OTHER OPERATING EXPENSES	1,062,500	587,500
TOTAL B. FINANCE AND HUMAN RESOURCES	5,404,041	4,929,041
	(35.00)	(35.00)
C. INFO TECHNOLOGY		
CLASSIFIED POSITIONS	1,188,971	1,138,971
	(16.00)	(15.00)
UNCLASSIFIED POSITIONS	183,739	183,739
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	16,640	16,640
OTHER OPERATING EXPENSES	1,771,500	335,500
TOTAL C. INFORMATION TECHNOLOGY	3,160,850	1,674,850
	(17.00)	(16.00)
TOTAL I. ADMINISTRATION	10,273,463	8,312,463
	(64.00)	(63.00)

STATUTES AT LARGE
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COMPREHENSIVE EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. INSTRUCTIONAL PROGRAMS		
A. TECHNICAL COLLEGES		
CLASSIFIED POSITIONS	185,115,775	77,465,992
	(2,684.62)	(1,714.67)
UNCLASSIFIED POSITIONS	218,101,033	78,401,305
	(1,940.60)	(1,390.63)
OTHER PERSONAL SERVICES	48,111,487	9,732,349
OTHER OPERATING EXPENSES	203,401,361	14,428,139
CRITICAL NEEDS	322,512	322,512
NURSING INITIATIVE		
FLORENCE DARLINGTON SIMT	906,817	906,817
FLORENCE DARLINGTON-OPER	302,271	302,271
LOWCOUNTRY TECH -	500,000	500,000
MIL WORKFORCE INITIATIVE		
MIDLANDS TECH NURSING PROG	370,943	370,943
OCTC TRUCK DRIVING	73,129	73,129
CERTIFICATE PROGRAM		
SPARTANBURG-CHEROKEE EXPAN	1,506,816	1,506,816
TRIDENT TECH-CULINARY ARTS	468,522	468,522
WTC PROMISE	300,000	300,000
SCHOLARSHIP PROGRAM		
TOTAL A. TECHNICAL	659,480,666	184,778,795
COLLEGES	(4,625.22)	(3,105.30)
B. SYSTEM WIDE PROGRAM INITIATIVES		
CLASSIFIED POSITIONS	656,138	611,138
	(18.00)	(16.00)
UNCLASSIFIED POSITIONS	154,799	154,799
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	91,691	
OTHER OPERATING EXPENSES	529,205	50,000
PATHWAYS TO PROSPERITY	604,545	604,545
WORKFORCE SCHOLARSHIPS	2,642,000	2,642,000
AND GRANTS		
TOTAL B. SYSTEM	4,678,378	4,062,482
WIDE PROGRAM INITIATIVES	(19.00)	(17.00)

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COMPREHENSIVE EDUCATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. EMPLOYEE BENEFITS		
FORMULA FUNDING		
EMPLOYER CONTRIBUTIONS	126,464,873	49,041,878
TOT C. EMPLOYEE BENEFITS	126,464,873	49,041,878
FORMULA FUNDING		
TOTAL II. INSTRUCTIONAL PROGRAMS	790,623,917 (4,644.22)	237,883,155 (3,122.30)
III. ECONOMIC DEVELOPMENT		
A. ADMINISTRATION		
CLASSIFIED POSITIONS	989,663 (66.00)	989,663 (41.00)
UNCLASSIFIED POSITIONS	(1.00)	(1.00)
OTHER OPERATING EXPENSES	180,000	180,000
E&G STEM PROGRAMS: CRITICAL NEEDS WORKFORCE DEV INIT	2,500,000	2,500,000
TOTAL A. ADMINISTRATION	3,669,663 (67.00)	3,669,663 (42.00)
B. SPECIAL SCHOOLS TRAINING		
CLASSIFIED POSITIONS	(29.50)	(29.50)
OTHER DIRECT TRAINING COSTS	7,239,253	7,239,253
TOTAL B. SPECIAL SCHOOLS TRAINING	7,239,253 (29.50)	7,239,253 (29.50)
TOTAL III. ECONOMIC DEVELOPMENT	10,908,916 (96.50)	10,908,916 (71.50)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,334,329	5,291,225
TOT IV. EMPLOYEE BENEFITS	5,334,329	5,291,225
TOT ST BOARD FOR TECHNICAL & COMPREHEN EDUCATION	817,140,625 (4,804.72)	262,395,759 (3,256.80)

SECTION 26
H790-DEPARTMENT OF ARCHIVES & HISTORY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION & PLANNING		
DIRECTOR	165,000	165,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	229,487	229,487
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	64,000	
OTHER OPERATING EXPENSES	1,034,775	885,865
TOTAL I. ADMINISTRATION & PLANNING	1,493,262	1,280,352
	(5.00)	(5.00)
II. ARCHIVES & RECORDS MANAGEMENT		
CLASSIFIED POSITIONS	1,237,420	1,214,420
	(24.00)	(24.00)
OTHER PERSONAL SERVICES	55,100	
OTHER OPERATING EXPENSES	223,800	100,000
TOTAL II. ARCHIVES & RECORDS MANAGEMENT	1,516,320	1,314,420
	(24.00)	(24.00)
III. HISTORICAL SERVICES		
CLASSIFIED POSITIONS	610,876	230,876
	(9.00)	(1.00)
OTHER PERSONAL SERVICES	47,975	10,900
OTHER OPERATING EXPENSES	146,420	
AFRICAN AMERICAN HERITAGE HISTORY COMMISSION	125,000	125,000
HISTORIC BUILDINGS PRESERVATION	1,500,000	1,500,000
STATE HISTORIC GRANT FUND	239,600	
ALLOC MUNICIPALITIES - RESTRICTED	5,000	
ALLOC OTHER ST AGENCIES	5,000	
ALLOC PRIVATE SECTOR	5,000	
TOTAL III. HISTORICAL SERVICES	2,684,871	1,866,776
	(9.00)	(1.00)
IV. REVOLUTIONARY WAR		

H790-DEPARTMENT OF ARCHIVES & HISTORY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SESTERCENTENNIAL COMMISS		
CLASSIFIED POSITIONS	144,000	144,000
	(3.00)	(3.00)
UNCLASSIFIED POSITIONS	44,500	44,500
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	6,711,500	6,711,500
TOT IV. REVOLU WAR	6,900,000	6,900,000
SESTERCENTENNIAL COMMISS	(4.00)	(4.00)
 V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,351,834	1,065,598
TOT V. EMPLOYEE BENEFITS	1,351,834	1,065,598
 TOTAL DEPARTMENT OF	13,946,287	12,427,146
ARCHIVES & HISTORY	(42.00)	(34.00)

SECTION 27
H870-STATE LIBRARY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	155,000	155,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,020,587	719,888
	(13.00)	(8.00)
OTHER PERSONAL SERVICES	2,302	2,302
OTHER OPERATING EXPENSES	903,248	864,248
TOTAL I. ADMINISTRATION	2,081,137	1,741,438
	(14.00)	(9.00)
 II. TALKING BOOK SERVICES		
CLASSIFIED POSITIONS	541,260	541,260
	(9.00)	(9.00)
OTHER OPERATING EXPENSES	261,397	131,000
TOTAL II. TALKING	802,657	672,260
BOOK SERVICES	(9.00)	(9.00)

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H870-STATE LIBRARY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. LIBRARY RESOURCES		
CLASSIFIED POSITIONS	1,318,844	1,064,893
	(22.00)	(16.00)
OTHER OPERATING EXPENSES	463,343	297,110
DISCUS PROGRAMS (H870)	2,770,452	2,770,452
TOT III. LIBRARY RESOURCES	4,552,639	4,132,455
	(22.00)	(16.00)
IV. STATEWIDE DEVELOPMENT		
CLASSIFIED POSITIONS	762,392	622,032
	(8.00)	(3.00)
OTHER OPERATING EXPENSES	580,793	76,866
ALLOC COUNTY LIBRARIES	100,000	
ALLOC OTHER STATE AGENCIES	50,000	
ALLOC PRIVATE SECTOR	50,000	
AID COUNTY LIBRARIES	15,893,295	15,893,295
TOTAL IV.	17,436,480	16,592,193
STATEWIDE DEVELOPMENT	(8.00)	(3.00)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,569,193	1,367,614
TOT V. EMPLOYEE BENEFITS	1,569,193	1,367,614
TOTAL STATE LIBRARY	26,442,106	24,505,960
	(53.00)	(37.00)

SECTION 28
H910-ARTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	135,000	74,109
	(1.00)	(0.50)
TOTAL I. ADMINISTRATION	135,000	74,109
	(1.00)	(0.50)

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H910-ARTS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. STATEWIDE ARTS SERVICES		
CLASSIFIED POSITIONS	1,494,246	1,211,243
	(38.50)	(28.50)
OTHER OPERATING EXPENSES	357,902	240,400
DISTRIB TO SUBDIVISIONS	8,619,753	8,558,318
TOTAL II. STATEWIDE	10,471,901	10,009,961
ARTS SERVICES	(38.50)	(28.50)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	626,765	466,548
TOT III. EMPLOYEE BENEFITS	626,765	466,548
TOTAL ARTS COMMISSION	11,233,666	10,550,618
	(39.50)	(29.00)

SECTION 29
H950-STATE MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	164,534	164,534
	(1.00)	(1.00)
CLASSIFIED POSITIONS	331,810	331,114
	(6.00)	(6.00)
NEW POSITIONS -	46,578	46,578
ADMINISTRATIVE ASSISTANT	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	145	145
OTHER PERSONAL SERVICES	22,715	
OTHER OPERATING EXPENSES	3,530,037	2,649,193
TOTAL I. ADMINISTRATION	4,095,819	3,191,564
	(8.00)	(8.00)
II. PROGRAMS		
CLASSIFIED POSITIONS	2,799,133	2,585,225
	(50.00)	(48.00)
NEW POSITIONS - CURATOR I	139,734	139,734
	(3.00)	(3.00)

STATUTES AT LARGE
General and Permanent Laws--2025
H950-STATE MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -	139,734	139,734
PROGRAM ASSISTANT	(3.00)	(3.00)
NEW POSITIONS -	55,000	55,000
PROGRAM COORDINATOR I	(1.00)	(1.00)
OTHER PERSONAL SERVICES	541,008	100,113
OTHER OPERATING EXPENSES	2,214,443	1,805,243
TOTAL II. PROGRAMS	5,889,052	4,825,049
	(57.00)	(55.00)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,628,385	2,435,043
TOT III. EMPLOYEE BENEFITS	2,628,385	2,435,043
 TOTAL STATE MUSEUM	12,613,256	10,451,656
COMMISSION	(65.00)	(63.00)

SECTION 30
H960-CONFEDERATE RELIC ROOM AND
MILITARY MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. CONFEDERATE RELIC ROOM		
& MILITARY MUSEUM		
EXECUTIVE DIRECTOR	100,560	100,560
	(1.00)	(1.00)
CLASSIFIED POSITIONS	466,230	466,230
	(7.00)	(7.00)
OTHER PERSONAL SERVICES	25,000	25,000
OTHER OPERATING EXPENSES	902,665	483,413
SOUTHERN MARITIME COLLECT	25,000	25,000
TOT I. CONFEDERATE RELIC	1,519,455	1,100,203
ROOM & MILITARY MUSEUM	(8.00)	(8.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	243,739	243,739
TOT II. EMPLOYEE BENEFITS	243,739	243,739

OF SOUTH CAROLINA
General and Permanent Laws—2025
H960-CONFEDERATE RELIC ROOM AND
MILITARY MUSEUM COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT CONFEDERATE RELIC	1,763,194	1,343,942
ROOM AND MILITARY MUSEUM	(8.00)	(8.00)
COMMISSION		

SECTION 31
J060-DEPARTMENT OF PUBLIC HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONERS	258,960	258,960
	(1.00)	(1.00)
CLASSIFIED POSITIONS	15,871,702	7,309,040
	(284.05)	(161.29)
OTHER PERSONAL SERVICES	1,072,567	167,318
OTHER OPERATING EXPENSES	25,697,842	7,013,351
AGENCY LEASE PAYMENTS	7,966,026	7,966,026
TOTAL I. ADMINISTRATION	50,867,097	22,714,695
	(285.05)	(162.29)

II. PROGRAMS AND SERVICES**A. FAMILY HEALTH****1. INFECTIOUS DISEASE
PREVENTION**

CLASSIFIED POSITIONS	21,899,557	9,383,075
	(407.90)	(199.38)
NEW POSITIONS -	199,464	199,464
CASE WORKER III	(3.00)	(3.00)
NEW POSITIONS -	132,976	132,976
PROGRAM COORDINATOR II	(2.00)	(2.00)
NEW POSITIONS -	400,525	400,525
REGISTERED NURSE II	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	725,882	601,532
	(4.16)	(3.10)
OTHER PERSONAL SERVICES	3,309,552	540,618
OTHER OPERATING EXPENSES	26,056,745	6,720,133
PALMETTO AIDS LIFE SUPPORT	50,000	50,000
SCBIO	300,000	300,000

STATUTES AT LARGE
General and Permanent Laws--2025
J060-DEPARTMENT OF PUBLIC HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	12,263,518	4,535,985
ALLOC OTHER ST AGENCIES	4,895,001	168,589
ALLOC OTHER ENTITIES	19,394,415	
AID TO OTHER ENTITIES	743,456	743,456
TOTAL 1. INFECTIOUS	90,371,091	23,776,353
DISEASE PREVENTION	(422.06)	(212.48)
2. MATERNAL/INFANT		
HEALTH		
CLASSIFIED POSITIONS	31,889,868	4,794,456
	(756.02)	(110.83)
UNCLASSIFIED POSITIONS	6,169	
OTHER PERSONAL SERVICES	2,867,789	99,177
OTHER OPERATING EXPENSES	15,227,937	4,469,168
NEWBORN HEARING SCREENINGS	426,511	426,511
SICKLE CELL PROF EDUCATION	100,000	100,000
CASE SERVICES	54,806,469	2,402,046
ALLOC OTHER ST AGENCIES	535,576	
ALLOC OTHER ENTITIES	2,968,809	146,875
AID OTHER STATE AGENCIES	1,395	1,395
AID TO OTHER ENTITIES	456,328	456,328
TOTAL 2.	109,286,851	12,895,956
MATERNAL/INFANT HEALTH	(756.02)	(110.83)
3. CHRONIC DISEASE		
PREVENTION		
CLASSIFIED POSITIONS	4,435,081	678,570
	(52.58)	(10.70)
OTHER PERSONAL SERVICES	3,325,523	56,755
OTHER OPERATING EXPENSES	5,863,895	636,837
SMOKING PREVENTION TRUST	6,124,341	
CASE SERVICES	2,902,189	1,310,979
ALLOC OTHER ST AGENCIES	155,661	
ALLOC OTHER ENTITIES	3,063,653	
AID OTHER ST AGENCIES	1,199,325	1,199,325
AID TO OTHER ENTITIES	134,220	134,220
TOTAL 3. CHRONIC	27,203,888	4,016,686
DISEASE PREVENTION	(52.58)	(10.70)

OF SOUTH CAROLINA
General and Permanent Laws—2025
J060-DEPARTMENT OF PUBLIC HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
4. ACCESS TO CARE		
CLASSIFIED POSITIONS	35,003,175	20,748,678
	(403.88)	(270.97)
UNCLASSIFIED POSITIONS	1,252,205	863,097
	(7.84)	(6.06)
OTHER PERSONAL SERVICES	4,942,626	729,748
OTHER OPERATING EXPENSES	46,230,864	13,613,281
CASE SERVICES	438,686	32,370
ALLOC OTHER ST AGENCIES	607,044	
ALLOC OTHER ENTITIES	3,406,840	
AID OTHER STATE AGENCIES	5,000	5,000
TOTAL 4. ACCESS TO CARE	91,886,440	35,992,174
	(411.72)	(277.03)
5. RAPE VIOLENCE PREVENTION		
CLASSIFIED POSITIONS	91,224	
	(0.99)	
OTHER PERSONAL SERVICES	35,094	
OTHER OPERATING EXPENSES	31,843	
CASE SERVICES	8,720	8,720
ALLOC OTHER ENTITIES	1,375,561	
AID TO OTHER ENTITIES	1,547,969	1,547,969
TOTAL 5. RAPE VIOLENCE PREVENTION	3,090,411	1,556,689
	(0.99)	
TOTAL A. FAMILY HEALTH	321,838,681	78,237,858
	(1,643.37)	(611.04)
B. HEALTH CARE STANDARDS		
1. FACILITY LICENSING		
CLASSIFIED POSITIONS	10,384,367	4,527,023
	(154.05)	(74.41)
NEW POSITIONS -	1,000,000	1,000,000
PROGRAM COORDINATOR I	(14.00)	(14.00)
UNCLASSIFIED POSITIONS	182,958	126,400
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	355,502	62,000

STATUTES AT LARGE
General and Permanent Laws--2025
J060-DEPARTMENT OF PUBLIC HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	7,918,138	2,085,726
TOT 1. FACILITY LICENSING	19,840,965	7,801,149
	(169.05)	(89.41)
 2. EMERGENCY MEDICAL SERVICES		
CLASSIFIED POSITIONS	900,221	674,000
	(17.60)	(14.40)
OTHER PERSONAL SERVICES	36,250	34,000
OTHER OPERATING EXPENSES	1,929,836	695,546
TRAUMA CENTER FUND	2,279,989	2,279,989
ALLOC CNTIES - RESTRICTED	40,700	
ALLOC ENTITIES - AID TO EMS REGIONAL	628,478	
AID TO COUNTIES - RESTRICTED	536,382	536,382
AID EMS - REGIONAL COUNCILS	164,579	164,579
AID TO OTHER ENTITIES	147,500	147,500
TOTAL 2. EMERGENCY MEDICAL SERVICES	6,663,935	4,531,996
	(17.60)	(14.40)
 3. DRUG CONTROL		
CLASSIFIED POSITIONS	2,850,000	450,000
	(31.00)	(4.00)
OTHER PERSONAL SERVICES	35,000	5,000
OTHER OPERATING EXPENSES	1,691,202	548,202
TOTAL 3. DRUG CONTROL	4,576,202	1,003,202
	(31.00)	(4.00)
 TOTAL B. HEALTH CARE STANDARDS	31,081,102	13,336,347
	(217.65)	(107.81)
 C. HLTH SURVEILLANCE SUPPORT		
1. HEALTH LABORATORY		
CLASSIFIED POSITIONS	5,253,045	1,132,023
	(83.00)	(16.00)
OTHER PERSONAL SERVICES	1,152,560	46,116
OTHER OPERATING EXPENSES	19,325,541	737,959

OF SOUTH CAROLINA
General and Permanent Laws—2025
J060-DEPARTMENT OF PUBLIC HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PERMANENT IMPROVEMENTS	10,000	
TOT 1. HLTH LABORATORY	25,741,146	1,916,098
	(83.00)	(16.00)
 2. VITAL RECORDS		
CLASSIFIED POSITIONS	3,969,050	17,980
	(112.24)	(1.00)
OTHER PERSONAL SERVICES	114,387	8,178
OTHER OPERATING EXPENSES	2,340,824	126,718
TOTAL 2. VITAL RECORDS	6,424,261	152,876
	(112.24)	(1.00)
 TOTAL C. HLTH	32,165,407	2,068,974
SURVEILLANCE SUPPORT	(195.24)	(17.00)
 TOTAL II. PROGRAMS	385,085,190	93,643,179
AND SERVICES	(2,056.26)	(735.85)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	70,006,602	20,874,664
TOT III. EMPLOYEE BENEFITS	70,006,602	20,874,664
 TOTAL DEPARTMENT OF	505,958,889	137,232,538
PUBLIC HEALTH	(2,341.31)	(898.14)

SECTION 32
H730-DEPARTMENT OF
VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONERS	217,000	217,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	4,427,768	1,179,392
	(69.00)	(15.80)
UNCLASSIFIED POSITIONS	131,564	45,197
	(1.00)	(0.24)
OTHER PERSONAL SERVICES	604,275	15,000

STATUTES AT LARGE
General and Permanent Laws--2025
H730-DEPARTMENT OF
VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	2,496,250	125,000
TOTAL I. ADMINISTRATION	7,876,857 (71.00)	1,581,589 (17.04)
 II. VOCATIONAL REHAB PROG		
A. BASIC SERVICE PROGRAM		
CLASSIFIED POSITIONS	36,863,903 (827.57)	9,751,668 (182.54)
OTHER PERSONAL SERVICES	6,035,000	85,000
OTHER OPERATING EXPENSES	22,884,150	390,846
PERMANENT IMPROVEMENTS	781,491	
CASE SERVICES	20,143,948	2,388,348
TOTAL A. BASIC	86,708,492	12,615,862
SERVICE PROGRAM	(827.57)	(182.54)
 B. SPECIAL PROJECTS		
CLASSIFIED POSITIONS	285,615 (16.50)	
OTHER PERSONAL SERVICES	423,000	
OTHER OPERATING EXPENSES	598,672	66,557
CASE SERVICES	261,889	
TOTAL B. SPECIAL PROJECTS	1,569,176 (16.50)	66,557
 TOTAL II. VOCATIONAL	88,277,668	12,682,419
REHAB PROGRAMS	(844.07)	(182.54)
III. DISABILITY		
DETERMINATION DIV		
CLASSIFIED POSITIONS	22,959,471 (440.51)	
UNCLASSIFIED POSITIONS	1,504,991 (16.00)	
OTHER PERSONAL SERVICES	3,336,000	
OTHER OPERATING EXPENSES	2,314,284	
CASE SERVICES	16,701,023	
TOTAL III. DISABILITY	46,815,769	
DETERMINATION DIV	(456.51)	

OF SOUTH CAROLINA
General and Permanent Laws—2025
H730-DEPARTMENT OF
VOCATIONAL REHABILITATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	26,372,252	5,893,080
TOT IV. EMPLOYEE BENEFITS	26,372,252	5,893,080
 TOTAL DEPARTMENT OF	 169,342,546	 20,157,088
VOCATIONAL		
REHABILITATION	(1,371.58)	(199.58)

SECTION 33
J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	286,000	111,194
	(1.00)	(0.40)
CLASSIFIED POSITIONS	36,668,411	18,782,026
	(121.01)	(52.91)
UNCLASSIFIED POSITIONS	742,302	360,149
	(5.00)	(1.84)
OTHER PERSONAL SERVICES	695,000	300,000
OTHER OPERATING EXPENSES	38,305,319	16,604,578
TOTAL I. ADMINISTRATION	76,697,032	36,157,947
	(127.01)	(55.15)
 II. PROGRAM AND SERVICES		
A. HEALTH SERVICES		
1. MEDICAL ADMINISTRATION		
CLASSIFIED POSITIONS	21,368,912	7,264,423
	(534.13)	(188.99)
OTHER PERSONAL SERVICES	3,530,643	1,050,000
OTHER OPERATING EXPENSES	3,328,557	1,056,417
TOTAL 1.	28,228,112	9,370,840
MEDICAL ADMINISTRATION	(534.13)	(188.99)
 2. MEDICAL CONTRACTS		
PROVIDER SUPPORT	526,273	526,273
TELEMEDICINE	7,000,000	7,000,000

J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLTC CONTRACTS	8,449,057	2,313,179
ELIGIBILITY CONTRACTS	63,772,516	26,678,283
MMIS-MEDICAL MGMT INFO	50,106,731	26,788,130
NURSING HOME CONTRACTS	8,960,468	2,133,893
PREGNANCY CRISIS CENTERS	2,400,000	2,400,000
PROVIDER SUPPORT	134,573,984	67,697,254
RURAL HEALTH INITIATIVE	8,075,000	8,075,000
TOT 2. MED CONTRACTS	283,864,029	143,612,012
 3. MEDICAL ASSISTANCE		
PAYMENTS		
BEHAVIORAL HLTH SVCES	118,652,985	28,797,903
CHILDREN'S COMMUN CARE	31,392,567	9,490,295
CLINICAL SERVICES	70,883,308	19,820,168
CLTC-COMMUNITY LONG		
TERM CARE	534,516,477	162,572,537
COORDINATED CARE	5,983,295,538	675,028,183
DENTAL SERVICES	182,617,339	53,392,258
DURABLE MED EQUIPMENT	43,888,227	13,255,354
EPSDT SERVICES	3,712,088	1,092,194
HOME HEALTH SERVICES	20,788,085	6,301,341
HOSPICE	21,665,333	6,552,121
HOSPITAL SERVICES	368,465,705	46,750,109
LAB & X-RAY SERVICES	17,876,247	5,392,692
MEDICAL PROF SERVICES	47,827,887	14,466,607
MMA PHASED DOWN CONTRIB	178,684,658	177,184,658
NURSING HOME SERVICES	863,322,037	255,632,552
OPTIONAL ST SUPPLEMENT	20,809,476	20,809,476
OSCAP	5,691,188	5,691,188
PACE	25,352,984	7,686,091
PHARMACEUTICAL SRVCES	251,345,740	32,189,273
PHYSICIAN SERVICES	106,880,221	30,796,008
PREMIUMS 100% STATE	43,825,997	33,934,113
PREMIUMS MATCHED	419,793,412	115,512,395

J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TRANSPORTATION SERVICES	130,877,209	39,655,207
TOTAL 3. MEDICAL ASSISTANCE PAYMENTS	9,492,164,708	1,762,002,723
 4. ASST PAYMENTS-STATE AGENCIES		
DEPT OF EDUCATION	37,429,434	
DEPT OF PUBLIC HEALTH	1,214,632	140,698
DISABIL & SPECIAL NEEDS	1,206,936,981	242,551,247
MENTAL HEALTH	42,695,308	
MUSC	23,599,699	225,086
USC	5,588	
TOTAL 4. ASST PAYMENTS-STATE AGENCIES	1,311,881,642	242,917,031
 5. OTHER ENTITIES ASSIST PAYMENTS		
DISPROPORTIONATE SHARE	593,600,000	18,628,621
OTHER ENTITIES FUNDING	7,391,325	
TOTAL 5. OTHER ENTITIES ASSIST PAYMENTS	600,991,325	18,628,621
 6. MEDICAID ELIGIBILITY		
CLASSIFIED POSITIONS	18,672,910	6,928,143
	(1,085.89)	(311.04)
OTHER PERSONAL SERVICES	8,582,383	2,215,457
OTHER OPERATING EXPENSES	15,099,207	6,080,118
TOT 6. MEDICAID ELIGIBILITY	42,354,500	15,223,718
	(1,085.89)	(311.04)
 7. BABYNET		
CLASSIFIED POSITIONS	2,753,477	803,477
	(63.00)	(1.00)
OTHER PERSONAL SERVICES	800,000	

J020-DEPARTMENT OF HEALTH & HUMAN SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	6,839,378	3,280,367
CASE SERVICES	54,450,459	26,597,208
TOTAL 7. BABYNET	64,843,314	30,681,052
	(63.00)	(1.00)
 TOTAL A. HLTH SERVICES	 11,824,327,630	 2,222,435,997
	(1,683.02)	(501.03)
 TOTAL II. PROGRAM AND SERVICES	 11,824,327,630	 2,222,435,997
	(1,683.02)	(501.03)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	36,747,742	12,508,244
TOT III. EMPLOYEE BENEFITS	36,747,742	12,508,244
 TOTAL DEPARTMENT OF HLTH & HUMAN SERVICES	 11,937,772,404	 2,271,102,188
	(1,810.03)	(556.18)

SECTION 35
J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. GENERAL ADMINISTRATION		
COMMISSIONERS	283,498	283,498
	(1.00)	(1.00)
CLASSIFIED POSITIONS	8,344,206	7,191,011
	(134.00)	(123.00)
UNCLASSIFIED POSITIONS	585,012	478,358
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	1,145,298	765,191
OTHER OPERATING EXPENSES	7,890,081	3,085,169
AGENCY LEASE PAYMENTS	2,050,215	2,050,215
CASE SERVICES	2,855,041	1,855,041
TOTAL I. GENERAL ADMINISTRATION	23,153,351	15,708,483
	(139.00)	(128.00)

OF SOUTH CAROLINA
General and Permanent Laws—2025
J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROGRAMS AND SERVICES		
A. COMMUNITY MENTAL HLTH		
1. MENTAL HEALTH CENTERS		
CLASSIFIED POSITIONS	103,536,575	59,388,814
	(2,264.84)	(1,162.57)
UNCLASSIFIED POSITIONS	11,747,684	8,050,927
	(105.32)	(64.74)
OTHER PERSONAL SERVICES	5,183,283	2,423,446
OTHER OPERATING EXPENSES	26,857,721	2,558,008
CASE SERVICES	15,704,632	8,586,128
TOTAL 1. MENTAL	163,029,895	81,007,323
HEALTH CENTERS	(2,370.16)	(1,227.31)
2. PROJECTS & GRANTS		
CLASSIFIED POSITIONS	1,542,965	1,003,063
	(26.00)	(17.00)
UNCLASSIFIED POSITIONS	1,023,430	848,892
	(17.34)	(8.20)
OTHER PERSONAL SERVICES	408,430	116,430
OTHER OPERATING EXPENSES	12,528,039	2,006,790
ALLIA FOR THE MENTALLY ILL	50,000	
ALTERNATIVE TRANSPORT	2,000,000	2,000,000
PROGRAM		
SC SHARE	250,000	
CASE SERVICES	2,184,961	599,961
ALLOC PRIVATE SECTOR	360,000	
TOT 2. PROJECTS & GRANTS	20,347,825	6,575,136
	(43.34)	(25.20)
TOTAL A. COMMUNITY	183,377,720	87,582,459
MENTAL HEALTH	(2,413.50)	(1,252.51)
B. INPATIENT MENTAL HEALTH		
1. BRYAN PSYCHIATRIC		
HOSPITAL		
A. BRYAN CIVIL		
CLASSIFIED POSITIONS	18,147,568	14,046,552
	(347.84)	(225.95)
UNCLASSIFIED POSITIONS	1,283,524	830,814

J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
	(14.71)	(5.08)
OTHER PERSONAL SERVICES	3,203,471	940,100
OTHER OPERATING EXPENSES	10,057,510	28,122
CASE SERVICES	421,202	156,655
TOTAL A. BRYAN CIVIL	33,113,275	16,002,243
	(362.55)	(231.03)
 B. BRYAN FORENSICS		
CLASSIFIED POSITIONS	7,759,336	7,544,776
	(150.38)	(122.38)
UNCLASSIFIED POSITIONS	2,787,152	1,650,087
	(13.64)	(8.13)
OTHER PERSONAL SERVICES	497,291	378,500
OTHER OPERATING EXPENSES	6,878,103	1,158,991
CASE SERVICES	31,140,617	23,271,885
TOTAL B. BRYAN FORENSICS	49,062,499	34,004,239
	(164.02)	(130.51)
 C. BRYAN CHILD & ADOLESCENT (HALL INSTIT)		
CLASSIFIED POSITIONS	7,540,098	5,271,315
	(191.88)	(115.61)
UNCLASSIFIED POSITIONS	1,116,070	163,000
	(13.93)	(5.93)
OTHER PERSONAL SERVICES	1,438,301	446,977
OTHER OPERATING EXPENSES	2,170,453	10,718
CASE SERVICES	75,534	12,000
TOTAL C. BRYAN CHILD & ADOLESCENT (HALL INSTIT)	12,340,456	5,904,010
	(205.81)	(121.54)
 TOTAL 1. BRYAN PSYCHIATRIC HOSPITAL	94,516,230	55,910,492
	(732.38)	(483.08)
 2. HARRIS PSYCHIATRIC HOSPITAL		
CLASSIFIED POSITIONS	16,973,618	13,510,738
	(305.55)	(175.55)
UNCLASSIFIED POSITIONS	2,240,720	822,318
	(13.49)	(6.60)

J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	1,618,339	430,000
OTHER OPERATING EXPENSES	9,575,202	1,105,682
CASE SERVICES	494,850	178,500
TOTAL 2. HARRIS	30,902,729	16,047,238
PSYCHIATRIC HOSPITAL	(319.04)	(182.15)
 3. MEDICAL CLINICS		
CLASSIFIED POSITIONS	1,575,905	1,383,422
	(29.20)	(24.20)
UNCLASSIFIED POSITIONS	457,373	360,348
	(5.00)	(3.00)
OTHER PERSONAL SERVICES	168,863	13,898
OTHER OPERATING EXPENSES	1,155,689	378,255
CASE SERVICES	25,000	6,000
TOTAL 3. MEDICAL CLINICS	3,382,830	2,141,923
	(34.20)	(27.20)
 TOTAL B. INPATIENT	128,801,789	74,099,653
MENTAL HEALTH	(1,085.62)	(692.43)
 C. ADDICTIONS		
CLASSIFIED POSITIONS	7,703,308	7,608,574
	(153.39)	(141.88)
UNCLASSIFIED POSITIONS	682,368	356,938
	(7.48)	(6.48)
OTHER PERSONAL SERVICES	1,478,007	899,007
OTHER OPERATING EXPENSES	3,350,132	806,289
CASE SERVICES	190,250	35,000
TOTAL C. ADDICTIONS	13,404,065	9,705,808
	(160.87)	(148.36)
 D. CLINICAL & SUPPORT SRVCS		
1. ADMINISTRATIVE SERVICES		
CLASSIFIED POSITIONS	15,535,745	14,517,622
	(276.26)	(267.51)
UNCLASSIFIED POSITIONS	283,964	247,222
	(3.50)	(3.50)
OTHER PERSONAL SERVICES	598,252	546,252
OTHER OPERATING EXPENSES	18,105,640	8,261,541

STATUTES AT LARGE
General and Permanent Laws--2025
J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	125,000	
TOTAL 1.	34,648,601	23,572,637
ADMINISTRATIVE SERVICES	(279.76)	(271.01)
 2. PUBLIC SAFETY DIVISION		
CLASSIFIED POSITIONS	2,167,798	1,728,151
	(49.00)	(39.00)
OTHER PERSONAL SERVICES	131,465	50,000
OTHER OPERATING EXPENSES	1,869,486	746,305
TOTAL 2. PUBLIC	4,168,749	2,524,456
SAFETY DIVISION	(49.00)	(39.00)
 3. NUTRITIONAL		
CLASSIFIED POSITIONS	2,428,825	2,178,825
	(61.97)	(61.97)
OTHER PERSONAL SERVICES	328,361	78,361
OTHER OPERATING EXPENSES	3,186,600	1,447,024
TOTAL 3. NUTRITIONAL	5,943,786	3,704,210
	(61.97)	(61.97)
 4. TRAINING & RESEARCH		
CLASSIFIED POSITIONS	1,619,563	1,419,563
	(25.13)	(25.13)
UNCLASSIFIED POSITIONS	(0.34)	(0.34)
OTHER PERSONAL SERVICES	172,000	122,000
OTHER OPERATING EXPENSES	1,501,502	1,001,502
TOTAL 4. TRAINING &	3,293,065	2,543,065
RESEARCH	(25.47)	(25.47)
 TOTAL D. CLINICAL	48,054,201	32,344,368
& SUPPORT SERVICES	(416.20)	(397.45)
 E. LONG TERM CARE		
1. RODDEY PAVILION		
(TUCKER CENTER)		
CLASSIFIED POSITIONS	9,441,139	8,499,067
	(352.60)	(229.52)
UNCLASSIFIED POSITIONS	1,276,679	501,679

J120-DEPARTMENT OF MENTAL HEALTH

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
	(11.38)	(8.38)
OTHER PERSONAL SERVICES	2,760,483	272,359
OTHER OPERATING EXPENSES	8,439,906	30,328
CASE SERVICES	322,653	11,000
TOTAL 1. RODDEY	22,240,860	9,314,433
PAVILION (TUCKER CENTER)	(363.98)	(237.90)
 TOT E. LONG TERM CARE	 22,240,860	 9,314,433
	(363.98)	(237.90)
 F. SEXUAL PREDATOR TREATMENT PGM		
CLASSIFIED POSITIONS	1,765,771	1,665,771
	(26.74)	(26.74)
UNCLASSIFIED POSITIONS	146,000	146,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	80,000	30,000
OTHER OPERATING EXPENSES	1,200,215	600,215
LEASE PAYMENT TO SFAA	2,763,472	2,763,472
CASE SERVICES	19,110,085	18,310,085
TOTAL F. SEXUAL	25,065,543	23,515,543
PREDATOR TREATMENT PGM	(27.74)	(27.74)
 G. WILLIAM R BYARS JR TREATMENT CENTER		
CASE SERVICES	250,000	250,000
TOTAL G. WILLIAM R	250,000	250,000
BYARS JR TREATMENT CNTR		
 TOTAL II. PROGRAMS AND SERVICES	 421,194,178	 236,812,264
	(4,467.91)	(2,756.39)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	114,014,290	74,746,610
TOT III. EMPLOYEE BENEFITS	114,014,290	74,746,610
 TOTAL DEPARTMENT OF MENTAL HEALTH	 558,361,819	 327,267,357
	(4,606.91)	(2,884.39)

SECTION 36
J160-DEPARTMENT OF
DISABILITIES & SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONERS	210,000	210,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	7,594,217	7,346,080
	(106.00)	(101.00)
OTHER PERSONAL SERVICES	362,637	200,000
OTHER OPERATING EXPENSES	7,629,871	798,000
AGENCY LEASE PAYMENTS	1,672,603	1,672,603
TOTAL I. ADMINISTRATION	17,469,328	10,226,683
	(107.00)	(102.00)
II. PROGRAM & SERVICES		
A. PREVENTION PROGRAM		
OTHER OPERATING EXPENSES	60,000	50,000
GREENWOOD GENETIC CENTER	16,185,571	5,934,300
TOTAL A. PREVENTION PROG	16,245,571	5,984,300
B. INTELLECTUAL DISABILITY		
FAMILY SUPPORT		
1. CHILDREN'S SERVICES		
CLASSIFIED POSITIONS	130,944	130,944
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	17,473,772	5,345,606
TOT 1. CHILDREN'S SERVICES	17,604,716	5,476,550
	(2.00)	(2.00)
2. IN-HOME FAMILY SUPPORTS		
CLASSIFIED POSITIONS	904,133	625,223
	(20.00)	(14.00)
OTHER PERSONAL SERVICES	70,000	70,000
OTHER OPERATING EXPENSES	38,768,399	1,910,025
CASE SERVICES	300,000	
TOTAL 2. IN-HOME	40,042,532	2,605,248
FAMILY SUPPORTS	(20.00)	(14.00)

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DISABILITIES & SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. ADULT DEVELOP & SUPPORT EMPLOYMENT		
OTHER OPERATING EXPENSES	30,149,187	1,244,344
CASE SERVICES	260,000	260,000
TOTAL 3. ADULT DEVELOP & SUPPORT EMPLOYMENT	30,409,187	1,504,344
4. SERVICE COORDINATION		
CLASSIFIED POSITIONS	610,935	466,205
	(11.00)	(10.00)
OTHER PERSONAL SERVICES	150,000	140,000
OTHER OPERATING EXPENSES	8,312,657	1,423,098
CASE SERVICES	50,000	
TOTAL 4. SERVICE COORDINATION	9,123,592	2,029,303
	(11.00)	(10.00)
TOTAL B. INTELLECTUAL DISABILITY FAMILY SUPPORT	97,180,027	11,615,445
	(33.00)	(26.00)
C. AUTISM FAMILY SUPPORT PROGRAM		
1. AUTISM FAMILY SUPPORT SRVCS		
CLASSIFIED POSITIONS	136,496	136,496
	(7.00)	(7.00)
OTHER PERSONAL SERVICES	10,000	10,000
OTHER OPERATING EXPENSES	7,175,175	783,358
CASE SERVICES	12,000	
TOTAL 1. AUTISM FAMILY SUPPORT SRVCS	7,333,671	929,854
	(7.00)	(7.00)
TOTAL C. AUTISM FAMILY SUPPORT PROGRAM	7,333,671	929,854
	(7.00)	(7.00)
D. HEAD & SPINAL CORD INJURY FAM SUPP		
CLASSIFIED POSITIONS	494,146	434,146
	(8.00)	(6.00)

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J160-DEPARTMENT OF
DISABILITIES & SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	8,153,119	5,898,836
CASE SERVICES	1,800,000	200,000
TOTAL D. HEAD & SPINAL	10,447,265	6,532,982
CORD INJURY FAM SUPP	(8.00)	(6.00)
 E. INTELLECTUAL DISABILITY		
COMM RESIDENTIAL		
CLASSIFIED POSITIONS	5,856,262	5,038,640
	(96.00)	(83.00)
OTHER PERSONAL SERVICES	385,000	85,000
OTHER OPERATING EXPENSES	98,892,490	7,127,906
CASE SERVICES	12,263,063	3,900,800
TOTAL E. INTELLECTUAL	117,396,815	16,152,346
DISABIL COMM RESIDENTIAL	(96.00)	(83.00)
 F. AUTISM COMMUNITY		
RESIDENTIAL PROGRAM		
CLASSIFIED POSITIONS	2,073,124	1,919,837
	(35.00)	(33.00)
OTHER PERSONAL SERVICES	565,171	281,312
OTHER OPERATING EXPENSES	21,707,228	5,017,895
CASE SERVICES	33,025	
TOTAL F. AUTISM	24,378,548	7,219,044
COMMUN RESIDENTIAL PROG	(35.00)	(33.00)
 G. HEAD & SPINAL CORD INJURY		
COMMUNITY RESI		
OTHER OPERATING EXPENSES	3,324,305	558,763
TOTAL G. HEAD & SPINAL	3,324,305	558,763
CORD INJURY COMMUN RESI		
 H. REGIONAL CENTERS		
RESIDENTIAL PGM		
CLASSIFIED POSITIONS	68,645,176	41,295,674
	(1,835.90)	(1,204.85)
UNCLASSIFIED POSITIONS	125,000	125,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	16,658,773	11,036,989

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DISABILITIES & SPECIAL NEEDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	21,296,149	
CASE SERVICES	944,822	
TOTAL H. REGIONAL	107,669,920	52,457,663
CENTERS RESIDENTIAL PGM	(1,836.90)	(1,205.85)
 TOTAL II. PROGRAM &	 383,976,122	 101,450,397
SERVICES	(2,015.90)	(1,360.85)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	45,139,814	30,972,090
TOT III. EMPLOYEE BENEFITS	45,139,814	30,972,090
 TOT DEPARTMENT OF DISABIL	 446,585,264	 142,649,170
& SPECIAL NEEDS	(2,122.90)	(1,462.85)

SECTION 37
J200-DEPARTMENT OF ALCOHOL &
OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	127,820	91,916
	(1.00)	(0.50)
CLASSIFIED POSITIONS	308,383	149,744
	(4.00)	(1.20)
OTHER OPERATING EXPENSES	69,500	15,000
AGENCY LEASE PAYMENTS	363,238	363,238
TOTAL I. ADMINISTRATION	868,941	619,898
	(5.00)	(1.70)
 II. FINANCE & OPERATIONS		
CLASSIFIED POSITIONS	601,794	191,878
	(21.91)	(9.26)
OTHER OPERATING EXPENSES	7,516,756	2,789,815
LOCAL SALARY SUPPLEMENT	5,328,052	5,328,052
STATE BLOCK GRANT	6,174,474	6,174,474
ALLOC COUNTIES - RESTRICTED	20,000	

STATUTES AT LARGE
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J200-DEPARTMENT OF ALCOHOL &
OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC OTHER STATE AGENCIES	2,004,079	
ALCOH AND DRUG TREATMENT	36,132,984	
ALCOHOL & DRUG MATCH FNDS	2,206,462	
ALCOHOL & DRUG PREVENTION	11,009,343	
AID TO COUNTIES - RESTRICTED	94,428	94,428
AID OTHER STATE AGENCIES	1,915,902	1,915,902
ALCOHOL & DRUG TREATMENT	7,696,716	7,696,716
AID TO ENTITIES - ALCOHOL & DRUG MATCH FUNDS	100,166	100,166
AID TO ENTITIES - ALCOHOL & DRUG PREVENTION	84,329	84,329
TOTAL II. FINANCE & OPERATIONS	80,885,485 (21.91)	24,375,760 (9.26)
III. PROGRAMS		
CLASSIFIED POSITIONS	861,952	128,373
	(9.95)	(0.10)
OTHER PERSONAL SERVICES	864,814	44,000
OTHER OPERATING EXPENSES	6,877,213	132,500
ALLOC OTHER STATE AGENCIES	55,000	
ALCOHOL & DRUG PREVENTION	35,184	
TOTAL III. PROGRAMS	8,694,163 (9.95)	304,873 (0.10)
IV. INFO TECHNOLOGY		
CLASSIFIED POSITIONS	436,728	137,285
	(2.00)	
OTHER PERSONAL SERVICES	64,909	
OTHER OPERATING EXPENSES	582,500	3,500
TOTAL IV. INFORMATION TECHNOLOGY	1,084,137 (2.00)	140,785
V. LEGAL & COMPLIANCE		
CLASSIFIED POSITIONS	248,697	74,767
	(4.15)	(1.00)
OTHER PERSONAL SERVICES	99,258	22,267

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OTHER DRUG ABUSE SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	102,925	15,500
TOT V. LEGAL & COMPLIANCE	450,880	112,534
	(4.15)	(1.00)
 VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,367,366	394,071
TOT VI. EMPLOYEE BENEFITS	1,367,366	394,071
 TOT DEPTMENT OF ALCOH &	93,350,972	25,947,921
OTHER DRUG ABUSE SRVCS	(43.01)	(12.06)

SECTION 38
L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. STATE OFFICE		
A. AGENCY ADMINISTRATION		
COMMISSIONERS	250,000	250,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	17,697,258	10,182,904
	(204.92)	(83.70)
UNCLASSIFIED POSITIONS	239,639	89,645
OTHER PERSONAL SERVICES	541,373	193,652
OTHER OPERATING EXPENSES	7,738,893	4,438,118
TOTAL A.	26,467,162	15,154,318
AGENCY ADMINISTRATION	(205.92)	(84.70)
 B. INFORMATION RESOURCE		
MANAGEMENT		
CLASSIFIED POSITIONS	6,034,544	2,432,389
	(89.00)	(33.03)
OTHER PERSONAL SERVICES	831,268	163,123
OTHER OPERATING EXPENSES	29,458,294	5,791,394
TOTAL B. INFORMATION	36,324,106	8,386,906
RESOURCE MANAGEMENT	(89.00)	(33.03)

L040-DEPARTMENT OF SOCIAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. COUNTY OFFICE		
ADMINISTRATION		
CLASSIFIED POSITIONS	13,683,478	5,639,810
	(379.11)	(148.02)
UNCLASSIFIED POSITIONS	125,004	48,420
	(0.99)	(0.38)
OTHER PERSONAL SERVICES	52,577	19,495
OTHER OPERATING EXPENSES	2,130,585	770,845
CASE SERVICES	336,001	121,565
TOTAL C. COUNTY	16,327,645	6,600,135
OFFICE ADMINISTRATION	(380.10)	(148.40)
D. COUNTY SUPPORT OF		
LOCAL DSS		
OTHER PERSONAL SERVICES	61,321	
OTHER OPERATING EXPENSES	390,758	
ALLOC CNTIES - UNRESTRICTED	3,900,703	
TOTAL D. COUNTY SUPPORT	4,352,782	
OF LOCAL DSS		
E. PROGRAM MANAGEMENT		
1. CHILDREN'S SERVICES		
CLASSIFIED POSITIONS	14,256,493	8,864,949
	(206.22)	(82.90)
OTHER PERSONAL SERVICES	342,289	8,343
OTHER OPERATING EXPENSES	8,767,520	2,639,435
STRENGTHENING FAMILIES PROG	700,000	700,000
CASE SERVICES	14,726,656	2,282,856
TOT 1. CHILDREN'S SERVICES	38,792,958	14,495,583
	(206.22)	(82.90)
2. ADULT SERVICES		
CLASSIFIED POSITIONS	384,142	6,973
	(9.00)	
OTHER OPERATING EXPENSES	6,176,631	1,200,000
TOTAL 2. ADULT SERVICES	6,560,773	1,206,973
	(9.00)	

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
3. FAMILY INDEPENDENCE		
CLASSIFIED POSITIONS	338,179	25,352
	(11.00)	
OTHER PERSONAL SERVICES	986,228	
OTHER OPERATING EXPENSES	761,483	
CASE SERVICES	73,610	
TOT 3. FAMILY INDEPENDENCE	2,159,500	25,352
	(11.00)	
4. ECONOMIC SERVICES		
CLASSIFIED POSITIONS	3,500,073	957,064
	(181.22)	(27.43)
OTHER PERSONAL SERVICES	687,872	
OTHER OPERATING EXPENSES	2,545,846	1,653,863
TOT 4. ECONOMIC SERVICES	6,733,791	2,610,927
	(181.22)	(27.43)
TOT E. PROGRAM T	54,247,021	18,338,834
MANAGEMEN	(407.44)	(110.33)
TOTAL I. STATE OFFICE	137,718,717	48,480,194
	(1,082.46)	(376.46)
II. PROGRAMS AND SERVICES		
A. CHILD PROTECTIVE SRVCS		
1. CPS CASE MANAGEMENT		
CLASSIFIED POSITIONS	83,179,770	51,231,916
	(1,338.02)	(706.52)
NEW POSITIONS -	338,281	210,000
CASE WORKER II	(3.00)	(3.00)
OTHER PERSONAL SERVICES	956,106	720,959
OTHER OPERATING EXPENSES	15,359,216	6,282,974
CASE SERVICES	479,322	367,478
TOTAL 1. CPS CASE	100,312,695	58,813,327
MANAGEMENT	(1,341.02)	(709.52)
2. LEGAL REPRESENTATION		
CLASSIFIED POSITIONS	7,240,480	3,976,026
	(137.00)	(60.54)

STATUTES AT LARGE
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	41,188	8,318
OTHER OPERATING EXPENSES	2,142,767	636,829
TOTAL 2. LEGAL	9,424,435	4,621,173
REPRESENTATION	(137.00)	(60.54)
 TOTAL A. CHILD	 109,737,129	 63,434,499
PROTECTIVE SERVICES	(1,478.02)	(770.06)
B. FOSTER CARE		
1. FOSTER CARE CASE		
MANAGEMENT		
CLASSIFIED POSITIONS	29,277,219	13,596,751
	(820.20)	(379.26)
NEW POSITIONS -	122,000	61,000
CASE WORKER I	(1.00)	(1.00)
OTHER PERSONAL SERVICES	2,175,701	843,776
OTHER OPERATING EXPENSES	16,955,088	12,084,622
CASE SERVICES	1,097,326	910,565
TOTAL 1. FOSTER	49,627,334	27,496,714
CARE CASE MANAGEMENT	(821.20)	(380.26)
 2. FOSTER CARE CASE SRVCS		
OTHER OPERATING EXPENSES	10,177,945	7,228,994
CASE SERVICES	20,935,621	20,839,286
TOTAL 2. FOSTER	31,113,566	28,068,280
CARE CASE SERVICES		
 3. EDC CASE SERVICES		
IMD GROUP HOMES	31,440,607	28,736,348
CASE SERVICES	25,809,699	18,547,428
TOT 3. EDC CASE SERVICES	57,250,306	47,283,776
 TOTAL B. FOSTER CARE	 137,991,206	 102,848,770
	(821.20)	(380.26)
 C. ADOPTIONS		
1. ADOPTIONS CASE		
MANAGEMENT		
CLASSIFIED POSITIONS	5,819,848	3,198,422
	(139.24)	(65.49)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	88,870	63,029
OTHER OPERATING EXPENSES	1,823,094	432,895
CASE SERVICES	700	240
TOTAL 1. ADOPTIONS	7,732,512	3,694,586
CASE MANAGEMENT	(139.24)	(65.49)
 2. ADOPTIONS CASE SRVCS		
CASE SERVICES	14,275,121	12,616,719
TOTAL 2. ADOPTIONS	14,275,121	12,616,719
CASE SERVICES		
 TOTAL C. ADOPTIONS	22,007,633	16,311,305
	(139.24)	(65.49)
 D. ADULT PROTECTIVE SRVCS		
1. APS CASE MANAGEMENT		
CLASSIFIED POSITIONS	2,988,481	104,776
	(91.00)	(0.68)
OTHER PERSONAL SERVICES	26,821	
OTHER OPERATING EXPENSES	240,895	
CASE SERVICES	470,000	470,000
TOTAL 1. APS CASE	3,726,197	574,776
MANAGEMENT	(91.00)	(0.68)
 2. APS CASE SERVICES		
CRIMINAL DOMESTIC VIOLENCE	1,500,000	1,500,000
- SCCADVASA		
CASE SERVICES	607,000	432,000
TOTAL 2. APS CASE SERVICES	2,107,000	1,932,000
 TOTAL D. ADULT	5,833,197	2,506,776
PROTECTIVE SERVICES	(91.00)	(0.68)
 E. EMPLOYMENT AND		
TRAINING SERVICES		
1. EMPL & TRNG CASE		
MANAGEMENT		
CLASSIFIED POSITIONS	20,605,701	8,916,369
	(660.15)	(237.71)

STATUTES AT LARGE
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	1,816,289	
OTHER OPERATING EXPENSES	566,886	41,690
TOTAL 1. EMPL &	22,988,876	8,958,059
TRNG CASE MANAGEMENT	(660.15)	(237.71)
 2. EMPL & TRNG CASE SRVCS		
CASE SERVICES	7,520,582	2,500
TOTAL 2. EMPL &	7,520,582	2,500
TRNG CASE SERVICES		
 3. TANF CASE SERVICES		
CASE SERVICES	5,048,519	3,625,903
TOT 3. TANF CASE SERVICES	5,048,519	3,625,903
 TOTAL E. EMPLOYMENT	35,557,977	12,586,462
AND TRAINING SERVICES	(660.15)	(237.71)
 F. CHILD SUPPORT		
ENFORCEMENT		
CLASSIFIED POSITIONS	8,057,596	2,526,621
	(253.00)	(60.18)
OTHER PERSONAL SERVICES	489,162	
OTHER OPERATING EXPENSES	11,449,908	6,934,863
ALLOC OTHER ENTITIES	6,500	
TOTAL F. CHILD	20,003,166	9,461,484
SUPPORT ENFORCEMENT	(253.00)	(60.18)
 G. FOOD STAMP ASSISTANCE		
PROGRAM		
CLASSIFIED POSITIONS	13,507,893	6,711,083
	(350.00)	(88.50)
OTHER PERSONAL SERVICES	1,897,568	38,094
OTHER OPERATING EXPENSES	2,007,654	551,652
TOTAL G. FOOD	17,413,115	7,300,829
STAMP ASSISTANCE PROGRAM	(350.00)	(88.50)
 H. FAMILY PRESERVATION		
CLASSIFIED POSITIONS	635,312	556,105
	(31.08)	(12.33)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	897,045	24,936
OTHER OPERATING EXPENSES	6,044,663	2,494,090
CASE SERVICES	1,783,245	
TOTAL H. FAMILY	9,360,265	3,075,131
PRESERVATION	(31.08)	(12.33)
 I. HOMEMAKER		
CLASSIFIED POSITIONS	1,241,793	3,694
	(73.00)	
OTHER OPERATING EXPENSES	276,400	
TOTAL I. HOMEMAKER	1,518,193	3,694
	(73.00)	
 J. BATTERED SPOUSE		
CLASSIFIED POSITIONS	622	622
	(1.00)	
OTHER PERSONAL SERVICES	33,730	
OTHER OPERATING EXPENSES	23,875	
ALLOC OTHER ENTITIES	3,999,554	
AID TO OTHER ENTITIES	1,648,333	1,648,333
TOTAL J. BATTERED SPOUSE	5,706,114	1,648,955
	(1.00)	
 K. PREGNANCY PREVENTION		
CLASSIFIED POSITIONS	91,228	
	(2.00)	
OTHER PERSONAL SERVICES	32,749	
OTHER OPERATING EXPENSES	26,200	
CONTINUATION OF TEEN	546,972	546,972
PREGNANCY PREVENTION		
TOTAL K. PREGNANCY	697,149	546,972
PREVENTION	(2.00)	
 L. FOOD SERVICE		
CLASSIFIED POSITIONS	140,108	28,022
	(2.00)	(0.40)
OTHER OPERATING EXPENSES	26,486	5,297

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	1,136,715	1,100,000
TOTAL L. FOOD SERVICE	1,303,309	1,133,319
	(2.00)	(0.40)
 M. CHILD CARE		
CLASSIFIED POSITIONS	5,524,665	78,334
	(257.99)	
OTHER PERSONAL SERVICES	2,636,821	
OTHER OPERATING EXPENSES	4,888,304	4,016,377
CASE SERVICES	18,151,307	12,697,437
ALLOC PRIVATE SECTOR	450,000	
TOTAL M. CHILD CARE	31,651,097	16,792,148
	(257.99)	
 N. KINSHIP		
CASE SERVICES	696,833	198,018
TOTAL N. KINSHIP	696,833	198,018
 O. PREVENTION SERVICES		
NEW POSITIONS -	141,392	70,696
PROGRAM COORDINATOR II	(1.00)	(1.00)
OTHER OPERATING EXPENSES	4,101,220	2,500,000
TOT O. PREVENTION SRVCS	4,242,612	2,570,696
	(1.00)	(1.00)
 TOTAL II. PROGRAMS	403,718,994	240,419,057
AND SERVICES	(4,160.68)	(1,616.61)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	87,502,490	49,726,201
TOT III. EMPLOYEE BENEFITS	87,502,490	49,726,201
 TOTAL DEPARTMENT OF	628,940,201	338,625,452
SOCIAL SERVICES	(5,243.14)	(1,993.07)

SECTION 39
L240-COMMISSION FOR THE BLIND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONERS	138,000	138,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	958,085	958,085
	(15.77)	(15.00)
OTHER PERSONAL SERVICES	38,100	38,100
OTHER OPERATING EXPENSES	463,912	444,061
TOTAL I. ADMINISTRATION	1,598,097	1,578,246
	(16.77)	(16.00)
II. REHABILITATION SRVCS		
A. VOCATIONAL REHAB		
CLASSIFIED POSITIONS	1,879,628	862,025
	(45.56)	(8.59)
OTHER PERSONAL SERVICES	5,000	
OTHER OPERATING EXPENSES	1,154,110	57,787
CASE SERVICES	1,788,846	515,394
TOTAL A. VOCATIONAL	4,827,584	1,435,206
REHABILITATION	(45.56)	(8.59)
B. BUSINESS ENTERPRISE PROGRAM		
CLASSIFIED POSITIONS	591,150	150,617
	(13.00)	(1.46)
OTHER PERSONAL SERVICES	5,000	
OTHER OPERATING EXPENSES	535,698	20,000
CASE SERVICES	296,680	20,000
ALLOC PRIVATE SECTOR	40,022,500	
TOTAL B. BUSINESS	41,451,028	190,617
ENTERPRISE PROGRAM	(13.00)	(1.46)
C. SCCB TRAINING CENTER		
CLASSIFIED POSITIONS	1,243,935	373,268
	(29.00)	(5.28)
OTHER PERSONAL SERVICES	204,932	
OTHER OPERATING EXPENSES	416,157	42,000

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	385,202	35,202
TOT C. SCCB TRAINING CTR	2,250,226	450,470
	(29.00)	(5.28)
 D. TRANSITION SERVICES		
CLASSIFIED POSITIONS	149,904	686
	(4.00)	
OTHER OPERATING EXPENSES	33,348	1,000
CASE SERVICES	2,718,888	221,128
TOT D. TRANSITION SRVCS	2,902,140	222,814
	(4.00)	
 TOTAL II.	51,430,978	2,299,107
REHABILITATION SERVICES	(91.56)	(15.33)
 III. PREVENTION OF BLINDNESS		
CLASSIFIED POSITIONS	234,923	234,923
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	108,100	108,100
CASE SERVICES	363,486	363,486
TOTAL III. PREVENTION	706,509	706,509
OF BLINDNESS	(4.00)	(4.00)
 IV. OLDER BLIND SERVICES		
CLASSIFIED POSITIONS	459,371	231,813
	(8.63)	(2.52)
OTHER PERSONAL SERVICES	5,000	
OTHER OPERATING EXPENSES	187,524	97,524
CASE SERVICES	587,647	440,459
TOTAL IV. OLDER	1,239,542	769,796
BLIND SERVICES	(8.63)	(2.52)
 V. CHILDREN'S SERVICES		
CLASSIFIED POSITIONS	166,358	166,358
	(3.53)	(3.53)
OTHER OPERATING EXPENSES	45,000	45,000
CASE SERVICES	97,000	97,000
TOT V. CHILDREN'S SERVICES	308,358	308,358
	(3.53)	(3.53)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VI. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,275,106	1,271,183
TOT VI. EMPLOYEE BENEFITS	2,275,106	1,271,183
 TOTAL COMMISSION FOR	 57,558,590	 6,933,199
THE BLIND	(124.49)	(41.38)

SECTION 40
L060-DEPARTMENT ON AGING

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	130,000	130,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,523,329	1,253,494
	(37.00)	(15.15)
NEW POSITIONS -	55,559	55,559
ACCNT/FISCAL ANALYST	(1.00)	(1.00)
NEW POSITIONS -	55,559	13,890
ADMINISTRATIVE COORD II	(1.00)	(0.25)
NEW POSITIONS -	67,000	16,750
ATTORNEY II	(1.00)	(0.25)
NEW POSITIONS -	111,118	69,449
PROGRAM COORDINATOR I	(2.00)	(1.25)
NEW POSITIONS -	67,000	16,750
TRAINING COORD II/INSTRUCTOR	(1.00)	(0.25)
UNCLASSIFIED POSITIONS	85,000	85,000
OTHER PERSONAL SERVICES	62,090	35,840
OTHER OPERATING EXPENSES	2,020,757	658,284
TOTAL I. ADMINISTRATION	5,177,412	2,335,016
	(44.00)	(19.15)
 II. PROGRAMS AND SERVICES		
A. AGING ASSISTANCE		
ALZHEIMERS	150,000	150,000
ALZHEIMERS RESPITE	900,000	900,000
FAMILY CAREGIVERS	2,400,000	2,400,000

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
GERIATRIC PHYSICIAN	35,000	35,000
LOAN PROGRAM		
HOME AND COMMUNITY	20,972,000	20,972,000
BASED SERVICES		
SILVER HAIRED LEGISLATURE	15,000	15,000
CASE SERVICES	825,000	
ALLOC OTHER STATE AGENCIES	100,000	
ALLOC OTHER ENTITIES	33,484,632	
AID TO OTHER ENTITIES	5,139,792	4,649,592
TOT A. AGING ASSISTANCE	64,021,424	29,121,592
 B. ADULT GUARDIAN AD LITEM		
CLASSIFIED POSITIONS	618,817	618,817
	(8.00)	(8.00)
NEW POSITIONS -	55,559	55,559
PROGRAM COORDINATOR II	(1.00)	(1.00)
OTHER OPERATING EXPENSES	400,643	400,643
TOTAL B. ADULT	1,075,019	1,075,019
GUARDIAN AD LITEM	(9.00)	(9.00)
 C. STATE LONG TERM CARE		
OMBUDSMAN		
CLASSIFIED POSITIONS	602,311	227,159
	(7.00)	(2.15)
OTHER OPERATING EXPENSES	65,300	50,000
ALLOC OTHER ENTITIES	2,500,000	
AID TO OTHER ENTITIES	1,000,000	1,000,000
TOTAL C. STATE LONG	4,167,611	1,277,159
TERM CARE OMBUDSMAN	(7.00)	(2.15)
 D. CAREGIVER AND		
ALZHEIMER		
RESOURCES DIVISION		
CLASSIFIED POSITIONS	662,308	662,308
	(10.00)	(10.00)
OTHER OPERATING EXPENSES	180,000	180,000
TOTAL D. CAREGIVER AND	842,308	842,308
ALZHEIMER RESOURCES DIV	(10.00)	(10.00)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. HOME STABILIZATION PROG		
NEW POSITIONS -	97,472	97,472
OCCUPATIONAL THERAPIST	(1.00)	(1.00)
NEW POSITIONS -	66,488	66,488
OCCUPATIONAL THERAPY ASSNT	(1.00)	(1.00)
NEW POSITIONS -	80,105	80,105
PROGRAM MANAGER I	(1.00)	(1.00)
OTHER OPERATING EXPENSES	54,000	54,000
CASE SERVICES	667,078	667,078
TOTAL E. HOME	965,143	965,143
STABILIZATION PROGRAM	(3.00)	(3.00)
 TOTAL II. PROGRAMS	 71,071,505	 33,281,221
AND SERVICES	(29.00)	(24.15)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,041,592	1,336,387
TOT III. EMPLOYEE BENEFITS	2,041,592	1,336,387
 TOTAL DEPARTMENT ON	 78,290,509	 36,952,624
AGING	(73.00)	(43.30)

SECTION 41
L080-DEPARTMENT OF CHILDREN'S ADVOCACY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	132,600	132,600
	(1.00)	(1.00)
CLASSIFIED POSITIONS	276,289	276,289
	(4.05)	(4.05)
UNCLASSIFIED POSITIONS	5,000	5,000
	(0.05)	(0.05)
OTHER OPERATING EXPENSES	294,988	294,988
CHILDREN'S TRUST FUND	200,000	200,000

L080-DEPARTMENT OF CHILDREN'S ADVOCACY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NETWORK OF CHILDREN'S ADVOCACY CENTERS	80,000	80,000
TOTAL I. ADMINISTRATION	988,877 (5.10)	988,877 (5.10)
 II. PROGRAMS AND SERVICES		
A. GUARDIAN AD LITEM		
CLASSIFIED POSITIONS	5,572,434 (139.20)	3,737,434 (72.25)
NEW POSITIONS -	136,307	136,307
PROGRAM ASSISTANT	(4.00)	(4.00)
NEW POSITIONS -	405,613	405,613
PROGRAM COORDINATOR I	(9.00)	(9.00)
NEW POSITIONS -	64,885	64,885
PROGRAM COORDINATOR II	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	164,162 (1.55)	164,162 (1.55)
OTHER PERSONAL SERVICES	202,680	40,000
OTHER OPERATING EXPENSES	1,689,777	293,035
TOT A. GUARDIAN AD LITEM	8,235,858 (154.75)	4,841,436 (87.80)
 B. FOSTER CARE		
CLASSIFIED POSITIONS	1,113,957 (23.45)	433,080 (9.05)
UNCLASSIFIED POSITIONS	10,250 (0.10)	10,250 (0.10)
OTHER PERSONAL SERVICES	36,000	6,000
OTHER OPERATING EXPENSES	319,503	132,503
TOTAL B. FOSTER CARE	1,479,710 (23.55)	581,833 (9.15)
 C. CONTINUUM OF CARE		
CLASSIFIED POSITIONS	2,663,718 (60.30)	1,414,718 (30.30)
UNCLASSIFIED POSITIONS	30,750 (0.30)	30,750 (0.30)
OTHER PERSONAL SERVICES	400,000	
OTHER OPERATING EXPENSES	576,492	201,492

L080-DEPARTMENT OF CHILDREN'S ADVOCACY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	220,146	
TOT C. CONTINUUM OF CARE	3,891,106	1,646,960
	(60.60)	(30.60)
D. INVESTIGATIONS UNIT		
CLASSIFIED POSITIONS	821,544	821,544
	(15.00)	(15.00)
NEW POSITIONS -	324,425	324,425
PROGRAM COORDINATOR II	(5.00)	(5.00)
NEW POSITIONS -	80,105	80,105
PROGRAM MANAGER I	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	99,218	99,218
	(1.00)	(1.00)
NEW POSITIONS - ATTORNEY III	240,315	240,315
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	25,000	25,000
OTHER OPERATING EXPENSES	120,802	120,802
TOT D. INVESTIGATIONS UNIT	1,711,409	1,711,409
	(25.00)	(25.00)
TOTAL II. PROGRAMS AND SERVICES	15,318,083	8,781,638
	(263.90)	(152.55)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,362,722	4,103,299
TOT III. EMPLOYEE BENEFITS	6,362,722	4,103,299
TOTAL DEPARTMENT OF CHILDREN'S ADVOCACY	22,669,682	13,873,814
	(269.00)	(157.65)

SECTION 42**L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE DIVISION		
EXECUTIVE DIRECTOR	180,000	
	(1.00)	

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	2,384,404	
	(18.00)	
OTHER PERSONAL SERVICES	159,596	
OTHER OPERATING EXPENSES	1,614,000	
ALLOC OTHER ST AGENCIES	2,500,000	
ALLOC OTHER ENTITIES	2,500,000	
TOT A. EXECUTIVE DIVISION	9,338,000	
	(19.00)	
 B. FINANCE DIVISION		
CLASSIFIED POSITIONS	791,000	
	(10.00)	
OTHER OPERATING EXPENSES	190,000	
TOTAL B. FINANCE DIVISION	981,000	
	(10.00)	
 C. SUPPORT SERVICES		
CLASSIFIED POSITIONS	1,999,678	
	(12.00)	
OTHER PERSONAL SERVICES	136,322	
OTHER OPERATING EXPENSES	2,544,000	
TOTAL C. SUPPORT SERVICES	4,680,000	
	(12.00)	
 TOTAL I. ADMINISTRATION	14,999,000	
	(41.00)	
 II. HOUSING PROGRAMS		
A. CONTRACT ADMIN & COMPLIANCE		
CLASSIFIED POSITIONS	1,573,000	
	(35.00)	
UNCLASSIFIED POSITIONS	5,736	
OTHER PERSONAL SERVICES	295,264	
OTHER OPERATING EXPENSES	597,295	
CASE SERVICES	187,374,705	
TOTAL A. CONTRACT	189,846,000	
ADMIN & COMPLIANCE	(35.00)	

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. RENTAL ASSISTANCE		
CLASSIFIED POSITIONS	860,356	
	(17.00)	
OTHER PERSONAL SERVICES	660,644	
OTHER OPERATING EXPENSES	1,200,000	
CASE SERVICES	18,000,000	
TOT B. RENTAL ASSISTANCE	20,721,000	
	(17.00)	
C. HOUSING INITIATIVES		
CLASSIFIED POSITIONS	1,325,000	
	(20.00)	
UNCLASSIFIED POSITIONS	124,857	
OTHER PERSONAL SERVICES	80,143	
OTHER OPERATING EXPENSES	687,000	
CASE SERVICES	3,250,847	
ALLOC MUNICIPALITIES	1,700,000	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	600,000	
ALLOC OTHER ST AGENCIES	9,000,000	
ALLOC OTHER ENTITIES	21,074,153	
TOT C. HOUSING INITIATIVES	37,842,000	
	(20.00)	
D. HOUSING CREDIT		
CLASSIFIED POSITIONS	886,000	
	(8.00)	
UNCLASSIFIED POSITIONS	1,668	
OTHER PERSONAL SERVICES	135,332	
OTHER OPERATING EXPENSES	544,000	
TOTAL D. HOUSING CREDIT	1,567,000	
	(8.00)	
TOTAL II. HOUSING PROGRAMS	249,976,000	
	(80.00)	

L320-HOUSING FINANCE & DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. HOMEOWNERSHIP PROG		
A. MORTGAGE PRODUCTION		
CLASSIFIED POSITIONS	933,169	
	(8.00)	
OTHER PERSONAL SERVICES	70,831	
OTHER OPERATING EXPENSES	1,519,000	
TOTAL A. MORTGAGE	2,523,000	
PRODUCTION	(8.00)	
B. MORTGAGE SERVICING		
CLASSIFIED POSITIONS	1,382,636	
	(21.00)	
OTHER PERSONAL SERVICES	27,364	
OTHER OPERATING EXPENSES	2,118,000	
TOT B. MORTGAGE SERVICING	3,528,000	
	(21.00)	
TOTAL III. HOMEOWNERSHIP	6,051,000	
PROGRAMS	(29.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,013,000	
TOT IV. EMPLOYEE BENEFITS	6,013,000	
TOTAL HOUSING FINANCE	277,039,000	
& DEVPMNT AUTHORITY	(150.00)	

SECTION 43
F120-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
STATE FORESTER	168,000	168,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	676,087	676,087
	(16.20)	(16.20)
UNCLASSIFIED POSITIONS	88,000	88,000
	(1.00)	(1.00)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	10,000	10,000
OTHER OPERATING EXPENSES	141,520	141,520
TOTAL I. ADMINISTRATION	1,083,607	1,083,607
	(18.20)	(18.20)
 II. FOREST PROTECTION AND DEVELOPMENT		
CLASSIFIED POSITIONS	18,271,750	17,161,232
	(330.80)	(314.25)
NEW POSITIONS - ECONOMIC	73,372	73,372
DEVELOPMENT OFFICER I	(1.00)	(1.00)
NEW POSITIONS -	75,000	75,000
MECHANIC IV	(1.00)	(1.00)
NEW POSITIONS -	75,000	75,000
PROGRAM COORDINATOR II	(1.00)	(1.00)
OTHER PERSONAL SERVICES	353,000	175,000
OTHER OPERATING EXPENSES	15,297,177	5,923,210
FOREST RENEWAL PROGRAM	1,000,000	200,000
ALLOC MUNICIPALITIES	30,000	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	47,000	
ALLOC OTHER ENTITIES	308,475	125,000
ALLOC PRIVATE SECTOR	1,795,000	
TOT II. FOREST PROTECTION AND DEVELOPMENT	37,325,774	23,807,814
	(333.80)	(317.25)
 III. STATE FORESTS		
CLASSIFIED POSITIONS	1,080,000	
	(27.60)	
OTHER PERSONAL SERVICES	150,000	100,000
OTHER OPERATING EXPENSES	1,047,713	
ALLOC COUNTIES - RESTRICTED	1,095,000	
TOTAL III. STATE FORESTS	3,372,713	100,000
	(27.60)	
 IV. EDUCATION		
CLASSIFIED POSITIONS	250,800	250,800
	(5.20)	(5.20)
OTHER PERSONAL SERVICES	5,000	5,000

STATUTES AT LARGE
General and Permanent Laws--2025
F120-FORESTRY COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	54,925	54,925
TOTAL IV. EDUCATION	310,725	310,725
	(5.20)	(5.20)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	11,150,785	10,205,785
TOT V. EMPLOYEE BENEFITS	11,150,785	10,205,785
TOT FORESTRY COMMISSION	53,243,604	35,507,931
	(384.80)	(340.65)

SECTION 44
P160-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. AGENCY OPERATIONS		
A. OPERATIONS		
COMMISSIONER OF AGRICUL	162,000	162,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,243,531	1,004,807
	(15.00)	(15.00)
NEW POSITIONS -		
GRANTS COORDINATOR II	(1.00)	
NEW POSITIONS -		
PROGRAM COORDINATOR I	(1.00)	
NEW POSITIONS -		
PROGRAM COORDINATOR II	(1.00)	
OTHER OPERATING EXPENSES	6,068,995	1,559,272
TOTAL A. OPERATIONS	7,474,526	2,726,079
	(19.00)	(16.00)
B. MARKET SERVICES		
CLASSIFIED POSITIONS	889,298	624,056
	(19.12)	(12.00)
OTHER PERSONAL SERVICES	64,500	

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	877,900	300,000
TOTAL B. MARKET SERVICES	1,831,698	924,056
	(19.12)	(12.00)
TOT I. AGENCY OPERATIONS	9,306,224	3,650,135
	(38.12)	(28.00)
II. CONSUMER PROTECTION		
A. CONSUMER PROTECTION		
CLASSIFIED POSITIONS	2,654,190	2,515,085
	(85.00)	(55.50)
NEW POSITIONS -		
PROGRAM COORDINATOR II	(1.00)	
OTHER PERSONAL SERVICES	19,035	
OTHER OPERATING EXPENSES	7,649,460	2,514,913
TOTAL A. CONSUMER	10,322,685	5,029,998
PROTECTION	(86.00)	(55.50)
B. INSPECTION SERVICES		
CLASSIFIED POSITIONS	1,337,963	
	(17.37)	
OTHER PERSONAL SERVICES	250,000	
OTHER OPERATING EXPENSES	1,796,200	
TOT B. INSPECTION SERVICES	3,384,163	
	(17.37)	
C. RETAIL FOOD SAFETY		
CLASSIFIED POSITIONS	6,695,346	4,069,858
	(113.00)	(71.02)
OTHER PERSONAL SERVICES	223,890	80,933
OTHER OPERATING EXPENSES	2,303,861	898,507
AID TO OTHER ENTITIES	164,851	
TOT C. RETAIL FOOD SAFETY	9,387,948	5,049,298
	(113.00)	(71.02)
TOTAL II. CONSUMER	23,094,796	10,079,296
PROTECTION	(216.37)	(126.52)

STATUTES AT LARGE
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P160-DEPARTMENT OF AGRICULTURE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EXTERNAL AFFAIRS & ECONOMIC DEVELOPMENT		
A. MARKETING & PROMOTIONS		
CLASSIFIED POSITIONS	1,140,873	1,095,873
	(13.26)	(13.26)
OTHER OPERATING EXPENSES	12,430,645	4,913,341
TOTAL A. MARKETING & PROMOTIONS	13,571,518	6,009,214
	(13.26)	(13.26)
B. COMMODITY BOARDS		
CLASSIFIED POSITIONS	39,320	
	(4.00)	
OTHER PERSONAL SERVICES	50,280	
OTHER OPERATING EXPENSES	2,486,080	
TOTAL B. COMMODITY BOARDS	2,575,680	
	(4.00)	
C. MARKET BULLETIN		
CLASSIFIED POSITIONS	50,230	
	(3.00)	
OTHER OPERATING EXPENSES	111,500	
TOTAL C. MARKET BULLETIN	161,730	
	(3.00)	
D. AGRIBUSINESS DEVELOPMENT		
CLASSIFIED POSITIONS	188,000	188,000
	(2.25)	(2.25)
OTHER OPERATING EXPENSES	481,000	481,000
AGRIBUSINESS DEVELOPMENT	1,700,000	
TOTAL D. AGRIBUSINESS DEVELOPMENT	2,369,000	669,000
	(2.25)	(2.25)
E. AGRICULTURAL CENTER FOR RESEARCH & ENTREPRENEURSHIP		
CLASSIFIED POSITIONS	74,000	74,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	1,350,000	1,350,000

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT E. AGRICULTURAL CNTER FOR RESEARCH & ENTREPREN	1,424,000 (1.00)	1,424,000 (1.00)
F. INFRASTRUCTURE GRANTS		
INFRASTRUCTURE GRANTS	2,500,000	2,500,000
TOTAL F. INFRASTRUCTURE GRANTS	2,500,000	2,500,000
TOTAL III. EXTERNAL AFFAIRS & ECONOMIC DEVELOPMENT	22,601,928 (23.51)	10,602,214 (16.51)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,617,709	3,502,042
TOTAL IV. EMPLOYEE BENEFITS	5,617,709	3,502,042
TOTAL DEPARTMENT OF AGRICULTURE	60,620,657 (278.00)	27,833,687 (171.03)

SECTION 45
P200-CLEMSON UNIVERSITY –
PUBLIC SERVICE ACTIVITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. REGULATORY & PUBLIC SERVICE		
A. REGULATORY & PUB SERV - GENERAL		
CLASSIFIED POSITIONS	4,466,470 (70.00)	1,123,043 (25.00)
UNCLASSIFIED POSITIONS	766,653 (6.42)	329,284 (4.42)
NEW POSITIONS - EXTENSION	200,000	200,000
AGENT - ASSOCIATE	(3.00)	(3.00)
OTHER PERSONAL SERVICES	331,407	42,203
OTHER OPERATING EXPENSES	1,666,694	483,225
TOTAL A. REGULATORY & PUB SERV - GENERAL	7,431,224 (79.42)	2,177,755 (32.42)

STATUTES AT LARGE
General and Permanent Laws--2025
P200-CLEMSON UNIVERSITY –
PUBLIC SERVICE ACTIVITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. REGULATORY & PUB SERV		
- RESTRICTED		
CLASSIFIED POSITIONS	708,881	
	(10.00)	
UNCLASSIFIED POSITIONS	68,500	
OTHER PERSONAL SERVICES	306,800	
OTHER OPERATING EXPENSES	4,879,068	
TOTAL B. REGULATORY &	5,963,249	
PUB SERV - RESTRICTED	(10.00)	
TOTAL I. REGULATORY	13,394,473	2,177,755
& PUBLIC SERVICE	(89.42)	(32.42)
II. LIVESTOCK - POULTRY		
HEALTH		
A. LIVESTOCK - POULTRY		
HLTH - GEN		
CLASSIFIED POSITIONS	1,987,432	1,865,576
	(48.00)	(47.00)
UNCLASSIFIED POSITIONS	1,104,950	1,054,950
	(7.33)	(7.33)
OTHER PERSONAL SERVICES	411,714	239,311
OTHER OPERATING EXPENSES	1,952,188	1,276,934
TOTAL A. LIVESTOCK -	5,456,284	4,436,771
POULTRY HLTH - GEN	(55.33)	(54.33)
B. LIVESTOCK - POULTRY		
HLTH - REST		
CLASSIFIED POSITIONS	881,915	
	(20.00)	
UNCLASSIFIED POSITIONS	404,717	
	(4.50)	
OTHER PERSONAL SERVICES	77,219	
OTHER OPERATING EXPENSES	2,892,053	
TOTAL B. LIVESTOCK -	4,255,904	
POULTRY HLTH - REST	(24.50)	
TOTAL II. LIVESTOCK	9,712,188	4,436,771
- POULTRY HEALTH	(79.83)	(54.33)

OF SOUTH CAROLINA
General and Permanent Laws—2025
P200-CLEMSON UNIVERSITY –
PUBLIC SERVICE ACTIVITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. AGRICULTURAL RESEARCH		
CLASSIFIED POSITIONS	6,759,661	5,499,097
	(180.42)	(128.99)
UNCLASSIFIED POSITIONS	13,384,514	9,227,924
	(113.64)	(89.11)
OTHER PERSONAL SERVICES	3,633,226	2,141,512
OTHER OPERATING EXPENSES	8,505,125	3,944,838
TOTAL III.	32,282,526	20,813,371
AGRICULTURAL RESEARCH	(294.06)	(218.10)
IV. COOPERATIVE EXTENSION SERVICE		
CLASSIFIED POSITIONS	6,291,847	4,540,823
	(200.04)	(107.54)
UNCLASSIFIED POSITIONS	16,688,343	11,685,163
	(296.40)	(208.14)
NEW POSITIONS -	349,500	349,500
EXTENSION AGENT	(6.00)	(6.00)
OTHER PERSONAL SERVICES	4,245,034	2,311,073
OTHER OPERATING EXPENSES	11,028,258	3,920,274
TOTAL IV. COOPERATIVE	38,602,982	22,806,833
EXTENSION SERVICE	(502.44)	(321.68)
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	26,078,114	19,064,985
TOT V. EMPLOYEE BENEFITS	26,078,114	19,064,985
TOT CLEMSON UNIVERSITY -	120,070,283	69,299,715
PUBLIC SERVICE ACTIVITIES	(965.75)	(626.53)

SECTION 46
P210-SOUTH CAROLINA STATE UNIVERSITY –
PUBLIC SERVICE ACTIVITIES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	92,992	58,024
	(4.00)	(1.75)

**P210-SOUTH CAROLINA STATE UNIVERSITY –
PUBLIC SERVICE ACTIVITIES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	384,837	132,837
	(5.00)	(1.25)
OTHER PERSONAL SERVICES	73,787	
OTHER OPERATING EXPENSES	617,925	95,106
TOTAL I. ADMINISTRATION	1,169,541	285,967
	(9.00)	(3.00)
 II. RESEARCH & EXTENSION		
CLASSIFIED POSITIONS	1,458,011	777,286
	(33.00)	(12.00)
UNCLASSIFIED POSITIONS	1,226,612	721,105
	(32.00)	(9.00)
OTHER PERSONAL SERVICES	875,143	
OTHER OPERATING EXPENSES	7,488,576	5,495,235
TOTAL II. RESEARCH & EXTENSION	11,048,342	6,993,626
	(65.00)	(21.00)
 III. AGRICULTURE INNOVATION RESEARCH		
OTHER PERSONAL SERVICES	964,000	964,000
OTHER OPERATING EXPENSES	340,931	340,931
TOTAL III. AGRICULTURE INNOVATION RESEARCH	1,304,931	1,304,931
 IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,961,141	1,399,036
TOT IV. EMPLOYEE BENEFITS	1,961,141	1,399,036
 TOTAL SOUTH CAROLINA STATE UNIVERSITY - PUBLIC SERVICE ACTIVITIES	15,483,955	9,983,560
	(74.00)	(24.00)

SECTION 47
P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	187,000	187,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,797,570	1,940,193
	(49.50)	(24.50)
UNCLASSIFIED POSITIONS	233,848	137,327
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	100,418	66,551
OTHER OPERATING EXPENSES	4,883,381	3,360,381
TOTAL I. ADMINISTRATION	9,202,217	5,691,452
	(52.50)	(27.50)
II. PROGRAMS AND SERVICES		
A. CONSERVATION EDUCATION		
1. OUTREACH PROGRAMS		
CLASSIFIED POSITIONS	1,256,848	1,181,102
	(20.00)	(20.00)
UNCLASSIFIED POSITIONS	92,266	
OTHER PERSONAL SERVICES	36,895	36,895
OTHER OPERATING EXPENSES	674,900	636,150
TOT 1. OUTREACH PROGRAMS	2,060,909	1,854,147
	(20.00)	(20.00)
2. MAGAZINE		
CLASSIFIED POSITIONS	201,407	173,447
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	1,125	
OTHER OPERATING EXPENSES	765,176	121,000
TOTAL 2. MAGAZINE	967,708	294,447
	(3.00)	(3.00)
3. WEB SERVICES AND TECHNOLOGY DEVELOPMENT		
CLASSIFIED POSITIONS	2,894,676	2,013,010
	(32.00)	(25.00)
OTHER PERSONAL SERVICES	12,203	

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	3,332,646	2,596,924
TOTAL 3. WEB SERVICES	6,239,525	4,609,934
AND TECHNOLOGY DVPMNT	(32.00)	(25.00)
 TOTAL A. CONSERVATION	 9,268,142	 6,758,528
EDUCATION	(55.00)	(48.00)
 B. TITLING & LICENSING SRVCS		
1. BOAT TITLING & REGISTRA		
CLASSIFIED POSITIONS	1,718,474	217,158
	(41.40)	(4.00)
NEW POSITIONS -	55,559	55,559
ADMINISTRATIVE COORD I	(1.00)	(1.00)
NEW POSITIONS -	156,828	156,828
ADMINISTRATIVE SPECIALIST II	(4.00)	(4.00)
OTHER PERSONAL SERVICES	47,125	
OTHER OPERATING EXPENSES	1,033,871	742,271
TOTAL 1. BOAT	3,011,857	1,171,816
TITLING & REGISTRATION	(46.40)	(9.00)
 2. FISHING & HUNTING LICENSES		
CLASSIFIED POSITIONS	422,430	
	(9.50)	
OTHER PERSONAL SERVICES	44,887	
OTHER OPERATING EXPENSES	3,112,860	
TOTAL 2. FISHING	3,580,177	
& HUNTING LICENSES	(9.50)	
 TOTAL B. TITLING	 6,592,034	 1,171,816
& LICENSING SERVICES	(55.90)	(9.00)
 C. REGIONAL PROJECTS		
1. BOATING ACCESS		
CLASSIFIED POSITIONS	676,337	93,891
	(11.50)	(1.00)
OTHER PERSONAL SERVICES	44,614	
OTHER OPERATING EXPENSES	2,102,170	57,920
ALLOC MUNICIPALITIES	75,000	
- RESTRICTED		

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC COUNTIES - RESTRICTED	125,000	
ALLOC OTHER ENTITIES	35,000	
TOTAL 1. BOATING ACCESS	3,058,121	151,811
	(11.50)	(1.00)
2. COUNTY WATER RECREATION FUND		
OTHER OPERATING EXPENSES	263,000	
ALLOC MUNICIPALITIES	531,000	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	825,000	
ALLOC OTHER ENTITIES	25,000	
TOTAL 2. COUNTY WATER RECREATION FUND	1,644,000	
3. COUNTY GAME & FISH FUND		
OTHER PERSONAL SERVICES	5,583	
OTHER OPERATING EXPENSES	425,000	
ALLOC COUNTIES - RESTRICTED	125,000	
TOTAL 3. COUNTY GAME & FISH FUND	555,583	
TOT C. REGIONAL PROJECTS	5,257,704	151,811
	(11.50)	(1.00)
D. WILDLIFE & FRESHWATER FISHERIES		
1. WILDLIFE OPERATIONS		
CLASSIFIED POSITIONS	5,371,321	383,464
	(116.31)	(8.00)
NEW POSITIONS -	117,621	117,621
BLDING/GROUNDS SPECIALIST III	(3.00)	(3.00)
NEW POSITIONS - GIS ANALYST	25,955	
	(1.50)	(1.00)
NEW POSITIONS - VETERINARIAN	80,105	80,105
	(1.00)	(1.00)
NEW POSITIONS -		
WILDLIFE BIOLOGIST II	(2.00)	(2.00)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	130,514 (1.00)	
OTHER PERSONAL SERVICES	497,903	50,000
OTHER OPERATING EXPENSES	16,682,566	6,211,934
ALLOC OTHER ST AGENCIES	600,000	500,000
ALLOC OTHER ENTITIES	150,000	
TOT 1. WILDLIFE OPERATIONS	23,655,985 (124.81)	7,343,124 (15.00)
2. WILDLIFE-STATEWIDE OPERATIONS		
CLASSIFIED POSITIONS	1,516,171 (28.25)	197,913 (3.00)
OTHER PERSONAL SERVICES	449,681	
OTHER OPERATING EXPENSES	2,576,586	332,155
ALLOC OTHER ENTITIES	95,000	
TOTAL 2. WILDLIFE-STATEWIDE OPERATIONS	4,637,438 (28.25)	530,068 (3.00)
3. FISHERIES-REGIONAL OPERATIONS		
CLASSIFIED POSITIONS	2,751,558 (51.50)	554,047 (9.00)
OTHER PERSONAL SERVICES	740,549	
OTHER OPERATING EXPENSES	4,096,978	616,680
ALLOC OTHER ENTITIES	75,000	
TOTAL 3. FISHERIES-REGIONAL OPERATIONS	7,664,085 (51.50)	1,170,727 (9.00)
4. FISHERIES-HATCHERY OPERATIONS		
CLASSIFIED POSITIONS	1,648,475 (37.50)	340,142 (7.00)
OTHER PERSONAL SERVICES	261,084	
OTHER OPERATING EXPENSES	3,890,508	1,666,491
TOTAL 4. FISHERIES-HATCHERY OPERATIONS	5,800,067 (37.50)	2,006,633 (7.00)
TOTAL D. WILDLIFE & FRESHWATER FISHERIES	41,757,575 (242.06)	11,050,552 (34.00)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. LAW ENFORCEMENT		
1. CONSERVATION ENFORC		
CLASSIFIED POSITIONS	25,970,639	24,390,632
	(338.57)	(319.00)
UNCLASSIFIED POSITIONS	170,582	170,582
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	1,237,877	960,367
OTHER OPERATING EXPENSES	12,738,142	8,106,472
TOTAL 1. CONSERVATION	40,117,240	33,628,053
ENFORCEMENT	(339.57)	(320.00)
2. BOATING SAFETY		
CLASSIFIED POSITIONS	1,376,926	
	(20.38)	
OTHER OPERATING EXPENSES	1,998,454	
TOTAL 2. BOATING SAFETY	3,375,380	
	(20.38)	
3. HUNTER SAFETY		
CLASSIFIED POSITIONS	1,519,479	
	(32.00)	
OTHER PERSONAL SERVICES	239,250	
OTHER OPERATING EXPENSES	2,503,384	
TOTAL 3. HUNTER SAFETY	4,262,113	
	(32.00)	
TOT E. LAW ENFORCEMENT	47,754,733	33,628,053
	(391.95)	(320.00)
F. MARINE RESOURCES		
1. MARINE CONSERVATION & MANAGEMENT		
CLASSIFIED POSITIONS	4,273,354	1,706,695
	(96.00)	(26.50)
NEW POSITIONS -	66,488	66,488
WILDLIFE BIOLOGIST II	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	259,029	124,702
	(5.10)	(1.00)
OTHER PERSONAL SERVICES	441,769	10,000

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	8,037,534	1,260,845
ATLANTIC MARINE FISH COMM	46,000	
ALLOC OTHER ENTITIES	271,500	
TOTAL 1. MARINE	13,395,674	3,168,730
CONSERVATION & MNGMNT	(102.10)	(28.50)
 2. MARINE RESEARCH & MONITORING		
CLASSIFIED POSITIONS	2,203,780	343,749
	(62.06)	(6.26)
NEW POSITIONS -	77,099	77,099
ASSISTANT SCIENTIST	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	1,066,102	546,298
	(17.25)	(5.75)
OTHER PERSONAL SERVICES	764,177	10,000
OTHER OPERATING EXPENSES	3,126,110	615,319
ALLOC OTHER ENTITIES	913,756	
TOTAL 2. MARINE	8,151,024	1,592,465
RESEARCH & MONITORING	(80.31)	(13.01)
 TOT F. MARINE RESOURCES	21,546,698	4,761,195
	(182.41)	(41.51)
 G. LAND, WATER & CONSERV		
1. EARTH SCIENCE		
CLASSIFIED POSITIONS	1,616,843	1,374,817
	(17.00)	(16.50)
UNCLASSIFIED POSITIONS	181,087	181,087
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	208,077	
OTHER OPERATING EXPENSES	659,359	426,609
ALLOC OTHER ENTITIES	120,000	
TOTAL 1. EARTH SCIENCE	2,785,366	1,982,513
	(19.00)	(18.50)
 2. CONSERVATION		
CLASSIFIED POSITIONS	1,292,618	634,473
	(16.05)	(9.05)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	18,699	
OTHER OPERATING EXPENSES	2,669,003	454,052
ALLOC MUNICIPALITIES	250,000	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	250,500	
ALLOC OTHER ENTITIES	30,000	
AID TO CONSERV DISTRICTS	1,150,000	1,150,000
TOTAL 2. CONSERVATION	5,660,820	2,238,525
	(16.05)	(9.05)
3. HERITAGE TRUST		
CLASSIFIED POSITIONS	2,474,042	5,323
	(42.61)	
NEW POSITIONS - GIS ANALYST	25,955	
	(0.50)	
OTHER PERSONAL SERVICES	454,924	
OTHER OPERATING EXPENSES	2,542,666	398,709
TOTAL 3. HERITAGE TRUST	5,497,587	404,032
	(43.11)	
4. ENVIRONMENTAL REVIEW		
CLASSIFIED POSITIONS	384,778	
	(8.00)	
NEW POSITIONS - ATTORNEY V	147,000	147,000
	(1.00)	(1.00)
NEW POSITIONS -	54,978	
PROGRAM MANAGER I	(2.00)	(1.00)
OTHER PERSONAL SERVICES	563	
OTHER OPERATING EXPENSES	269,340	173,840
TOTAL 4. ENVIRONMENTAL	856,659	320,840
REVIEW	(11.00)	(2.00)
TOTAL G. LAND,	14,800,432	4,945,910
WATER & CONSERVATION	(89.16)	(29.55)
TOTAL II. PROGRAMS	146,977,318	62,467,865
AND SERVICES	(1,027.98)	(483.06)

P240-DEPARTMENT OF NATURAL RESOURCES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	31,021,439	18,168,794
TOT III. EMPLOYEE BENEFITS	31,021,439	18,168,794
 TOTAL DEPARTMENT OF	 187,200,974	 86,328,111
NATURAL RESOURCES	(1,080.48)	(510.56)

SECTION 48
P260-SEA GRANT CONSORTIUM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	127,000	127,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,413,257	588,257
	(22.00)	(10.75)
NEW POSITIONS -	55,559	55,559
ADMINISTRATIVE COORD I	(1.00)	(1.00)
OTHER PERSONAL SERVICES	450,000	
OTHER OPERATING EXPENSES	326,128	256,428
ALLOC OTHER ST AGENCIES	750,000	
ALLOC OTHER ENTITIES	2,080,000	30,000
TOTAL I. ADMINISTRATION	5,201,944	1,057,244
	(24.00)	(12.75)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	805,018	330,018
TOT II. EMPLOYEE BENEFITS	805,018	330,018
 TOT SEA GRANT CONSORTIUM	 6,006,962	 1,387,262
	(24.00)	(12.75)

SECTION 49

P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
A. EXECUTIVE OFFICES		
DIRECTOR	206,552	206,552
	(1.00)	(1.00)
CLASSIFIED POSITIONS	684,395	684,395
	(7.00)	(7.00)
UNCLASSIFIED POSITIONS	149,196	149,196
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	200,000	200,000
OTHER OPERATING EXPENSES	108,414	108,414
TOT A. EXECUTIVE OFFICES	1,348,557	1,348,557
	(10.00)	(10.00)
B. ADMINISTRATIVE SRVCS		
CLASSIFIED POSITIONS	3,462,741	3,437,741
	(26.00)	(26.00)
OTHER PERSONAL SERVICES	368,343	368,343
OTHER OPERATING EXPENSES	2,069,151	2,059,151
FIRST IN GOLF	75,000	
PALMETTO TRAIL	1,000,000	1,000,000
PARD GRANTS	1,792,000	
SPORTS DEVELOPMENT FUND	50,000	
TOTAL B. ADMINISTRATIVE	8,817,235	6,865,235
SERVICES	(26.00)	(26.00)
TOTAL I. ADMINISTRATION	10,165,792	8,213,792
	(36.00)	(36.00)
II. PROGRAMS AND SERVICES		
A. TOURISM SALES & MRKTING		
CLASSIFIED POSITIONS	818,282	818,282
	(11.00)	(11.00)
OTHER PERSONAL SERVICES	5,000	5,000
OTHER OPERATING EXPENSES	88,800	88,800
ADVERTISING	17,514,793	15,714,793
DESTINATION-SPECIFIC	18,000,000	18,000,000
ADVERTISING		

P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
REGIONAL PROMOTIONS	4,625,000	4,625,000
SPORTS MRKTING GRANT PROG	2,000,000	2,000,000
TOTAL A. TOURISM	43,051,875	41,251,875
SALES & MARKETING	(11.00)	(11.00)
 B. WELCOME CENTERS		
CLASSIFIED POSITIONS	2,706,435	2,094,213
	(58.00)	(54.00)
OTHER PERSONAL SERVICES	267,771	195,000
OTHER OPERATING EXPENSES	5,004,295	283,048
TOTAL B. WELCOME CENTERS	7,978,501	2,572,261
	(58.00)	(54.00)
 C. STATE PARKS SERVICE		
CLASSIFIED POSITIONS	16,970,940	5,877,900
	(331.50)	(105.25)
NEW POSITIONS -	35,297	
ADMINISTRATIVE ASSISTANT	(1.00)	
NEW POSITIONS -	30,762	
ADMINISTRATIVE SPECIALIST II	(1.00)	
NEW POSITIONS -	37,645	
BLDING/GROUNDS SUPERVISOR I	(1.00)	
NEW POSITIONS - PARK MANAGER I	50,450	
	(1.00)	
NEW POSITIONS -	56,000	
PARK MANAGER II	(1.00)	
NEW POSITIONS - SR PARK RANGER	43,589	
	(1.00)	
OTHER PERSONAL SERVICES	5,500,000	
OTHER OPERATING EXPENSES	27,650,955	2,300,000
TOTAL C. STATE PARKS SERVICE	50,375,638	8,177,900
	(337.50)	(105.25)
 D. COMMUNICATIONS		
CLASSIFIED POSITIONS	121,083	121,083
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	18,000	18,000
TOTAL D. COMMUNICATIONS	139,083	139,083
	(1.00)	(1.00)

P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. RESEARCH		
CLASSIFIED POSITIONS	186,994	186,994
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	20,000	20,000
OTHER OPERATING EXPENSES	20,000	20,000
TOTAL E. RESEARCH	226,994	226,994
	(2.00)	(2.00)
F. STATE FILM OFFICE		
CLASSIFIED POSITIONS	177,872	
	(2.00)	
OTHER OPERATING EXPENSES	360,000	
ALLOC PRIVATE SECTOR	24,393,767	
TOT F. STATE FILM OFFICE	24,931,639	
	(2.00)	
G. RECREATION, GRANTS & POLICY		
CLASSIFIED POSITIONS	319,349	265,349
	(3.00)	(3.00)
NEW POSITIONS -		
GRANTS COORDINATOR I	(1.00)	
OTHER OPERATING EXPENSES	121,980	25,000
PARD GRANTS	2,000,000	500,000
SPORTS MRKTING GRANT PROG	500,000	500,000
UNDISCOVERED SOUTH	750,000	750,000
CAROLINA GRANTS		
ALLOC MUNICIPALITIES	1,397,500	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	1,467,000	
ALLOC OTHER STATE AGENCIES	478,600	
ALLOC OTHER ENTITIES	878,530	
TOTAL G. RECREATION,	7,912,959	2,040,349
GRANTS & POLICY	(4.00)	(3.00)
H. VENUES AT ARSENAL HILL		
CLASSIFIED POSITIONS	157,000	122,000
	(3.50)	(2.50)
OTHER OPERATING EXPENSES	347,000	60,000

P280-DEPARTMENT OF PARKS, RECREATION & TOURISM

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL H. VENUES	504,000	182,000
AT ARSENAL HILL	(3.50)	(2.50)
 TOTAL II. PROGRAMS	 135,120,689	 54,590,462
AND SERVICES	(419.00)	(178.75)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	12,086,895	5,204,527
TOT III. EMPLOYEE BENEFITS	12,086,895	5,204,527
 TOT DEPARTMENT OF PARKS,	 157,373,376	 68,008,781
RECREATION & TOURISM	(455.00)	(214.75)

SECTION 50
P320-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. ADMINISTRATION & SUPPORT		
A. OFFICE OF SECRETARY		
DIRECTOR	301,392	301,392
	(1.00)	(1.00)
CLASSIFIED POSITIONS	252,608	252,608
	(3.00)	(3.00)
UNCLASSIFIED POSITIONS	185,000	185,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	113,000	113,000
TOT A. OFFICE OF SECRETARY	852,000	852,000
	(5.00)	(5.00)
 B. FINANCIAL SERVICES		
CLASSIFIED POSITIONS	759,000	759,000
	(9.21)	(9.21)
OTHER PERSONAL SERVICES	5,000	5,000
OTHER OPERATING EXPENSES	860,000	185,000
TOT B. FINANCIAL SERVICES	1,624,000	949,000
	(9.21)	(9.21)

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. INFO TECHNOLOGY		
CLASSIFIED POSITIONS	359,000	234,000
	(4.00)	(2.50)
OTHER OPERATING EXPENSES	585,000	456,000
TOTAL C.	944,000	690,000
INFORMATION TECHNOLOGY	(4.00)	(2.50)
 TOTAL I. ADMINISTRATION & SUPPORT	 3,420,000 (18.21)	 2,491,000 (16.71)
 II. PROGRAMS AND SERVICES		
A. GLOBAL BUSINESS DVLPMNT		
CLASSIFIED POSITIONS	1,376,291	1,276,791
	(20.00)	(19.00)
UNCLASSIFIED POSITIONS	139,000	139,000
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	100,000	100,000
OTHER OPERATING EXPENSES	1,892,000	1,867,000
FOREIGN OPERATIONS	3,500,000	3,500,000
LOCAL ECONOMIC	5,000,000	5,000,000
DEVELOPMENT ALLIANCES		
LOCATESC	11,500,000	11,500,000
PUBLIC-PRIVATE PARTNERSHIPS	101,065	101,065
TOTAL A. GLOBAL	23,608,356	23,483,856
BUSINESS DEVELOPMENT	(22.00)	(21.00)
 B. SMALL BUSINESS/EXISTING INDUSTRY		
CLASSIFIED POSITIONS	1,476,379	1,285,379
	(15.00)	(12.80)
OTHER PERSONAL SERVICES	180,000	170,000
OTHER OPERATING EXPENSES	537,000	369,000
APPLIED RESEARCH CENTERS	2,500,000	2,500,000
COUNCIL ON COMPETITIVENESS	250,000	250,000
PROCUREMENT TECH ASSIST	170,000	170,000
PROGRAM (PTAP)		
SC SMALL BUSINESS	1,000,000	1,000,000
DEVELOPMENT CENTERS		
ALLOC PRIVATE SECTOR	425,000	125,000

STATUTES AT LARGE
General and Permanent Laws--2025
P320-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL B. SMALL BUSINESS/EXISTING INDUSTRY	6,538,379 (15.00)	5,869,379 (12.80)
C. COMMUNITY & RURAL DEVELOPMENT		
CLASSIFIED POSITIONS	569,000 (6.00)	155,000 (2.00)
OTHER PERSONAL SERVICES	50,000	
OTHER OPERATING EXPENSES	241,200	35,000
TOTAL C. COMMUNITY & RURAL DEVELOPMENT	860,200 (6.00)	190,000 (2.00)
D. MKTG, COMMUNICATIONS & RESEARCH		
CLASSIFIED POSITIONS	1,098,000 (18.00)	1,098,000 (18.00)
OTHER PERSONAL SERVICES	25,000	25,000
OTHER OPERATING EXPENSES	283,000	283,000
BUSINESS DEVELOPMENT & MARKETING	1,000,000	1,000,000
SC MANUFACTURING EXTENSION PARTNERSHIP	1,782,049	1,782,049
TOTAL D. MKTG, COMMUNIC & RESEARCH	4,188,049 (18.00)	4,188,049 (18.00)
E. GRANT PROGRAMS		
1. COORD COUNCIL ECO DVLP		
CLASSIFIED POSITIONS	677,000 (8.00)	
UNCLASSIFIED POSITIONS	149,750 (1.00)	
OTHER PERSONAL SERVICES	16,250	
OTHER OPERATING EXPENSES	217,000	
CLOSING FUND	21,300,000	21,300,000
INTRA-AGEN LOAN REPAYMNT	2,000,000	2,000,000
ALLOC MUNICIPALITIES - RESTRICTED	4,000,000	
ALLOC COUNTIES - RESTRICTED	46,266,000	
TOTAL 1. COORD COUNCIL ECO DEVELOP	74,626,000 (9.00)	23,300,000

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
2. COMMUNITY GRANTS		
CLASSIFIED POSITIONS	750,500	235,000
	(10.89)	(3.00)
OTHER PERSONAL SERVICES	50,000	25,000
OTHER OPERATING EXPENSES	790,000	340,000
ALLOC MUNICIPALITIES	7,874,800	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	4,469,015	
TOT 2. COMMUNITY GRANTS	13,934,315	600,000
	(10.89)	(3.00)
TOT E. GRANT PROGRAMS	88,560,315	23,900,000
	(19.89)	(3.00)
F. INNOVATION/EMERGING INDUSTRIES		
CLASSIFIED POSITIONS	483,000	436,000
	(8.00)	(8.00)
OTHER PERSONAL SERVICES	5,000	5,000
OTHER OPERATING EXPENSES	391,500	216,500
INNOVATION GRANT PROG	2,500,000	2,500,000
TOTAL F. INNOVATION/	3,379,500	3,157,500
EMERGING INDUSTRIES	(8.00)	(8.00)
G. SC NEXUS		
CLASSIFIED POSITIONS	520,000	520,000
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	180,000	180,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	1,000,000	1,000,000
DISTRIB TO SUBDIVISIONS	3,000,000	3,000,000
TOTAL G. SC NEXUS	4,700,000	4,700,000
	(6.00)	(6.00)
TOTAL II. PROGRAMS AND SERVICES	131,834,799	65,488,784
	(94.89)	(70.80)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,871,768	2,891,268

STATUTES AT LARGE
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P320-DEPARTMENT OF COMMERCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT III. EMPLOYEE BENEFITS	3,871,768	2,891,268
TOTAL DEPARTMENT OF COMMERCE	139,126,567 (113.10)	70,871,052 (87.51)

SECTION 51
P340-JOBS-ECONOMIC DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	110,000 (1.00)	
OTHER PERSONAL SERVICES	260,000	
OTHER OPERATING EXPENSES	618,500	
TOTAL I. ADMINISTRATION	988,500 (1.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	52,650	
TOT II. EMPLOYEE BENEFITS	52,650	
TOTAL JOBS-ECONOMIC DEVELOPMENT AUTHORITY	1,041,150 (1.00)	

SECTION 52
P360-PATRIOTS POINT DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. NAVAL & MARITIME MUSEUM		
EXECUTIVE DIRECTOR	140,000 (1.00)	
CLASSIFIED POSITIONS	3,429,000 (86.00)	
OTHER PERSONAL SERVICES	1,004,000	
OTHER OPERATING EXPENSES	12,806,000	
PRINCIPAL PAYMENTS	700,000	

P360-PATRIOTS POINT DEVELOPMENT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
INTEREST - LOAN NOTE	171,000	
TOTAL I. NAVAL & MARITIME MUSEUM	18,250,000 (87.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,750,000	
TOT II. EMPLOYEE BENEFITS	1,750,000	
TOTAL PATRIOTS POINT DEVELOPMENT AUTHORITY	20,000,000 (87.00)	

SECTION 53
P400-SC CONSERVATION BANK

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	146,000	146,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	200,134	200,134
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	272,096	272,096
CONSERVATION BANK TRUST	19,000,000	19,000,000
NATL COASTAL WETLANDS CONSERVATION GRANT	5,200,000	
SAVANNAH HARBOR EXTENSION PROJECT	5,000,000	
WORKING AG LANDS GRANT	4,000,000	4,000,000
PERMANENT IMPROVEMENTS	25,000,000	
TOTAL I. ADMINISTRATION	58,818,230 (5.00)	23,618,230 (5.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	150,335	150,335
TOT II. EMPLOYEE BENEFITS	150,335	150,335
TOT SC CONSERVATION BANK	58,968,565 (5.00)	23,768,565 (5.00)

SECTION 54
P450-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	187,200	
	(1.00)	
CLASSIFIED POSITIONS	769,800	
	(11.00)	
NEW POSITIONS -	80,105	
PROGRAM MANAGER I	(1.00)	
NEW POSITIONS -	194,944	
PROGRAM MANAGER II	(2.00)	
OTHER PERSONAL SERVICES	5,000	
OTHER OPERATING EXPENSES	215,000	
TOTAL I. ADMINISTRATION	1,452,049	
	(15.00)	
II. SC RURAL INFRASTRUCTURE AUTHORITY		
PLANNING AND TECH ASST -	5,000,000	5,000,000
SMALL & RURAL UTILITIES		
SC RURAL INFRASTRU FUND	28,870,056	8,870,056
STWIDE WATER AND SEWER FND	8,000,000	8,000,000
TOTAL II. SC RURAL	41,870,056	21,870,056
INFRASTRUC AUTHORITY		
III. OFFICE OF LOCAL GOVERNMENT		
CLASSIFIED POSITIONS	400,000	
	(7.00)	
OTHER PERSONAL SERVICES	10,000	
OTHER OPERATING EXPENSES	286,000	
LOANS	14,612,610	14,332,610
TOTAL III. OFFICE	15,308,610	14,332,610
OF LOCAL GOVERNMENT	(7.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	678,969	

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P450-RURAL INFRASTRUCTURE AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT IV. EMPLOYEE BENEFITS	678,969	
TOTAL RURAL	59,309,684	36,202,666
INFRASTRUCTURE AUTHORITY	(22.00)	

SECTION 55
P500-DEPARTMENT OF
ENVIRONMENTAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	179,925	179,925
	(1.00)	(1.00)
CLASSIFIED POSITIONS	9,903,383	5,268,506
	(144.27)	(72.45)
NEW POSITIONS - ATTORNEY II	66,488	66,488
	(1.00)	(1.00)
NEW POSITIONS -	320,420	320,420
SENIOR CONSULTANT	(4.00)	(4.00)
NEW POSITIONS -	160,210	160,210
SYSTEMS ENGINEER I	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	140,000	
	(1.00)	
OTHER PERSONAL SERVICES	693,209	78,632
OTHER OPERATING EXPENSES	8,180,491	8,180,490
TOTAL I. ADMINISTRATION	19,644,126	14,254,671
	(153.27)	(80.45)
II. PROGRAMS AND SERVICES		
A. WATER MANAGEMENT		
CLASSIFIED POSITIONS	24,099,520	12,822,448
	(358.27)	(201.56)
NEW POSITIONS -	240,315	240,315
ENGINEER/ASSOC ENGINEER III	(3.00)	(3.00)
NEW POSITIONS -	547,118	547,118
ENVIRONMENTAL/HLTH MGR II	(7.00)	(7.00)
NEW POSITIONS -	80,105	80,105
ENVIRONMENTAL/HLTH MGR III	(1.00)	(1.00)

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P500-DEPARTMENT OF
ENVIRONMENTAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS -	66,488	66,488
PROGRAM COORDINATOR II	(1.00)	(1.00)
NEW POSITIONS -	80,105	80,105
PROJECT MANAGER I	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	133,000	133,000
	(0.85)	(0.85)
OTHER PERSONAL SERVICES	1,334,219	271,520
OTHER OPERATING EXPENSES	30,539,363	10,556,185
SYSTEM UPGRADES	1,500,000	1,500,000
ALLOC MUNICIPALITIES	1,362,271	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	415,750	
ALLOC OTHER STATE AGENCIES	80,269	
ALLOC OTHER ENTITIES	4,361,809	
ALLOCATIONS TO	267,802	
PLANNING DISTRICTS		
GENERAL FUND TRANSFER	250,000	250,000
TOT A. WATER MANAGEMENT	65,358,134	26,547,284
	(372.12)	(215.41)
 B. COASTAL RESOURCE		
IMPROVEMENT		
CLASSIFIED POSITIONS	3,276,092	1,850,027
	(50.25)	(29.01)
UNCLASSIFIED POSITIONS	16,000	16,000
	(0.10)	(0.10)
OTHER PERSONAL SERVICES	45,544	15,544
OTHER OPERATING EXPENSES	3,086,947	708,369
OCEAN OUTFALLS	2,000,000	2,000,000
TOTAL B. COASTAL	8,424,583	4,589,940
RESOURCE IMPROVEMENT	(50.35)	(29.11)
 C. AIR QUALITY IMPROVEMENT		
CLASSIFIED POSITIONS	11,415,591	6,577,038
	(145.32)	(105.61)
NEW POSITIONS -	55,559	55,559
ENGINEER/ASSOC ENGINEER I	(1.00)	(1.00)

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P500-DEPARTMENT OF
ENVIRONMENTAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	16,000	16,000
	(0.10)	(0.10)
OTHER PERSONAL SERVICES	134,681	107,581
OTHER OPERATING EXPENSES	2,898,705	2,363,224
ALLOC OTHER ENTITIES	489,054	
TOTAL C. AIR	15,009,590	9,119,402
QUALITY IMPROVEMENT	(146.42)	(106.71)
 D. LAND & WASTE		
MANAGEMENT		
CLASSIFIED POSITIONS	13,410,871	5,929,876
	(292.48)	(92.27)
UNCLASSIFIED POSITIONS	55,990	55,990
	(0.35)	(0.35)
OTHER PERSONAL SERVICES	425,729	262,658
OTHER OPERATING EXPENSES	16,956,499	1,534,863
GENERAL FUND TRANSFER	1,950,000	1,950,000
AID TO OTHER ENTITIES	3,981,000	3,981,000
TOTAL D. LAND	36,780,089	13,714,387
& WASTE MANAGEMENT	(292.83)	(92.62)
 E. LABORATORY MGMT		
MANAGEMENT		
CLASSIFIED POSITIONS	4,014,396	1,870,869
	(74.58)	(28.80)
UNCLASSIFIED POSITIONS	30,455	30,455
	(0.20)	(0.20)
OTHER PERSONAL SERVICES	162,451	65,673
OTHER OPERATING EXPENSES	1,997,074	1,037,880
TOTAL E. LABORATORY	6,204,376	3,004,877
MANAGEMENT	(74.78)	(29.00)
 F. ONSITE WASTEWATER		
MANAGEMENT		
CLASSIFIED POSITIONS	10,504,593	9,131,593
	(147.36)	(126.30)
UNCLASSIFIED POSITIONS	60,910	60,910
	(0.40)	(0.40)
OTHER PERSONAL SERVICES	392,532	363,032
OTHER OPERATING EXPENSES	2,143,552	2,143,551

STATUTES AT LARGE
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P500-DEPARTMENT OF
ENVIRONMENTAL SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL F. ONSITE WASTEWATER	13,101,587 (147.76)	11,699,086 (126.70)
TOTAL II. PROGRAMS AND SERVICES	144,878,359 (1,084.26)	68,674,976 (599.55)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	40,720,907	20,032,085
TOT III. EMPLOYEE BENEF	40,720,907	20,032,085
TOTAL DEPARTMENT OF ENVIRONMENTAL SERVICES	205,243,392 (1,237.53)	102,961,732 (680.00)

SECTION 57
B040-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. THE COURT:		
A. SUPREME COURT		
CHIEF JUSTICE	240,477	240,477
	(1.00)	(1.00)
ASSOCIATE JUSTICE	916,104	916,104
	(4.00)	(4.00)
TAXABLE SUBSISTENCE	30,000	30,000
UNCLASSIFIED POSITIONS	4,035,000	4,035,000
	(48.00)	(48.00)
OTHER PERSONAL SERVICES	10,000	10,000
OTHER OPERATING EXPENSES	2,692,300	1,530,000
TOTAL A. SUPREME COURT	7,923,881 (53.00)	6,761,581 (53.00)
B. BOARD OF LAW EXAMINERS		
UNCLASSIFIED POSITIONS	325,000	
	(5.00)	
OTHER PERSONAL SERVICES	100,000	

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	425,000	
TOTAL B. BOARD	850,000	
OF LAW EXAMINERS	(5.00)	
 C. OFFICE OF DISCIPLINARY COUNSEL		
UNCLASSIFIED POSITIONS	2,141,378	1,541,378
	(23.00)	(16.00)
NEW POSITIONS -	140,000	140,000
ADMINISTRATIVE ASSISTANT	(3.00)	(3.00)
NEW POSITIONS - ATTORNEY I	350,000	350,000
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	662,000	162,000
TOTAL C. OFFICE	3,293,378	2,193,378
OF DISCIPLINARY COUNSEL	(30.00)	(23.00)
 D. COMMISSION ON CONDUCT		
UNCLASSIFIED POSITIONS	550,000	335,000
	(8.00)	(4.00)
OTHER PERSONAL SERVICES	2,000	2,000
OTHER OPERATING EXPENSES	125,000	100,000
TOTAL D. COMMISSION	677,000	437,000
ON CONDUCT	(8.00)	(4.00)
 TOTAL I. THE COURT:	12,744,259	9,391,959
	(96.00)	(80.00)
 II. COURT OF APPEALS		
CHIEF APPEALS COURT JUDGE	226,735	226,735
	(1.00)	(1.00)
ASSOCIATE APPEALS COURT	1,786,400	1,786,400
JUDGE	(8.00)	(8.00)
TAXABLE SUBSISTENCE	60,000	60,000
UNCLASSIFIED POSITIONS	4,575,000	4,575,000
	(67.00)	(67.00)
OTHER PERSONAL SERVICES	10,000	10,000
OTHER OPERATING EXPENSES	1,056,000	1,056,000
TOTAL II. COURT OF APPEALS	7,714,135	7,714,135
	(76.00)	(76.00)

STATUTES AT LARGE
General and Permanent Laws--2025
B040-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. CIRCUIT COURT		
CIRCUIT COURT JUDGE	11,531,422	11,531,422
	(53.00)	(53.00)
TAXABLE SUBSISTENCE	350,000	350,000
UNCLASSIFIED POSITIONS	5,630,000	5,630,000
	(106.00)	(106.00)
OTHER PERSONAL SERVICES	40,000	40,000
OTHER OPERATING EXPENSES	1,963,000	1,953,000
TOTAL III. CIRCUIT COURT	19,514,422	19,504,422
	(159.00)	(159.00)
IV. FAMILY COURT		
NEW JUDGE	635,547	635,547
	(3.00)	(3.00)
FAMILY COURT JUDGE	13,346,487	13,346,487
	(63.00)	(63.00)
TAXABLE SUBSISTENCE	525,000	525,000
UNCLASSIFIED POSITIONS	3,630,000	3,630,000
	(71.00)	(71.00)
NEW POSITIONS -	130,000	130,000
ADMINISTRATIVE ASSISTANT	(3.00)	(3.00)
OTHER PERSONAL SERVICES	25,000	25,000
OTHER OPERATING EXPENSES	2,325,000	2,315,000
TOTAL IV. FAMILY COURT	20,617,034	20,607,034
	(140.00)	(140.00)
V. REACTIVATED JUDGES		
REACTIVATED JUDGES	1,506,000	1,506,000
TOT V. REACTIVATED JUDGES	1,506,000	1,506,000
VI. COURT ADMINISTRATION		
A. OFFICE OF STATE COURT ADMINISTRATOR		
UNCLASSIFIED POSITIONS	210,000	210,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	375,000	250,000
TOTAL A. OFFICE OF	585,000	460,000
STATE COURT ADMINISTRATOR	(1.00)	(1.00)

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. COURT SERVICES		
1. COURT SERVICES		
UNCLASSIFIED POSITIONS	2,600,000	2,600,000
	(39.00)	(39.00)
OTHER OPERATING EXPENSES	1,627,993	710,000
TOTAL 1. COURT SERVICES	4,227,993	3,310,000
	(39.00)	(39.00)
2. LANGUAGE INTERPRETERS		
OTHER OPERATING EXPENSES	940,000	940,000
TOTAL 2.	940,000	940,000
LANGUAGE INTERPRETERS		
3. COURT REPORTING		
UNCLASSIFIED POSITIONS	7,352,238	6,352,238
	(126.00)	(126.00)
NEW POSITIONS -	210,000	210,000
COURT REPORTER I	(3.00)	(3.00)
OTHER OPERATING EXPENSES	950,000	950,000
TOTAL 3. COURT REPORTING	8,512,238	7,512,238
	(129.00)	(129.00)
TOTAL B. COURT SERVICES	13,680,231	11,762,238
	(168.00)	(168.00)
C. JUDGE SCHEDULING		
UNCLASSIFIED POSITIONS	225,000	225,000
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	40,000	25,000
TOT C. JUDGE SCHEDULING	265,000	250,000
	(3.00)	(3.00)
D. PUBLIC INFORMATION		
UNCLASSIFIED POSITIONS	100,000	100,000
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	25,000	25,000
TOT D. PUBLIC INFORMATION	125,000	125,000
	(1.00)	(1.00)

STATUTES AT LARGE
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B040-JUDICIAL DEPARTMENT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E. INFO TECHNOLOGY		
UNCLASSIFIED POSITIONS	4,300,000	1,300,000
	(50.00)	(12.00)
OTHER OPERATING EXPENSES	6,592,112	2,804,112
CASE MGMNT TECH SUPPORT	6,000,000	3,000,000
TOTAL E. INFORMATION TECHNOLOGY	16,892,112	7,104,112
	(50.00)	(12.00)
F. FISCAL SERVICES		
UNCLASSIFIED POSITIONS	1,537,375	937,375
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	125,000	
TOTAL F. FISCAL SERVICES	1,662,375	937,375
	(12.00)	(12.00)
G. HUMAN RESOURCES		
UNCLASSIFIED POSITIONS	1,360,000	960,000
	(11.00)	(11.00)
OTHER PERSONAL SERVICES	30,000	30,000
OTHER OPERATING EXPENSES	125,000	
TOT G. HUMAN RESOURCES	1,515,000	990,000
	(11.00)	(11.00)
TOTAL VI. COURT ADMINISTRATION	34,724,718	21,628,725
	(246.00)	(208.00)
VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	36,004,309	33,379,309
TOT VII. EMPLOYEE BENEFITS	36,004,309	33,379,309
TOT JUDICIAL DEPARTMENT	132,824,877	113,731,584
	(717.00)	(663.00)

SECTION 58
C050-ADMINISTRATIVE LAW COURT

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CHIEF JUDGE	195,815	195,815
	(1.00)	(1.00)
ASSOCIATE JUDGE	870,300	870,300
	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	3,183,416	2,362,185
	(44.00)	(26.50)
OTHER OPERATING EXPENSES	1,020,673	435,150
TOTAL I. ADMINISTRATION	5,270,204	3,863,450
	(50.00)	(32.50)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,840,053	1,590,821
TOT II. EMPLOYEE BENEFITS	1,840,053	1,590,821
TOTAL ADMINISTRATIVE	7,110,257	5,454,271
LAW COURT	(50.00)	(32.50)

SECTION 59
E200-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE LITIGATION		
ATTORNEY GENERAL	208,000	208,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	17,750,359	15,530,001
	(259.25)	(205.80)
NEW POSITIONS -	74,000	74,000
ATTORNEY II	(1.00)	(1.00)
NEW POSITIONS -	150,000	150,000
INVESTIGATOR IV	(4.00)	(2.25)
NEW POSITIONS -	51,000	51,000
PROGRAM ASSISTANT	(1.00)	(1.00)
NEW POSITIONS -	61,000	61,000
PROGRAM COORDINATOR I	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	125,000	

STATUTES AT LARGE
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E200-ATTORNEY GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
	(1.00)	
OTHER PERSONAL SERVICES	765,010	25,000
OTHER OPERATING EXPENSES	14,967,224	5,126,341
TOTAL I. STATE LITIGATION	34,151,593	21,225,342
	(268.25)	(212.05)
 II. CRIME VICTIMS SERVICES		
CLASSIFIED POSITIONS	2,281,542	232,162
	(61.40)	(4.00)
NEW POSITIONS -	65,000	65,000
PROGRAM COORDINATOR I	(1.00)	(1.00)
NEW POSITIONS -	65,000	65,000
PROGRAM COORDINATOR II	(1.00)	(1.00)
OTHER PERSONAL SERVICES	193,840	
OTHER OPERATING EXPENSES	18,531,866	3,319,000
VICTIMS RIGHTS	120,000	120,000
ALLOC MUNICIPALITIES	2,050,000	
- RESTRICTED		
ALLOC CNTIES - RESTRICTED	2,690,000	
ALLOC OTHER ST AGENCIES	2,400,000	
ALLOC OTHER ENTITIES	26,675,000	
TOTAL II. CRIME	55,072,248	3,801,162
VICTIMS SERVICES	(63.40)	(6.00)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	7,274,698	5,553,770
TOT III. EMPLOYEE BENEFITS	7,274,698	5,553,770
 TOTAL ATTORNEY	96,498,539	30,580,274
GENERAL'S OFFICE	(331.65)	(218.05)

SECTION 60
E210-COMMISSION ON PROSECUTION
COORDINATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	165,000	165,000
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	814,889	814,889
	(8.00)	(8.00)
OTHER PERSONAL SERVICES	99,550	2,400
OTHER OPERATING EXPENSES	723,132	545,891
TOT I. ADMINISTRATION	1,802,571	1,528,180
	(9.00)	(9.00)
II. OFFICES OF CIRCUIT SOLICITORS		
CIRCUIT SOLICITOR	3,481,215	3,481,215
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	747,732	747,732
	(16.00)	(16.00)
OTHER OPERATING EXPENSES	192,000	192,000
12TH JUDICIAL CIRCUIT	150,000	150,000
DRUG COURT		
CASELOAD EQUALIZ FUNDING	22,356,872	22,356,872
CONDITIONAL DISCHARGE FEE	300,000	
- GENERAL SESSIONS		
CONDITIONAL DISCHARGE FEE	200,000	
- MAGISTRATE		
CONDITIONAL DISCHARGE FEE	175,000	
- MUNICIPALITY		
COURT FEES	300,000	
CRIMINAL DOMESTIC	1,600,000	1,600,000
VIOLENCE PROSECUTOR		
DRUG COURT FUNDING	4,400,000	1,600,000
DUI PROSECUTION	1,179,041	1,179,041
FEE FOR MOTIONS	450,000	
JUDICIAL CIRCUIT STATE SUPRT	10,552,002	10,552,002
KERSHAW CNTY DRUG COURT	52,965	52,965
LAW ENFORCEMENT FUNDING	4,000,000	
RICHLAND CNTY DRUG COURT	56,436	56,436

STATUTES AT LARGE
General and Permanent Laws--2025
E210-COMMISSION ON PROSECUTION
COORDINATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
SALUDA CNTY DRUG COURT	38,000	38,000
SUMMARY COURT DOMESTIC VIOLENCE PROSECUTION	2,980,117	2,980,117
TRAFFIC EDUCATION	50,000	
PROG-MAGISTRATES COURT		
TRAFFIC EDUCATION	50,000	
PROGRAM-MUNICIPAL COURT		
VICTIM'S ASSISTANCE PROG	132,703	132,703
VIOLENT CRIME PROSECUTION	1,600,000	1,600,000
TOTAL II. OFFICES	55,044,083	46,719,083
OF CIRCUIT SOLICITORS	(32.00)	(32.00)
 III. COMMUNITY PROGRAMS		
SC CENTER FOR	400,000	400,000
FATHERS AND FAMILIES		
TOT III. COMMUNITY PROG	400,000	400,000
 IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,539,216	3,502,224
TOT IV. EMPLOYEE BENEFITS	3,539,216	3,502,224
 TOTAL COMMISSION ON	60,785,870	52,149,487
PROSECUTION COORDINATION	(41.00)	(41.00)

SECTION 61
E230-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	169,198	169,198
	(1.00)	(1.00)
CLASSIFIED POSITIONS	813,252	596,284
	(10.50)	(6.50)
OTHER PERSONAL SERVICES	1,234	1,234
OTHER OPERATING EXPENSES	256,377	6,377

E230-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CIVIL COMMITMENT	375,000	
VOUCHER PROCESSING		
CONFLICT FUND	2,500,000	
COURT FINE ASSESSMENT	400,000	
DEATH PENALTY TRIAL FUNDS	2,406,600	
FEE AND FINE STABLIZ FUND	1,300,000	1,300,000
INFORMATION TECHNOLOGY SERVICES	127,192	127,192
LEGAL AID FUNDING	1,700,000	
PROFESSIONAL TRAINING AND DEVELOPMENT	286,414	
RULE 608 APPOINTMENT	11,115,374	9,115,374
TOTAL I. ADMINISTRATION	21,450,641	11,315,659
	(11.50)	(7.50)
II. DIVISION OF APPELLATE DEFENSE		
CLASSIFIED POSITIONS	1,596,553	950,210
	(24.00)	(9.00)
OTHER OPERATING EXPENSES	402,600	
CT REPORTER TRANSCRIPT FUND	500,000	500,000
TOTAL II. DIVISION OF APPELLATE DEFENSE	2,499,153	1,450,210
	(24.00)	(9.00)
III. OFFICE OF CIRCUIT PUBLIC DEFENDER		
CIRCUIT PUBLIC DEFENDER	3,481,183	3,481,183
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	708,294	708,294
	(16.00)	(16.00)
OTHER OPERATING EXPENSES	192,000	192,000
ASST PUBLIC DEFENDER PERSONAL AND RETENTION FUNDING	11,200,733	11,200,733
CRIMINAL DOMESTIC VIOLENCE DEFENSE OF	1,377,185	1,377,185
INDIGENTS/PER CAPITA	23,054,101	18,881,049
DUI DEFENSE OF INDIGENTS	976,593	976,593
TOTAL III. OFFICE OF CIRCUIT PUBLIC DEFENDER	40,990,089	36,817,037
	(32.00)	(32.00)

STATUTES AT LARGE
General and Permanent Laws--2025
E230-COMMISSION ON INDIGENT DEFENSE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
IV. DEATH PENALTY TRIAL DIVISION		
UNCLASSIFIED POSITIONS	356,400	
	(5.00)	
OTHER OPERATING EXPENSES	115,200	
TOTAL IV. DEATH PENALTY TRIAL DIVISION	471,600	
	(5.00)	
V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	4,118,272	3,649,977
TOT V. EMPLOYEE BENEFITS	4,118,272	3,649,977
TOTAL COMMISSION ON INDIGENT DEFENSE	69,529,755	53,232,883
	(72.50)	(48.50)

SECTION 62
D100-GOVERNOR'S OFF-STATE LAW ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CHIEF	267,036	267,036
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,040,653	3,011,653
	(45.00)	(43.00)
NEW POSITIONS -		
COMMUNICATIONS TECHNICIAN	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	154,702	154,702
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	161,000	135,000
OTHER OPERATING EXPENSES	3,152,820	2,663,978
TOTAL I. ADMINISTRATION	6,776,211	6,232,369
	(48.00)	(46.00)
II. PROGRAMS AND SERVICES		
A. INVESTIGATIVE SERVICES		
CLASSIFIED POSITIONS	16,797,860	16,178,240
	(163.95)	(153.95)

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D100-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
NEW POSITIONS - LAW		
ENFORCEMENT OFFICER II	(4.00)	(4.00)
NEW POSITIONS - LAW		
ENFORCEMENT OFFICER III	(3.00)	
NEW POSITIONS -		
PROGRAM COORDINATOR I	(1.00)	
OTHER PERSONAL SERVICES	583,040	433,038
OTHER OPERATING EXPENSES	8,074,675	4,299,722
TOTAL A.	25,455,575	20,911,000
INVESTIGATIVE SERVICES	(171.95)	(157.95)
 B. FORENSIC SERVICES		
CLASSIFIED POSITIONS	10,838,249	10,412,549
	(151.80)	(140.00)
NEW POSITIONS - CRIMINALIST I		
	(4.00)	(4.00)
NEW POSITIONS -		
FORENSIC TECHNICIAN II	(1.00)	(1.00)
OTHER PERSONAL SERVICES	514,660	223,660
OTHER OPERATING EXPENSES	6,777,932	729,971
BREATHTESTING SITE VIDEOT	250,000	
DNA DATABASE PROGRAM	370,000	
IMPLIED CONSENT	93,355	93,355
CASE SERVICES	3,000	3,000
TOT B. FORENSIC SERVICES	18,847,196	11,462,535
	(156.80)	(145.00)
 C. DATA CENTER		
CLASSIFIED POSITIONS	4,636,998	4,521,998
	(66.60)	(65.60)
NEW POSITIONS -		
ENDPOINT TECHNICIAN I	(1.00)	(1.00)
NEW POSITIONS -		
ENDPOINT TECHNICIAN II	(1.00)	(1.00)
NEW POSITIONS -		
SENIOR DATABASE ADMIN	(1.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2025
D100-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	454,751	31,601
OTHER OPERATING EXPENSES	8,814,517	3,958,530
TOTAL C. DATA CENTER	13,906,266	8,512,129
	(69.60)	(68.60)
 D. REGULATORY		
CLASSIFIED POSITIONS	1,883,640	1,282,058
	(38.00)	(21.00)
NEW POSITIONS -		
ADMINISTRATIVE SPECIALIST II	(1.00)	(1.00)
OTHER PERSONAL SERVICES	661,103	225,788
OTHER OPERATING EXPENSES	3,287,809	2,101,950
CWP PROGRAM	2,004,500	2,004,500
PTSD TREATMENT	375,000	375,000
TOTAL D. REGULATORY	8,212,052	5,989,296
	(39.00)	(22.00)
 E. HOMELAND SECURITY PROG		
CLASSIFIED POSITIONS	1,249,658	756,424
	(11.65)	(9.85)
OTHER PERSONAL SERVICES	768,965	16,517
OTHER OPERATING EXPENSES	1,929,810	465,316
ALLOC MUNICIPALITIES	1,614,177	
- RESTRICTED		
ALLOC CNTIES - RESTRICTED	2,267,213	
ALLOC OTHER ST AGENCIES	6,926,050	
ALLOC OTHER ENTITIES	2,200,000	
TOTAL E. HOMELAND	16,955,873	1,238,257
SECURITY PROGRAM	(11.65)	(9.85)
 F. FUSION CENTER		
CLASSIFIED POSITIONS	4,162,920	3,449,575
	(53.00)	(36.00)
NEW POSITIONS - STATISTICAL		
AND RESEARCH ANALYST II	(3.00)	(3.00)
OTHER PERSONAL SERVICES	218,108	77,819

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D100-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	972,255	799,580
AMBER ALERT	68,300	68,300
TOTAL F. FUSION CENTER	5,421,583	4,395,274
	(56.00)	(39.00)
 G. COUNTER-TERRORISM		
CLASSIFIED POSITIONS	6,794,870	6,703,870
	(62.00)	(61.00)
NEW POSITIONS - LAW		
ENFORCEMENT OFFICER III	(1.00)	(1.00)
OTHER PERSONAL SERVICES	503,767	448,767
OTHER OPERATING EXPENSES	7,447,772	2,761,250
TOTAL G. COUNTER-	14,746,409	9,913,887
TERRORISM	(63.00)	(62.00)
 H. VICE		
CLASSIFIED POSITIONS	9,828,438	8,929,626
	(123.00)	(107.00)
NEW POSITIONS - LAW		
ENFORCEMENT OFFICER II	(3.00)	(3.00)
OTHER PERSONAL SERVICES	770,535	300,131
OTHER OPERATING EXPENSES	2,239,087	1,405,920
AGENT OPERATIONS	92,625	92,625
METH LAB CLEAN UP	500,000	500,000
TOTAL H. VICE	13,430,685	11,228,302
	(126.00)	(110.00)
 I. CJIS		
CLASSIFIED POSITIONS	2,063,137	1,670,458
	(41.00)	(27.00)
OTHER PERSONAL SERVICES	1,019,134	42,838
OTHER OPERATING EXPENSES	3,068,771	662,220
TOTAL I. CJIS	6,151,042	2,375,516
	(41.00)	(27.00)
 TOTAL II. PROGRAMS	123,126,681	76,026,196
AND SERVICES	(735.00)	(641.40)

STATUTES AT LARGE
General and Permanent Laws--2025
D100-GOVERNOR'S OFF-STATE LAW
ENFORCEMENT DIVISION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	26,117,933	22,842,815
TOT III. EMPLOYEE BENEFITS	26,117,933	22,842,815
 TOT GOVERNOR'S OFF-ST	 156,020,825	 105,101,380
LAW ENFORCEMENT DIVISION	(783.00)	(687.40)

SECTION 63
K050-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SERVICES		
DIRECTOR	186,903	150,022
	(1.00)	(0.80)
CLASSIFIED POSITIONS	5,154,467	4,930,746
	(90.71)	(79.40)
UNCLASSIFIED POSITIONS	156,546	156,546
OTHER PERSONAL SERVICES	257,961	165,400
OTHER OPERATING EXPENSES	3,251,291	151,268
TOTAL I.	9,007,168	5,553,982
ADMINISTRATIVE SERVICES	(91.71)	(80.20)
 II. PROGRAMS AND SERVICES		
A. HIGHWAY PATROL		
CLASSIFIED POSITIONS	75,875,176	69,868,146
	(1,136.70)	(1,020.30)
UNCLASSIFIED POSITIONS	176,562	176,562
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	7,428,885	5,796,210
OTHER OPERATING EXPENSES	42,670,461	21,331,658
TOT A. HIGHWAY PATROL	126,151,084	97,172,576
	(1,137.70)	(1,021.30)
 B. STATE TRANSPORT POLICE		
CLASSIFIED POSITIONS	10,866,757	4,034,863
	(161.01)	(47.90)

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K050-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	152,682	152,682
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	347,728	46,725
OTHER OPERATING EXPENSES	6,217,662	315,450
TOTAL B. STATE	17,584,829	4,549,720
TRANSPORT POLICE	(162.01)	(48.90)
 C. BUREAU OF PROTECTIVE SERVICES		
CLASSIFIED POSITIONS	6,868,877	5,337,245
	(108.00)	(70.00)
OTHER PERSONAL SERVICES	273,558	211,156
OTHER OPERATING EXPENSES	996,450	570,580
TOTAL C. BUREAU OF PROTECTIVE SERVICES	8,138,885	6,118,981
	(108.00)	(70.00)
 D. HALL OF FAME		
CLASSIFIED POSITIONS	235,847	98,847
	(3.00)	
OTHER OPERATING EXPENSES	221,000	95,000
TOTAL D. HALL OF FAME	456,847	193,847
	(3.00)	
 E. SAFETY AND GRANTS		
CLASSIFIED POSITIONS	2,605,188	706,122
	(37.58)	(10.40)
OTHER PERSONAL SERVICES	526,780	73,000
OTHER OPERATING EXPENSES	4,820,440	185,777
BODY CAMERAS	2,400,000	2,400,000
SCHOOL RESOURCE OFFICERS	56,233,747	56,233,747
ALLOC MUNICIPALITIES	2,633,720	
- RESTRICTED		
ALLOC CNTIES - RESTRICTED	4,239,901	
ALLOC OTHER ST AGENCIES	3,705,354	

STATUTES AT LARGE
General and Permanent Laws--2025
K050-DEPARTMENT OF PUBLIC SAFETY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ALLOC OTHER ENTITIES	1,240,000	
TOT E. SAFETY AND GRANTS	78,405,130 (37.58)	59,598,646 (10.40)
TOTAL II. PROGRAMS AND SERVICES	230,736,775 (1,448.29)	167,633,770 (1,150.60)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	53,123,473	44,133,247
TOT III. EMPLOYEE BENEFITS	53,123,473	44,133,247
TOTAL DEPARTMENT OF PUBLIC SAFETY	292,867,416 (1,540.00)	217,320,999 (1,230.80)

SECTION 64
N200-LAW ENFORCEMENT TRAINING COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	163,000 (1.00)	
CLASSIFIED POSITIONS	3,327,582 (61.00)	688,095 (7.00)
OTHER PERSONAL SERVICES	47,000	
OTHER OPERATING EXPENSES	4,307,665	2,749,600
TOTAL I. ADMINISTRATION	7,845,247 (62.00)	3,437,695 (7.00)
II. TRAINING		
CLASSIFIED POSITIONS	4,957,768 (78.00)	4,325,179 (58.00)
OTHER PERSONAL SERVICES	265,980	
OTHER OPERATING EXPENSES	2,163,604	755,456
TOTAL II. TRAINING	7,387,352 (78.00)	5,080,635 (58.00)

N200-LAW ENFORCEMENT TRAINING COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,688,955	2,169,287
TOT III. EMPLOYEE BENEFITS	3,688,955	2,169,287
TOTAL LAW ENFORCEMENT	18,921,554	10,687,617
TRAINING COUNCIL	(140.00)	(65.00)

SECTION 65
N040-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. INTERNAL ADMIN & SUPPORT		
COMMISSIONERS	260,000	260,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	14,522,777	13,786,116
	(165.00)	(151.40)
UNCLASSIFIED POSITIONS	360,956	360,956
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	1,521,731	1,434,522
OTHER OPERATING EXPENSES	27,537,709	24,481,280
TOTAL I. INTERNAL	44,203,173	40,322,874
ADMIN & SUPPORT	(169.00)	(155.40)
II. PROGRAMS AND SERVICES		
A. HOUSING, CARE, SECURITY,		
AND SUPERVISION		
CLASSIFIED POSITIONS	219,136,060	216,763,258
	(5,586.13)	(5,516.76)
UNCLASSIFIED POSITIONS	4,423,544	4,423,544
	(3.00)	(3.00)
OTHER PERSONAL SERVICES	26,479,741	25,889,372
OTHER OPERATING EXPENSES	149,209,248	138,822,010
CASE SERVICES	52,374,611	52,374,611
TOTAL A. HOUSING, CARE,	451,623,204	438,272,795
SECURITY, AND SUPERVISION	(5,589.13)	(5,519.76)
B. QUOTA ELIMINATION		
QUOTA ELIMINATION	1,967,720	1,967,720

STATUTES AT LARGE
General and Permanent Laws--2025
N040-DEPARTMENT OF CORRECTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT B. QUOTA ELIMINATION	1,967,720	1,967,720
 C. WORK & VOCATIONAL ACTIVITIES		
CLASSIFIED POSITIONS	7,906,714	2,134,022
	(161.52)	(50.00)
OTHER PERSONAL SERVICES	10,079,548	527,998
OTHER OPERATING EXPENSES	17,128,689	267,482
TOTAL C. WORK & VOCATIONAL ACTIVITIES	35,114,951	2,929,502
	(161.52)	(50.00)
 D. PALMETTO UNIFIED SCH DIST 1		
CLASSIFIED POSITIONS	1,128,009	868,724
	(44.90)	(10.70)
UNCLASSIFIED POSITIONS	3,888,346	2,398,346
	(49.44)	(24.01)
OTHER PERSONAL SERVICES	2,364,798	1,152,004
OTHER OPERATING EXPENSES	1,340,238	70,190
TOTAL D. PALMETTO UNIFIED SCH DIST 1	8,721,391	4,489,264
	(94.34)	(34.71)
 E. INDIVIDUAL GROWTH & MOTIVATION		
CLASSIFIED POSITIONS	2,807,241	2,807,241
	(78.00)	(78.00)
OTHER PERSONAL SERVICES	524,140	377,890
OTHER OPERATING EXPENSES	539,428	142,944
TOTAL E. INDIVIDUAL GROWTH & MOTIVATION	3,870,809	3,328,075
	(78.00)	(78.00)
 F. PENAL FACILITY INSPECTION SERVICE		
CLASSIFIED POSITIONS	556,650	556,650
	(9.00)	(9.00)
OTHER PERSONAL SERVICES	47,382	47,382

N200-LAW ENFORCEMENT TRAINING COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	3,022	3,022
TOTAL F. PENAL	607,054	607,054
FACILITY INSPECTION SERVICE	(9.00)	(9.00)
TOTAL II. PROGRAMS AND SERVICES	501,905,129 (5,931.99)	451,594,410 (5,691.47)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	128,120,265	123,443,988
TOT III. EMPLOYEE BENEFITS	128,120,265	123,443,988
TOTAL DEPARTMENT OF CORRECTIONS	674,228,567 (6,100.99)	615,361,272 (5,846.87)

SECTION 66
N080-DEPARTMENT OF PROBATION,
PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	131,776	131,776
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,874,927	1,300,096
	(53.00)	(19.00)
UNCLASSIFIED POSITIONS	231,977	231,977
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	47,596	15,000
OTHER OPERATING EXPENSES	323,182	
TOTAL I. ADMINISTRATION	3,609,458 (55.00)	1,678,849 (21.00)
II. PROGRAMS AND SERVICES		
A. OFFENDER PROGRAMMING		
1. OFFENDER SUPERVISION		
CLASSIFIED POSITIONS	31,705,903	27,626,347
	(590.00)	(471.00)
UNCLASSIFIED POSITIONS	216,993	216,993
	(2.00)	(2.00)

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PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	935,133	712,081
OTHER OPERATING EXPENSES	14,834,011	6,004,315
CASE SERVICES	32,425	
TOT 1. OFFENDER SUPERVISION	47,724,465	34,559,736
	(592.00)	(473.00)
 2. SEX OFFENDER MONITORING		
CLASSIFIED POSITIONS	3,005,365	3,005,365
	(61.50)	(61.50)
UNCLASSIFIED POSITIONS	40,615	40,615
OTHER PERSONAL SERVICES	10,000	10,000
OTHER OPERATING EXPENSES	1,250,001	1,240,001
EMPLOYER CONTRIBUTIONS	1,272,843	1,272,843
TOTAL 2. SEX	5,578,824	5,568,824
OFFENDER MONITORING	(61.50)	(61.50)
3. SENTENCING REFORM		
CLASSIFIED POSITIONS	1,171,785	1,171,785
	(25.50)	(25.50)
OTHER PERSONAL SERVICES	20,000	20,000
OTHER OPERATING EXPENSES	4,124,616	4,124,616
TOT 3. SENTENCING REFORM	5,316,401	5,316,401
	(25.50)	(25.50)
 TOTAL A. OFFENDER PROGRAMMING	 58,619,690	 45,444,961
	(679.00)	(560.00)
 B. REHABILITATIVE SERVICES		
CLASSIFIED POSITIONS	1,571,030	1,271,030
	(29.00)	(23.00)
OTHER PERSONAL SERVICES	340,000	20,000
OTHER OPERATING EXPENSES	691,516	176,516
ALSTON WILKES	1,500,000	1,500,000
RE-ENTRY SERVICES		
CASE SERVICES	375,000	340,000
TOTAL B.	4,477,546	3,307,546
REHABILITATIVE SERVICES	(29.00)	(23.00)

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PAROLE & PARDON SERVICES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
C. PAROLE OPERATIONS		
PROBATION,	160,730	160,730
PAROLE & PARDON BOARD		
CLASSIFIED POSITIONS	4,129,417	3,250,564
	(74.00)	(59.00)
OTHER PERSONAL SERVICES	159,853	100,000
OTHER OPERATING EXPENSES	345,816	123,684
CASE SERVICES	80,000	
TOT C. PAROLE OPERATIONS	4,875,816	3,634,978
	(74.00)	(59.00)
TOTAL II. PROGRAMS	67,973,052	52,387,485
AND SERVICES	(782.00)	(642.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	20,897,342	17,532,527
TOT III. EMPLOYEE BENEFITS	20,897,342	17,532,527
TOT DPTMNT OF PROBATION,	92,479,852	71,598,861
PAROLE & PARDON SERVICES	(837.00)	(663.00)

SECTION 67
N120-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. PAROLE DIVISION		
PROBATION,	45,000	45,000
PAROLE & PARDON BOARD		
CLASSIFIED POSITIONS	315,769	315,769
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	104,931	104,931
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	58,169	58,169
TOTAL I. PAROLE DIVISION	523,869	523,869
	(7.00)	(7.00)

N120-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. ADMINISTRATION DIVISION		
A. SUPPORT SERVICES		
COMMISSIONERS	169,758	169,758
	(1.00)	(1.00)
CLASSIFIED POSITIONS	9,448,541	9,448,541
	(142.00)	(140.00)
UNCLASSIFIED POSITIONS	280,127	280,127
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	145,784	145,784
OTHER OPERATING EXPENSES	4,278,197	3,588,197
TOT A. SUPPORT SERVICES	14,322,407	13,632,407
	(145.00)	(143.00)
B. INFO TECHNOLOGY		
CLASSIFIED POSITIONS	2,104,737	2,104,737
	(22.00)	(22.00)
OTHER OPERATING EXPENSES	3,300,000	3,300,000
TOTAL B. INFORMATION	5,404,737	5,404,737
TECHNOLOGY	(22.00)	(22.00)
C. FACILITIES MANAGEMENT		
CLASSIFIED POSITIONS	3,158,001	3,158,001
	(42.93)	(34.00)
OTHER PERSONAL SERVICES	1,000,000	1,000,000
OTHER OPERATING EXPENSES	14,909,580	13,159,580
TOTAL C. FACILITIES	19,067,581	17,317,581
MANAGEMENT	(42.93)	(34.00)
TOTAL II.	38,794,725	36,354,725
ADMINISTRATION DIVISION	(209.93)	(199.00)
III. PROGRAMS AND SERVICES		
A. COMMUNITY SERVICES		
CLASSIFIED POSITIONS	18,318,008	18,318,008
	(372.00)	(372.00)
UNCLASSIFIED POSITIONS	134,794	134,794
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	269,187	182,127

N120-DEPARTMENT OF JUVENILE JUSTICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	1,299,843	1,000,969
COMMUNITY ADVOCACY PROG	350,000	350,000
SEX OFFENDER MONITORING	27,410	27,410
TARGETED CASE MANAGEMENT	1,700,000	1,700,000
CASE SERVICES	1,282,945	275,000
TOT A. COMMUNITY SRVCS	23,382,187	21,988,308
	(373.00)	(373.00)
 B. PROGRAMS & SERVICES		
CLASSIFIED POSITIONS	9,513,290	8,498,290
	(172.00)	(135.00)
UNCLASSIFIED POSITIONS	133,350	133,350
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	500,000	500,000
OTHER OPERATING EXPENSES	4,211,213	3,080,000
CASE SERVICES	4,620,000	2,925,000
TOTAL B. PROGRAMS & SERVICES	18,977,853	15,136,640
	(173.00)	(136.00)
 C. COMMUNITY TREATMENT SERVICES		
CLASSIFIED POSITIONS	6,051,287	6,051,287
	(49.00)	(49.00)
UNCLASSIFIED POSITIONS	117,657	117,657
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	392,526	392,526
OTHER OPERATING EXPENSES	5,300,000	5,300,000
CASE SERVICES	24,833,908	24,833,908
TOTAL C. COMMUNITY TREATMENT SERVICES	36,695,378	36,695,378
	(50.00)	(50.00)
 D. EDUCATION		
CLASSIFIED POSITIONS	807,223	357,406
	(43.00)	(18.00)
UNCLASSIFIED POSITIONS	4,021,503	268,083
	(56.00)	(18.00)
OTHER PERSONAL SERVICES	430,455	55,136

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	2,109,874	343,751
TOTAL D. EDUCATION	7,369,055	1,024,376
	(99.00)	(36.00)
 E. INVESTIGATIVE SERVICES		
CLASSIFIED POSITIONS	3,517,241	3,517,241
	(65.00)	(65.00)
UNCLASSIFIED POSITIONS	123,255	123,255
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	800,000	800,000
TOTAL E.	4,440,496	4,440,496
INVESTIGATIVE SERVICES	(66.00)	(66.00)
 F. SECURITY & OPERATIONS		
CLASSIFIED POSITIONS	17,200,908	15,200,908
	(512.00)	(385.68)
UNCLASSIFIED POSITIONS	151,644	151,644
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	500,000	500,000
OTHER OPERATING EXPENSES	8,786,785	6,660,000
TOTAL F. SECURITY	26,639,337	22,512,552
& OPERATIONS	(513.00)	(386.68)
 TOTAL III. PROGRAMS	117,504,306	101,797,750
AND SERVICES	(1,274.00)	(1,047.68)
 IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	36,966,361	33,055,818
TOT IV. EMPLOYEE BENEFITS	36,966,361	33,055,818
 TOTAL DEPARTMENT OF	193,789,261	171,732,162
JUVENILE JUSTICE	(1,490.93)	(1,253.68)

SECTION 70
L360-HUMAN AFFAIRS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
COMMISSIONERS	127,820	127,820
	(1.00)	(1.00)
CLASSIFIED POSITIONS	315,131	315,131
	(6.50)	(6.50)
OTHER OPERATING EXPENSES	293,853	293,853
TOTAL I. ADMINISTRATION	736,804	736,804
	(7.50)	(7.50)
II. CONSULTATIVE SERVICES		
CLASSIFIED POSITIONS	760,750	760,750
	(15.00)	(15.00)
NEW POSITIONS -	55,559	55,559
PROGRAM COORDINATOR I	(1.00)	(1.00)
NEW POSITIONS -	55,559	55,559
TRAINING COORD I/INSTRUCTOR	(1.00)	(1.00)
OTHER OPERATING EXPENSES	479,063	457,563
TOTAL II.	1,350,931	1,329,431
CONSULTATIVE SERVICES	(17.00)	(17.00)
III. COMPLIANCE PROGRAMS		
CLASSIFIED POSITIONS	1,637,360	1,053,514
	(36.50)	(22.00)
OTHER PERSONAL SERVICES	125,000	125,000
OTHER OPERATING EXPENSES	1,140,721	486,638
TOTAL III.	2,903,081	1,665,152
COMPLIANCE PROGRAMS	(36.50)	(22.00)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,070,541	848,397
TOT IV. EMPLOYEE BENEFITS	1,070,541	848,397
TOTAL HUMAN	6,061,357	4,579,784
AFFAIRS COMMISSION	(61.00)	(46.50)

SECTION 71
L460-COMMISSION ON MINORITY AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	140,000	140,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,605,406	1,515,406
	(27.00)	(25.00)
NEW POSITIONS -	55,559	55,559
ADMINISTRATIVE COORDINATOR I	(1.00)	(1.00)
OTHER PERSONAL SERVICES	9,341	9,341
OTHER OPERATING EXPENSES	1,136,691	1,031,377
AID TO OTHER ENTITIES	250,000	250,000
TOT I. ADMINISTRATION	3,196,997	3,001,683
	(29.00)	(27.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	693,203	669,203
TOT II. EMPLOYEE BENEFITS	693,203	669,203
TOTAL COMMISSION ON	3,890,200	3,670,886
MINORITY AFFAIRS	(29.00)	(27.00)

SECTION 72
R040-PUBLIC SERVICE COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	140,172	
	(1.00)	
CHAIRMAN	219,206	70,684
	(1.00)	
COMMISSIONERS	1,302,528	424,104
	(6.00)	
CLASSIFIED POSITIONS	2,972,853	47,814
	(37.00)	(1.00)
OTHER PERSONAL SERVICES	155,614	
OTHER OPERATING EXPENSES	1,414,270	
TOTAL I. ADMINISTRATION	6,204,643	542,602
	(45.00)	(1.00)

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II. EMPLOYEE BENEFITS

EMPLOYER CONTRIBUTIONS	1,736,403	22
TOT II. EMPLOYEE BENEFITS	1,736,403	22
TOTAL PUBLIC	7,941,046	542,624
SERVICE COMMISSION	(45.00)	(1.00)

SECTION 73
R060-OFFICE OF REGULATORY STAFF

TOTAL FUNDS **GENERAL FUNDS**

I. OFFICE OF EXECUTIVE DIRECTOR

DIRECTOR	275,600
	(1.00)
UNCLASSIFIED POSITIONS	1,463,400
	(10.00)
OTHER OPERATING EXPENSES	538,347
DUAL PARTY RELAY FUNDS	4,165,696
TOTAL I. OFFICE	6,443,043
OF EXECUTIVE DIRECTOR	(11.00)

II. SUPPORT SERVICES

UNCLASSIFIED POSITIONS	1,853,000
	(24.00)
OTHER OPERATING EXPENSES	875,000
TOTAL II. SUPPORT SERVICES	2,728,000
	(24.00)

III. ORS PROGRAMS

UNCLASSIFIED POSITIONS	3,080,000
	(39.00)
OTHER OPERATING EXPENSES	750,000
TOTAL III. ORS PROGRAMS	3,830,000
	(39.00)

IV. ENERGY OFFICE**A. ENERGY PROGRAMS**

UNCLASSIFIED POSITIONS	807,605
	(13.33)

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R060-OFFICE OF REGULATORY STAFF

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	33,360	
OTHER OPERATING EXPENSES	375,331	
ALLOC OTHER ENTITIES	135,000	
TOTAL A. ENERGY PROGRAMS	1,351,296 (13.33)	
 B. RADIOACTIVE WASTE		
UNCLASSIFIED POSITIONS	131,610 (4.67)	
OTHER OPERATING EXPENSES	94,924	
TOTAL B. RADIOACTIVE WASTE	226,534 (4.67)	
 TOTAL IV. ENERGY OFFICE	1,577,830 (18.00)	
 V. STATEWIDE BROADBAND OFFICE		
UNCLASSIFIED POSITIONS	1,002,411 (10.00)	1,002,411 (10.00)
OTHER OPERATING EXPENSES	1,771,800	1,771,800
TOTAL V. STATEWIDE BROADBAND OFFICE	2,774,211 (10.00)	2,774,211 (10.00)
 VI. SANTEE COOPER REGULATION		
UNCLASSIFIED POSITIONS	1,325,000 (8.00)	
OTHER OPERATING EXPENSES	675,000	
TOTAL VI. SANTEE COOPER REGULATION	2,000,000 (8.00)	
 VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,396,464	389,222
TOT VII. EMPLOYEE BENEFITS	3,396,464	389,222
 TOTAL OFFICE OF REGULATORY STAFF	22,749,548 (110.00)	3,163,433 (10.00)

SECTION 74
R080-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	146,418	146,418
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,631,283	839,298
	(16.00)	(12.00)
OTHER PERSONAL SERVICES	41,000	
OTHER OPERATING EXPENSES	2,700,713	75,000
TOTAL I. ADMINISTRATION	4,519,414	1,060,716
	(17.00)	(13.00)
II. JUDICIAL		
A. COMMISSIONERS		
CHAIRMAN	177,426	177,426
	(1.00)	(1.00)
COMMISSIONERS	1,033,541	1,033,541
	(6.00)	(6.00)
TAXABLE SUBSISTENCE	70,000	
CLASSIFIED POSITIONS	450,264	450,264
	(7.00)	(7.00)
OTHER OPERATING EXPENSES	230,700	
TOTAL A. COMMISSIONERS	1,961,931	1,661,231
	(14.00)	(14.00)
B. JUDICIAL MANAGEMENT		
CLASSIFIED POSITIONS	924,067	621,773
	(14.00)	(13.00)
OTHER OPERATING EXPENSES	12,800	
TOT B. JUDICIAL MGMNT	936,867	621,773
	(14.00)	(13.00)
TOTAL II. JUDICIAL	2,898,798	2,283,004
	(28.00)	(27.00)
III. INSURANCE & MEDICAL SERVICES		
CLASSIFIED POSITIONS	1,007,725	548,262
	(10.00)	(9.00)

R080-WORKERS' COMPENSATION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	22,881	
OTHER OPERATING EXPENSES	54,500	
TOTAL III. INSURANCE	1,085,106	548,262
& MEDICAL SERVICES	(10.00)	(9.00)
 IV. CLAIMS		
CLASSIFIED POSITIONS	664,428	383,578
	(8.00)	(7.00)
OTHER OPERATING EXPENSES	19,700	
TOTAL IV. CLAIMS	684,128	383,578
	(8.00)	(7.00)
 V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,436,940	1,740,981
TOT V. EMPLOYEE BENEFITS	2,436,940	1,740,981
 TOTAL WORKERS'	11,624,386	6,016,541
COMPENSATION COMMISSION	(63.00)	(56.00)

SECTION 75
R120-STATE ACCIDENT FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. ADMINISTRATION		
DIRECTOR	121,885	
	(1.00)	
CLASSIFIED POSITIONS	4,760,498	
	(76.00)	
OTHER OPERATING EXPENSES	2,587,850	
EDUCATIONAL TRAINING	5,000	
TOTAL I. ADMINISTRATION	7,475,233	
	(77.00)	
 II. UNINSURED EMPLOYERS		
FUND		
CLASSIFIED POSITIONS	556,548	
	(11.00)	
OTHER OPERATING EXPENSES	547,400	

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. UNINSURED EMPLOYERS FUND	1,103,948 (11.00)	
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,984,043	
TOT III. EMPLOYEE BENEFITS	2,984,043	
TOT STATE ACCIDENT FUND	11,563,224 (88.00)	

SECTION 78
R200-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CHIEF INSURANCE	169,305	169,305
COMMISSIONER	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,497,198 (28.25)	1,463,564 (22.30)
UNCLASSIFIED POSITIONS	260,410 (1.50)	179,361 (1.50)
OTHER PERSONAL SERVICES	194,959	143,642
OTHER OPERATING EXPENSES	1,186,920	394,830
TOTAL I. ADMINISTRATION	4,308,792 (30.75)	2,350,702 (24.80)
II. PROGRAMS AND SERVICES		
A. SOLVENCY		
CLASSIFIED POSITIONS	1,141,764 (22.00)	674,150 (7.00)
UNCLASSIFIED POSITIONS	85,826 (0.50)	2,514
OTHER PERSONAL SERVICES	217,042	29,150
OTHER OPERATING EXPENSES	1,369,296	113,257
TOTAL A. SOLVENCY	2,813,928 (22.50)	819,071 (7.00)

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R200-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. LICENSING		
CLASSIFIED POSITIONS	493,156	228,604
	(11.00)	(4.00)
UNCLASSIFIED POSITIONS	23,234	
	(0.50)	
OTHER PERSONAL SERVICES	56,371	297
OTHER OPERATING EXPENSES	329,884	4,981
TOTAL B. LICENSING	902,645	233,882
	(11.50)	(4.00)
C. TAXATION		
CLASSIFIED POSITIONS	260,080	104,065
	(3.00)	(0.50)
OTHER PERSONAL SERVICES	15,852	15,852
OTHER OPERATING EXPENSES	175,467	8,740
TOTAL C. TAXATION	451,399	128,657
	(3.00)	(0.50)
D. CONSUMER SERVICES/ COMPLAINTS		
CLASSIFIED POSITIONS	518,601	381,598
	(9.00)	(2.00)
UNCLASSIFIED POSITIONS	82,137	28,366
	(0.50)	(0.50)
OTHER PERSONAL SERVICES	46,954	29,728
OTHER OPERATING EXPENSES	164,107	28,907
TOTAL D. CONSUMER SERVICES/COMPLAINTS	811,799	468,599
	(9.50)	(2.50)
E. POLICY FORMS AND RATES		
CLASSIFIED POSITIONS	1,259,844	909,844
	(14.00)	(6.00)
UNCLASSIFIED POSITIONS	176,574	85,574
	(0.50)	(0.50)
NEW POSITIONS - ACTUARY	150,000	150,000
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	5,564	5,564

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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	338,439	101,671
TOTAL E. POLICY	1,930,421	1,252,653
FORMS AND RATES	(15.50)	(7.50)
 F. LOSS MITIGATION		
CLASSIFIED POSITIONS	131,637	
	(2.75)	
OTHER PERSONAL SERVICES	72,363	
OTHER OPERATING EXPENSES	5,337,254	2,500,000
TOTAL F. LOSS MITIGATION	5,541,254	2,500,000
	(2.75)	
 G. UNINSURED MOTORISTS		
ALLOC PRIVATE SECTOR	2,155,000	
TOT G. UNINSUR MOTORIST	2,155,000	
 H. CAPTIVES		
CLASSIFIED POSITIONS	665,913	
	(8.00)	
UNCLASSIFIED POSITIONS	67,002	
	(0.50)	
OTHER PERSONAL SERVICES	169,085	
OTHER OPERATING EXPENSES	1,249,655	
TOTAL H. CAPTIVES	2,151,655	
	(8.50)	
 I. FRAUD		
CLASSIFIED POSITIONS	670,477	610,477
	(9.00)	(8.00)
OTHER OPERATING EXPENSES	1,232,000	910,000
TOTAL I. FRAUD	1,902,477	1,520,477
	(9.00)	(8.00)
 TOTAL II. PROGRAMS	18,660,577	6,923,338
AND SERVICES	(82.25)	(29.50)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,790,080	1,654,655
TOT III. EMPLOYEE BENEFITS	2,790,080	1,654,655

STATUTES AT LARGE
General and Permanent Laws--2025
R200-DEPARTMENT OF INSURANCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL DEPARTMENT OF INSURANCE	25,759,449 (113.00)	10,928,695 (54.30)

SECTION 79
R230-STATE BOARD OF FINANCIAL INSTITUTIONS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
OTHER PERSONAL SERVICES	3,500	
OTHER OPERATING EXPENSES	57,500	
TOTAL I. ADMINISTRATION	61,000	
II. BANKING EXAMINERS		
COMMISSIONER OF BANKING	161,000	
	(1.00)	
CLASSIFIED POSITIONS	1,902,000	
	(21.00)	
OTHER OPERATING EXPENSES	620,900	
TOT II. BANKING EXAMINERS	2,683,900 (22.00)	
III. CONSUMER FINANCE		
DIRECTOR	140,000	
	(1.00)	
CLASSIFIED POSITIONS	1,994,732	
	(33.00)	
OTHER PERSONAL SERVICES	2,600	
OTHER OPERATING EXPENSES	630,073	
TOT III. CONSUMER FINANCE	2,767,405 (34.00)	
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,865,000	
TOT IV. EMPLOYEE BENEFITS	1,865,000	
TOTAL STATE BOARD OF FINANCIAL INSTITUTIONS	7,377,305 (56.00)	

SECTION 80
R280-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
ADMINISTRATOR	143,382	143,382
	(1.00)	(1.00)
CLASSIFIED POSITIONS	313,692	60,000
	(5.00)	(1.00)
OTHER PERSONAL SERVICES	25,000	
OTHER OPERATING EXPENSES	150,000	150,000
TOTAL I. ADMINISTRATION	632,074	353,382
	(6.00)	(2.00)
II. LEGAL		
CLASSIFIED POSITIONS	1,468,686	346,247
	(24.00)	(7.00)
OTHER PERSONAL SERVICES	25,000	5,000
OTHER OPERATING EXPENSES	379,670	114,670
TOTAL II. LEGAL	1,873,356	465,917
	(24.00)	(7.00)
III. CONSUMER SERVICES		
CLASSIFIED POSITIONS	333,639	57,636
	(6.00)	(1.00)
NEW POSITIONS -	45,000	
PROGRAM ASSISTANT	(1.00)	
OTHER PERSONAL SERVICES	35,000	
OTHER OPERATING EXPENSES	50,000	50,000
TOT III. CONSUMER SERVICES	463,639	107,636
	(7.00)	(1.00)
IV. CONSUMER ADVOCACY		
CLASSIFIED POSITIONS	258,507	258,507
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	260,000	260,000
TOT IV. CONSUMER ADVOCACY	518,507	518,507
	(4.00)	(4.00)

STATUTES AT LARGE
General and Permanent Laws--2025
R280-DEPARTMENT OF CONSUMER AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
V. PUBLIC INFORMATION & EDUCATION		
CLASSIFIED POSITIONS	203,710	203,710
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	50,000	50,000
TOTAL V. PUBLIC INFORMATION & EDUCATION	253,710	253,710
	(4.00)	(4.00)
VI. ID THEFT UNIT		
CLASSIFIED POSITIONS	125,954	125,954
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	45,000	45,000
TOTAL VI. ID THEFT UNIT	170,954	170,954
	(3.00)	(3.00)
VII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,301,921	509,856
TOT VII. EMPLOYEE BENEFITS	1,301,921	509,856
TOTAL DEPARTMENT OF CONSUMER AFFAIRS	5,214,161	2,379,962
	(48.00)	(21.00)

SECTION 81
R360-DEPARTMENT OF LABOR, LICENSING
& REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	190,000	
	(1.00)	
CLASSIFIED POSITIONS	5,218,154	
	(81.09)	
OTHER PERSONAL SERVICES	500,000	
OTHER OPERATING EXPENSES	1,505,464	
TOTAL I. ADMINISTRATION	7,413,618	
	(82.09)	

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General and Permanent Laws—2025
R360-DEPARTMENT OF LABOR, LICENSING
& REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. PROGRAMS & SERVICES		
A. OSHA VOLUNTARY PROG		
CLASSIFIED POSITIONS	841,504	66,314
	(18.98)	(6.26)
OTHER OPERATING EXPENSES	376,354	40,000
TOTAL A. OSHA	1,217,858	106,314
VOLUNTARY PROGRAMS	(18.98)	(6.26)
B. OCCUPATIONAL SAFETY & HEALTH		
CLASSIFIED POSITIONS	3,269,316	1,758,265
	(52.44)	(26.56)
OTHER PERSONAL SERVICES	78,397	74,302
OTHER OPERATING EXPENSES	867,039	412,652
TOTAL B. OCCUPATIONAL	4,214,752	2,245,219
SAFETY & HEALTH	(52.44)	(26.56)
C. FIRE ACADEMY		
CLASSIFIED POSITIONS	3,659,808	
	(47.76)	
NEW POSITIONS - GENERAL	52,000	
MAINTENANCE TECHNICIAN II	(1.00)	
NEW POSITIONS -	120,000	
PROGRAM COORDINATOR I	(2.00)	
NEW POSITIONS -	72,000	
PROGRAM COORDINATOR II	(1.00)	
NEW POSITIONS -	80,000	
PROGRAM MANAGER I	(1.00)	
OTHER PERSONAL SERVICES	1,789,100	
OTHER OPERATING EXPENSES	4,458,349	
TOTAL C. FIRE ACADEMY	10,231,257	
	(52.76)	
D. OFFICE OF STATE FIRE MARSHAL		
CLASSIFIED POSITIONS	2,598,248	167,073
	(36.96)	
OTHER PERSONAL SERVICES	480,622	175,000

STATUTES AT LARGE
General and Permanent Laws--2025
R360-DEPARTMENT OF LABOR, LICENSING
& REGULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	9,168,200	4,224,169
CANCER INSURANCE	3,500,000	3,500,000
TOTAL D. OFFICE OF	15,747,070	8,066,242
STATE FIRE MARSHAL	(36.96)	
 E. ELEVATORS &		
AMUSEMENT RIDES		
CLASSIFIED POSITIONS	792,951	
	(8.55)	
OTHER OPERATING EXPENSES	229,068	
TOTAL E. ELEVATORS	1,022,019	
& AMUSEMENT RIDES	(8.55)	
 F. PROF & OCCUPATIONAL		
LICENSING		
CLASSIFIED POSITIONS	10,101,288	
	(208.72)	
NEW POSITIONS -	312,000	
ADMINISTRATIVE ASSISTANT	(8.00)	
UNCLASSIFIED POSITIONS	97,618	
	(1.00)	
OTHER PERSONAL SERVICES	411,514	
OTHER OPERATING EXPENSES	5,541,796	
RESEARCH AND EDUCATION	200,000	
TOTAL F. PROF	16,664,216	
& OCCUPATIONAL LICENSING	(217.72)	
 G. LABOR SERVICES		
OTHER OPERATING EXPENSES	85,000	
TOTAL G. LABOR SERVICES	85,000	
 H. BUILDING CODES		
CLASSIFIED POSITIONS	486,060	
	(12.56)	
OTHER OPERATING EXPENSES	343,869	
TOTAL H. BUILDING CODES	829,929	
	(12.56)	

**R360-DEPARTMENT OF LABOR, LICENSING
& REGULATION**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL II. PROGRAMS & SERVICES	50,012,101 (399.97)	10,417,775 (32.82)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	13,486,031	987,728
TOT III. EMPLOYEE BENEFITS	13,486,031	987,728
TOT DEPARTMENT OF LABOR, LICENSING & REGULATION	70,911,750 (482.06)	11,405,503 (32.82)

**SECTION 82
R400-DEPARTMENT OF MOTOR VEHICLES**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	149,230 (1.00)	149,230 (1.00)
CLASSIFIED POSITIONS	7,558,097 (126.00)	7,558,097 (126.00)
UNCLASSIFIED POSITIONS	416,842 (3.00)	416,842 (3.00)
OTHER PERSONAL SERVICES	85,174	85,174
OTHER OPERATING EXPENSES	4,575,642	2,269,918
TOTAL I. ADMINISTRATION	12,784,985 (130.00)	10,479,261 (130.00)
II. PROGRAMS AND SERVICES		
A. CUSTOMER SERVICE CNTRS		
CLASSIFIED POSITIONS	33,497,984 (801.00)	33,497,984 (801.00)
UNCLASSIFIED POSITIONS	136,022 (1.00)	136,022 (1.00)
OTHER PERSONAL SERVICES	1,476,149	1,476,149
OTHER OPERATING EXPENSES	13,123,340	8,973,340
TOTAL A. CUSTOMER SERVICE CENTERS	48,233,495 (802.00)	44,083,495 (802.00)

STATUTES AT LARGE
General and Permanent Laws--2025
R400-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
B. DRIVER SERVICES		
CLASSIFIED POSITIONS	4,509,936	4,509,936
	(121.00)	(121.00)
UNCLASSIFIED POSITIONS	136,022	136,022
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	50,606	50,606
OTHER OPERATING EXPENSES	2,694,838	2,583,213
TOTAL B. DRIVER SERVICES	7,391,402	7,279,777
	(122.00)	(122.00)
C. VEHICLE SERVICES		
CLASSIFIED POSITIONS	5,588,150	5,588,150
	(199.00)	(199.00)
UNCLASSIFIED POSITIONS	136,022	136,022
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	331,037	331,037
OTHER OPERATING EXPENSES	1,803,224	1,801,224
PLATE REPLACEMENT	7,500,000	
TOT C. VEHICLE SERVICES	15,358,433	7,856,433
	(200.00)	(200.00)
D. INSPECTOR GENERAL		
CLASSIFIED POSITIONS	3,012,198	3,012,198
	(66.00)	(66.00)
UNCLASSIFIED POSITIONS	136,022	136,022
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	28,500	28,500
OTHER OPERATING EXPENSES	884,458	822,557
FACIAL RECOGNITION PROGRAM	245,000	245,000
TOT D. INSPECTOR GENERAL	4,306,178	4,244,277
	(67.00)	(67.00)
E. TECHNOLOGY & PROGRAM DEVELOPMENT		
CLASSIFIED POSITIONS	4,848,603	4,848,603
	(59.00)	(59.00)
OTHER PERSONAL SERVICES	50,000	50,000
OTHER OPERATING EXPENSES	14,182,212	12,365,866
TECHNOLOGY MODERNIZATION	1,000,000	

R400-DEPARTMENT OF MOTOR VEHICLES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL E. TECHNOLOGY & PROGRAM DEVELOPMENT	20,080,815 (59.00)	17,264,469 (59.00)
F. MOTOR CARRIER SRVCS		
CLASSIFIED POSITIONS	1,281,508 (12.00)	1,281,508 (12.00)
UNCLASSIFIED POSITIONS	136,022 (1.00)	136,022 (1.00)
OTHER OPERATING EXPENSES	577,160	577,160
TOTAL F. MOTOR CARRIER SERVICES	1,994,690 (13.00)	1,994,690 (13.00)
TOTAL II. PROGRAMS AND SERVICES	97,365,013 (1,263.00)	82,723,141 (1,263.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	28,478,078	28,478,078
TOTAL III. EMPLOYEE BENEFITS	28,478,078	28,478,078
TOTAL DEPARTMENT OF MOTOR VEHICLES	138,628,076 (1,393.00)	121,680,480 (1,393.00)

SECTION 83
**R600-DEPARTMENT OF EMPLOYMENT
AND WORKFORCE**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	206,000 (1.00)	
CLASSIFIED POSITIONS	5,881,352 (140.60)	240,106
UNCLASSIFIED POSITIONS	214,480 (1.00)	
OTHER OPERATING EXPENSES	8,280,977	
TOTAL I. ADMINISTRATION	14,582,809 (142.60)	240,106

STATUTES AT LARGE
General and Permanent Laws--2025
R600-DEPARTMENT OF EMPLOYMENT
AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. EMPLOYMENT SERVICE		
CLASSIFIED POSITIONS	10,887,906	952,962
	(138.40)	(2.00)
UNCLASSIFIED POSITIONS	31,928	
	(0.33)	
OTHER PERSONAL SERVICES	1,937,188	
OTHER OPERATING EXPENSES	17,062,372	422,000
ALLOC OTHER STATE AGENCIES	50,000	
TOT II. EMPLOYMENT SERVICE	29,969,394	1,374,962
	(138.73)	(2.00)
III. UNEMPLOYMENT INSUR		
CLASSIFIED POSITIONS	17,952,440	653,018
	(363.58)	(1.00)
UNCLASSIFIED POSITIONS	492,972	
	(1.34)	
OTHER PERSONAL SERVICES	5,448,781	
OTHER OPERATING EXPENSES	11,250,162	976,793
TOTAL III.	35,144,355	1,629,811
UNEMPLOYMENT INSURANCE	(364.92)	(1.00)
IV. WORKFORCE		
INVESTMENT ACT		
CLASSIFIED POSITIONS	1,271,712	
	(18.14)	
UNCLASSIFIED POSITIONS	45,128	
	(0.33)	
OTHER PERSONAL SERVICES	198,198	
OTHER OPERATING EXPENSES	1,056,964	
ALLOC CNTIES - RESTRICTED	4,657,226	
ALLOC SCHOOL DIST	29,193	
ALLOCATIONS TO	16,325,861	
PLANNING DISTRICTS		
TOTAL IV. WORKFORCE	23,584,282	
INVESTMENT ACT	(18.47)	

OF SOUTH CAROLINA
General and Permanent Laws—2025
R600-DEPARTMENT OF EMPLOYMENT
AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
V. TRADE ADJUSTMENT ASSISTANCE		
CLASSIFIED POSITIONS	1,270,751	
	(75.05)	
UNCLASSIFIED POSITIONS	38,846	
OTHER PERSONAL SERVICES	41,045	
OTHER OPERATING EXPENSES	499,545	
ALLOC PRIVATE SECTOR	8,673,813	
TOTAL V. TRADE	10,524,000	
ADJUSTMENT ASSISTANCE	(75.05)	
VI. APPEALS		
CLASSIFIED POSITIONS	1,456,952	194,681
	(39.10)	(1.60)
UNCLASSIFIED POSITIONS	704,349	331,284
	(4.00)	(3.00)
OTHER PERSONAL SERVICES	372,584	
OTHER OPERATING EXPENSES	696,688	88,173
TOTAL VI. APPEALS	3,230,573	614,138
	(43.10)	(4.60)
VII. COORDINATED WORKFORCE DEVELOPMENT		
CLASSIFIED POSITIONS	2,370,384	2,370,384
	(34.00)	(34.00)
UNCLASSIFIED POSITIONS	119,296	119,296
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	5,688,019	3,578,643
TOTAL VII. COORDINATED	8,177,699	6,068,323
WORKFORCE DEVELOPMENT	(35.00)	(35.00)
VIII. REGIONAL WORKFORCE ADVISORS		
CLASSIFIED POSITIONS	551,196	251,196
	(14.00)	(2.00)
OTHER PERSONAL SERVICES	5,000	5,000

STATUTES AT LARGE
General and Permanent Laws--2025
R600-DEPARTMENT OF EMPLOYMENT
AND WORKFORCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	702,100	375,000
TOTAL VIII. REGIONAL	1,258,296	631,196
WORKFORCE ADVISORS	(14.00)	(2.00)
 IX. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	18,885,247	2,426,311
TOT IX. EMPLOYEE BENEFITS	18,885,247	2,426,311
 TOTAL DEPARTMENT OF	145,356,655	12,984,847
EMPLYMNT AND WORKFORC	(831.87)	(44.60)

SECTION 84
U120-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. ADMINISTRATION		
A. GENERAL		
EXECUTIVE DIRECTOR	254,099	
	(1.00)	
CLASSIFIED POSITIONS	22,801,798	
	(307.00)	
UNCLASSIFIED POSITIONS	505,000	
	(2.00)	
OTHER PERSONAL SERVICES	231,532	
OTHER OPERATING EXPENSES	48,930,458	
TOTAL A. GENERAL	72,722,887	
	(310.00)	
 B. LAND & BUILDINGS		
OTHER OPERATING EXPENSES	2,000,000	
PERMANENT IMPROVEMENTS	1,000,000	
TOTAL B. LAND & BUILDINGS	3,000,000	
 TOTAL I. ADMINISTRATION	75,722,887	
	(310.00)	

U120-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. HIGHWAY ENGINEERING		
A. ENGR-ADMIN & PROJ MGMT		
CLASSIFIED POSITIONS	104,965,606	
	(1,299.00)	
UNCLASSIFIED POSITIONS	252,500	
	(1.00)	
OTHER PERSONAL SERVICES	1,930,172	
OTHER OPERATING EXPENSES	32,322,516	
TOTAL A. ENGR-ADMIN & PROJ MGMT	139,470,794 (1,300.00)	
B. ENGINEERING - CONSTRUCTION		
OTHER OPERATING OTHER	36,370,630	7,413,399
PERM IMPR ENHANCEMENTS	39,427,166	6,123,755
PERM IMPR OPERATIONAL & SAFETY IMPROVEMENTS	453,749,475	32,289,976
PERM IMPR REHABILITATION & RESURFACING	733,647,828	14,647,828
PERM IMPR WIDENINGS & NEW LOCATIONS	480,665,548	36,502,144
PERM IMPRVMNT BRIDGES	261,787,571	23,022,898
SIB ONE CENT EQUIVALENT	39,760,349	
TOTAL B. ENGINEERING - CONSTRUCTION	2,045,408,567	120,000,000
C. HIGHWAY MAINTENANCE		
CLASSIFIED POSITIONS	128,883,101	
	(2,826.96)	
NEW POSITIONS - HIGHWAY MAINTENANCE WORKER I	1,664 (0.04)	
OTHER PERSONAL SERVICES	8,080,000	
OTHER OPERATING EXPENSES	187,128,000	3,000,000
TOTAL C. HIGHWAY MAINTENANCE	324,092,765 (2,827.00)	3,000,000
TOTAL II. HIGHWAY ENGINEERING	2,508,972,126 (4,127.00)	123,000,000

STATUTES AT LARGE
General and Permanent Laws--2025
U120-DEPARTMENT OF TRANSPORTATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. NON-FEDERAL AID – HIGHWAY FUND		
OTHER OPERATING OTHER	20,000,000	
TOT III. NON-FEDERAL AID - HIGHWAY FUND	20,000,000	
 IV. MASS TRANSIT		
CLASSIFIED POSITIONS	4,860,016 (68.00)	
UNCLASSIFIED POSITIONS	172,733 (1.00)	
OTHER PERSONAL SERVICES	34,749	
OTHER OPERATING EXPENSES	900,000	
ALLOC MUNICIPALITIES - RESTRICTED	3,000,000	
ALLOC OTHER ENTITIES	31,924,516	
AID TO OTHER ENTITIES	57,270	57,270
TOTAL IV. MASS TRANSIT	40,949,284 (69.00)	57,270
 V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	131,027,027	
TOT V. EMPLOYEE BENEFITS	131,027,027	
 TOTAL DEPARTMENT OF TRANSPORTATION	2,776,671,324 (4,506.00)	123,057,270

SECTION 85
U150-INFRASTRUCTURE BANK BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	665,000 (6.00)	
UNCLASSIFIED POSITIONS	10,000	
OTHER PERSONAL SERVICES	25,000	
OTHER OPERATING EXPENSES	429,870	

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General and Permanent Laws—2025
U150-INFRASTRUCTURE BANK BOARD

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TRANSPORTATION INFRAS	123,790,000	
TOTAL I. ADMINISTRATION	124,919,870	
	(6.00)	
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	350,000	
TOT II. EMPLOYEE BENEFITS	350,000	
 TOTAL INFRASTRUCTURE	125,269,870	
BANK BOARD	(6.00)	

SECTION 86
U200-COUNTY TRANSPORTATION FUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. COUNTY TRANSPORTATION FUNDS		
OTHER OPERATING EXPENSES	1,000,000	
PERMANENT IMPROVEMENTS	30,000,000	
ALLOC MUNICIPALITIES	1,000,000	
- RESTRICTED		
ALLOC CNTIES - RESTRICTED	128,140,325	
TOTAL I. COUNTY	160,140,325	
TRANSPORTATION FUNDS		
 TOTAL COUNTY	160,140,325	
TRANSPORTATION FUNDS		

SECTION 87
U300-DIVISION OF AERONAUTICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	1,145,693	995,693
	(14.00)	(11.80)
UNCLASSIFIED POSITIONS	27,000	27,000
OTHER PERSONAL SERVICES	40,000	25,000

STATUTES AT LARGE
General and Permanent Laws--2025
U300-DIVISION OF AERONAUTICS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	5,054,727	879,588
ALLOC MUNICIPALITIES	1,545,000	
- RESTRICTED		
ALLOC CNTIES - RESTRICTED	10,395,728	500,000
ALLOC OTHER ENTITIES	400,000	
AID TO OTHER ENTITIES	5,350,000	5,350,000
TOTAL I. ADMINISTRATION	23,958,148	7,777,281
	(14.00)	(11.80)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	512,850	462,850
TOT II. EMPLOYEE BENEFITS	512,850	462,850
TOTAL DIVISION OF	24,470,998	8,240,131
AERONAUTICS	(14.00)	(11.80)

SECTION 91A
A010-LEG DEPT - THE SENATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
SENATORS @ \$10,400	478,400	478,400
	(46.00)	(46.00)
PRESIDENT OF THE SENATE	11,000	11,000
UNCLASSIFIED POSITIONS	11,510,036	11,510,036
	(142.00)	(142.00)
OTHER OPERATING EXPENSES	6,912,784	6,912,784
JOINT CITIZENS & LEG	475,000	
COMM ON CHILDREN		
TOTAL I. ADMINISTRATION	19,387,220	18,912,220
	(188.00)	(188.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,518,649	6,518,649
TOT II. EMPLOYEE BENEFITS	6,518,649	6,518,649
TOT LEG DEPT - THE SENATE	25,905,869	25,430,869
	(188.00)	(188.00)

SECTION 91B
A050-LEG DEPT - HOUSE OF REPRESENTATIVES

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
THE SPEAKER	11,000	11,000
SPEAKER PRO TEMPORE	3,600	3,600
REPRESENTATIVES @ \$10,400	1,289,600	1,289,600
	(124.00)	(124.00)
UNCLASSIFIED POSITIONS	6,407,735	6,407,735
	(127.00)	(127.00)
OTHER OPERATING EXPENSES	17,802,627	17,802,627
TOTAL I. ADMINISTRATION	25,514,562	25,514,562
	(251.00)	(251.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	6,560,071	6,560,071
TOT II. EMPLOYEE BENEFITS	6,560,071	6,560,071
TOT LEG DEPT - HOUSE OF REPRESENTATIVES	32,074,633	32,074,633
	(251.00)	(251.00)

SECTION 91C
A150-LEG DEPT - CODIFICATION OF LAWS &
LEGISLATIVE COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
UNCLASS LEG MISC (P)	2,956,966	2,956,966
	(39.00)	(39.00)
CODE COMMMISIONER & DIRECTOR (P)	211,264	211,264
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	270,000	270,000
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	1,753,797	1,753,797
CODE SUPPLEMENTS	450,000	150,000
TOTAL I. ADMINISTRATION	5,642,027	5,342,027
	(43.00)	(43.00)

STATUTES AT LARGE
General and Permanent Laws--2025
A150-LEG DEPT - CODIFICATION OF LAWS &
LEGISLATIVE COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. DEVELOP/PRINT STATE REGISTER		
UNCLASS LEG MISC (P)	99,649	99,649
	(1.00)	(1.00)
TOTAL II. DEVELOP/PRINT STATE REGISTER	99,649	99,649
	(1.00)	(1.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,578,692	1,578,692
TOT III. EMPLOYEE BENEFITS	1,578,692	1,578,692
TOT LEG DEPT - CODIFICATION OF LAWS & LEGIS COUNCIL		
	7,320,368	7,020,368
	(44.00)	(44.00)

SECTION 91D
A170-LEG DEPT - LEGISLATIVE SERVICES AGENCY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
UNCLASS LEG MISC -	3,685,540	3,685,540
PRNT & ITR (P)	(39.00)	(39.00)
DIRECTOR (P)	133,278	133,278
	(1.00)	(1.00)
UNCLASS - TEMP - LEGIS PRINT	80,000	80,000
OTHER OPERATING EXPENSES	6,701,697	6,701,697
TOTAL I. ADMINISTRATION	10,600,515	10,600,515
	(40.00)	(40.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,441,665	1,441,665
TOT II. EMPLOYEE BENEFITS	1,441,665	1,441,665
TOTAL LEG DEPT - LEGIS SERVICES AGENCY		
	12,042,180	12,042,180
	(40.00)	(40.00)

SECTION 91E
A200-LEG DEPT - LEGISLATIVE AUDIT COUNCIL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR (P)	173,000	173,000
	(1.00)	(1.00)
UNCLASSIFIED LEGISLATIVE	1,544,783	1,464,783
MISC - LAC (P)	(25.00)	(25.00)
OTHER PERSONAL SERVICES	109,919	109,919
OTHER OPERATING EXPENSES	152,000	152,000
TOTAL I. ADMINISTRATION	1,979,702	1,899,702
	(26.00)	(26.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	642,328	562,328
TOT II. EMPLOYEE BENEFITS	642,328	562,328
TOTAL LEG DEPT -	2,622,030	2,462,030
LEGISLATIVE AUDIT COUNCIL	(26.00)	(26.00)

SECTION 92A
D050-GOVERNOR'S OFFICE - EXECUTIVE
CONTROL OF STATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
GOVERNOR	106,078	106,078
	(1.00)	(1.00)
LIEUTENANT GOVERNOR	46,545	46,545
	(1.00)	(1.00)
UNCLASSIFIED POSITIONS	2,354,737	2,354,737
	(28.00)	(28.00)
OTHER PERSONAL SERVICES	60,000	60,000
OTHER OPERATING EXPENSES	1,200,000	1,200,000
TOTAL I. ADMINISTRATION	3,767,360	3,767,360
	(30.00)	(30.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	894,160	894,160

STATUTES AT LARGE
General and Permanent Laws--2025
D050-GOVERNOR'S OFFICE - EXECUTIVE
CONTROL OF STATE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOT II. EMPLOYEE BENEFITS	894,160	894,160
TOTAL GOVERNOR'S OFFICE -	4,661,520	4,661,520
EXEC CONTROL OF STATE	(30.00)	(30.00)

SECTION 92C
D200-GOVERNOR'S OFFICE - MANSION
AND GROUNDS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	(2.00)	(1.00)
UNCLASSIFIED POSITIONS	320,888	235,888
	(7.00)	(3.50)
OTHER PERSONAL SERVICES	73,260	73,260
OTHER OPERATING EXPENSES	255,520	178,103
TOTAL I. ADMINISTRATION	649,668	487,251
	(9.00)	(4.50)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	187,667	150,084
TOT II. EMPLOYEE BENEFITS	187,667	150,084
TOTAL GOVERNOR'S OFFICE -	837,335	637,335
MANSION AND GROUNDS	(9.00)	(4.50)

SECTION 92D
D300-OFFICE OF RESILIENCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	140,400	140,400
	(1.00)	(1.00)
CLASSIFIED POSITIONS	3,563,179	3,563,179
	(52.00)	(48.00)

OF SOUTH CAROLINA
General and Permanent Laws—2025
D300-OFFICE OF RESILIENCE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	1,031,454	1,031,454
TOTAL I. ADMINISTRATION	4,735,033 (53.00)	4,735,033 (49.00)
 II. PROGRAMS & SERVICES		
A. RESILIENCE		
CLASSIFIED POSITIONS	236,125 (5.00)	
TOTAL A. RESILIENCE	236,125 (5.00)	
 B. DISASTER RECOVERY		
CLASSIFIED POSITIONS	560,000 (10.00)	
OTHER PERSONAL SERVICES	2,340,000	
OTHER OPERATING EXPENSES	113,786,500	
ALLOC COUNTIES - RESTRICTED	1,500,000	
TOT B. DISASTER RECOVERY	118,186,500 (10.00)	
 TOT II. PROGRAMS & SRVCS	118,422,625 (15.00)	
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	3,305,312	2,058,153
TOT III. EMPLOYEE BENEFITS	3,305,312	2,058,153
 TOT OFFICE OF RESILIENCE	126,462,970 (68.00)	6,793,186 (49.00)

SECTION 93
D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	296,066 (1.00)	296,066 (1.00)

STATUTES AT LARGE
General and Permanent Laws--2025
D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	4,641,032	947,628
	(65.00)	(13.00)
UNCLASSIFIED POSITIONS	1,199,534	1,104,156
	(6.80)	(5.80)
OTHER PERSONAL SERVICES	97,481	15,000
OTHER OPERATING EXPENSES	1,228,686	477,256
TECH INVESTMNT COUNCIL	98,784	98,784
TOTAL I. ADMINISTRATION	7,561,583	2,938,890
	(72.80)	(19.80)

**II. STATEWIDE PROGRAMS &
SERVICES**

A. EXECUTIVE BUDGET OFFICE

CLASSIFIED POSITIONS	1,475,503	1,475,503
	(17.00)	(17.00)
NEW POSITIONS -	190,000	190,000
ACCOUNTING/FIS MANAGER I	(2.00)	(2.00)
NEW POSITIONS -	550,000	550,000
ACCOUNTING/FIS MANAGER II	(5.00)	(5.00)
UNCLASSIFIED POSITIONS	150,254	150,254
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	14,000	14,000
OTHER OPERATING EXPENSES	844,280	844,280
TOTAL A. EXECUTIVE	3,224,037	3,224,037
BUDGET OFFICE	(25.00)	(25.00)

B. HUMAN RESOURCES DIV

CLASSIFIED POSITIONS	2,047,250	2,047,250
	(25.00)	(25.00)
UNCLASSIFIED POSITIONS	190,755	190,755
OTHER PERSONAL SERVICES	24,096	24,096
OTHER OPERATING EXPENSES	1,656,450	1,606,450
TOTAL B. HUMAN	3,918,551	3,868,551
RESOURCES DIVISION	(25.00)	(25.00)

C. GENERAL SERVICES DIV

1. BUSINESS OPERATIONS

CLASSIFIED POSITIONS	86,323
	(2.50)

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D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	548,983	
	(3.50)	
OTHER PERSONAL SERVICES	45,000	
OTHER OPERATING EXPENSES	509,564	
TOT 1. BUSINESS OPERATIONS	1,189,870	
	(6.00)	
 2. FACILITIES MANAGEMENT		
CLASSIFIED POSITIONS	4,312,000	
	(126.50)	
OTHER PERSONAL SERVICES	205,000	
OTHER OPERATING EXPENSES	25,024,485	6,600,000
CAPITOL COMPLEX & MANSION	3,150,000	3,150,000
HEALTH AGENCIES COMPLEX	4,393,591	4,393,591
PERMANENT IMPROVEMENTS	16,353,781	13,353,781
TOTAL 2.	53,438,857	27,497,372
FACILITIES MANAGEMENT	(126.50)	
 3. SURPLUS PROPERTY		
CLASSIFIED POSITIONS	973,905	
	(27.00)	
OTHER PERSONAL SERVICES	70,000	
OTHER OPERATING EXPENSES	2,273,588	
TOTAL 3. SURPLUS PROPERTY	3,317,493	
	(27.00)	
 4. PARKING		
CLASSIFIED POSITIONS	126,002	
	(3.00)	
OTHER OPERATING EXPENSES	183,087	
TOTAL 4. PARKING	309,089	
	(3.00)	
 5. STATE FLEET MANAGEMENT		
CLASSIFIED POSITIONS	1,400,000	
	(26.00)	
OTHER PERSONAL SERVICES	22,573	

STATUTES AT LARGE
General and Permanent Laws--2025
D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER OPERATING EXPENSES	39,100,300	
TOTAL 5. STATE	40,522,873	
FLEET MANAGEMENT	(26.00)	
 6. STATE BUILDING & PROPERTY SERVICES		
CLASSIFIED POSITIONS	388,240	
	(6.00)	
UNCLASSIFIED POSITIONS	50,000	
	(0.50)	
OTHER PERSONAL SERVICES	25,000	
OTHER OPERATING EXPENSES	70,000	
TOTAL 6. STATE BUILDING & PROPERTY SERVICES	533,240	
	(6.50)	
 TOTAL C. GENERAL SERVICES DIVISION	99,311,422	27,497,372
	(195.00)	
 D. SC ENTERPRISE INFORMATION SYSTEM		
CLASSIFIED POSITIONS	5,965,525	5,965,525
	(80.50)	(80.50)
UNCLASSIFIED POSITIONS	258,633	258,633
	(4.00)	(4.00)
OTHER PERSONAL SERVICES	345,000	345,000
OTHER OPERATING EXPENSES	30,512,185	28,762,185
TOT D. SC ENTERPRISE	37,081,343	35,331,343
INFORMATION SYSTEM	(84.50)	(84.50)
 E. DIVISION OF INFORMATION SECURITY		
CLASSIFIED POSITIONS	1,857,367	1,738,630
	(15.25)	(15.25)
UNCLASSIFIED POSITIONS	629,288	629,288
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	632,250	632,250

OF SOUTH CAROLINA
General and Permanent Laws—2025
D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ENTERPRISE TECHNOLOGY & REMEDIATION	24,020,708	24,020,708
TOTAL E. DIVISION OF INFORMATION SECURITY	27,139,613 (19.25)	27,020,876 (19.25)
F. ENTERPRISE PRIVACY OFFICE		
CLASSIFIED POSITIONS	94,466 (1.00)	94,466 (1.00)
UNCLASSIFIED POSITIONS	135,050 (1.00)	135,050 (1.00)
OTHER OPERATING EXPENSES	205,000	205,000
TOTAL F. ENTERPRISE PRIVACY OFFICE	434,516 (2.00)	434,516 (2.00)
G. STATE TECHNOLOGY OPERATIONS		
CLASSIFIED POSITIONS	8,094,729 (138.96)	670,888 (5.11)
UNCLASSIFIED POSITIONS	991,017 (6.00)	
OTHER PERSONAL SERVICES	150,000	
OTHER OPERATING EXPENSES	47,931,489	5,611,090
K-12 SCHOOL TECHNOLOGY	23,450,000	
SERVICE CONTRACT 800 MHZ	6,938,247	6,938,247
TOTAL G. STATE TECHNOLOGY OPERATIONS	87,555,482 (144.96)	13,220,225 (5.11)
H. SHARED SERVICES		
CLASSIFIED POSITIONS	2,438,456 (32.75)	2,438,456 (32.75)
UNCLASSIFIED POSITIONS	296,771 (1.66)	296,771 (1.66)
OTHER OPERATING EXPENSES	4,125,573	3,625,573
TOTAL H. SHARED SERVICES	6,860,800 (34.41)	6,360,800 (34.41)
TOTAL II. STATEWIDE PROGRAMS & SERVICES	265,525,764 (530.12)	116,957,720 (195.27)

STATUTES AT LARGE
General and Permanent Laws--2025
D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EXECUTIVE POLICY & PROGRAMS		
A. CONSTITUENT SERVICES		
1. OMBUDSMAN		
CLASSIFIED POSITIONS	247,154	247,154
	(4.00)	(4.00)
UNCLASSIFIED POSITIONS	116,777	116,777
	(1.00)	(1.00)
OTHER PERSONAL SERVICES	46,801	46,801
OTHER OPERATING EXPENSES	402,245	402,245
TOTAL 1. OMBUDSMAN	812,977	812,977
	(5.00)	(5.00)
2. DEVELOPMENTAL DISABILITIES		
CLASSIFIED POSITIONS	245,659	19,543
	(6.00)	(0.44)
UNCLASSIFIED POSITIONS	88,676	8,868
	(1.00)	(0.10)
OTHER OPERATING EXPENSES	200,257	32,984
ALLOC OTHER ENTITIES	1,064,449	
TOTAL 2.	1,599,041	61,395
DEVELOPMENTAL DISABILITIES	(7.00)	(0.54)
3. ECONOMIC OPPORTUNITY		
CLASSIFIED POSITIONS	1,424,123	
	(20.00)	(0.09)
UNCLASSIFIED POSITIONS	73,608	
	(0.70)	(0.70)
OTHER PERSONAL SERVICES	391,390	
OTHER OPERATING EXPENSES	904,919	
ALLOC OTHER ENTITIES	113,666,487	
TOTAL 3. ECONOMIC OPPORTUNITY	116,460,527	
	(20.70)	(0.79)
TOTAL A. CONSTITUENT SERVICES	118,872,545	874,372
	(32.70)	(6.33)

D500-DEPARTMENT OF ADMINISTRATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
TOTAL III. EXECUTIVE POLICY & PROGRAMS	118,872,545 (32.70)	874,372 (6.33)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	17,609,699	8,388,136
TOT IV. EMPLOYEE BENEFITS	17,609,699	8,388,136
TOTAL DEPARTMENT OF ADMINISTRATION	409,569,591 (635.62)	129,159,118 (221.40)

**SECTION 94
D250-OFFICE OF INSPECTOR GENERAL**

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. OFFICE OF INSPECTOR GENERAL		
INSPECTOR GENERAL	172,971	172,971
	(1.00)	(1.00)
CLASSIFIED POSITIONS	979,941	979,941
	(15.00)	(15.00)
OTHER OPERATING EXPENSES	277,845	277,845
FRAUD HOTLINE	321	321
TOTAL I. OFFICE OF INSPECTOR GENERAL	1,431,078 (16.00)	1,431,078 (16.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	519,089	519,089
TOT II. EMPLOYEE BENEFITS	519,089	519,089
TOTAL OFFICE OF INSPECTOR GENERAL	1,950,167 (16.00)	1,950,167 (16.00)

SECTION 96
E080-SECRETARY OF STATE'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
SECRETARY OF STATE	135,000	135,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	2,466,856	1,030,366
	(34.00)	(18.00)
NEW POSITIONS -	46,578	
ADMINISTRATIVE ASSISTANT	(1.00)	
OTHER PERSONAL SERVICES	65,000	
OTHER OPERATING EXPENSES	1,433,094	16,600
TOTAL I. ADMINISTRATION	4,146,528	1,181,966
	(36.00)	(19.00)
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,130,292	436,553
TOTAL II. EMPLOYEE BENEFITS	1,130,292	436,553
TOTAL SECRETARY OF	5,276,820	1,618,519
STATE'S OFFICE	(36.00)	(19.00)

SECTION 97
E120-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATIVE SERVICES		
COMPTROLLER GENERAL	151,000	151,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	658,741	658,741
	(8.00)	(8.00)
UNCLASSIFIED POSITIONS	182,570	182,570
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	17,200	2,200
OTHER OPERATING EXPENSES	1,307,501	1,169,700
TOTAL I.	2,317,012	2,164,211
ADMINISTRATIVE SERVICES	(11.00)	(11.00)

OF SOUTH CAROLINA
General and Permanent Laws—2025
E120-COMPTROLLER GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. STATEWIDE SERVICES		
A. STATEWIDE PAYROLL/ ACCOUNTS PAYABLE		
CLASSIFIED POSITIONS	1,267,740	927,259
	(19.00)	(11.75)
OTHER OPERATING EXPENSES	173,779	
TOTAL A. STATEWIDE	1,441,519	927,259
PAYROLL/ACCNTS PAYABLE	(19.00)	(11.75)
B. STATEWIDE FINANCIAL REPORTING		
CLASSIFIED POSITIONS	832,947	832,947
	(7.00)	(7.00)
OTHER PERSONAL SERVICES	35,000	
OTHER OPERATING EXPENSES	378,765	241,123
TOTAL B. STATEWIDE	1,246,712	1,074,070
FINANCIAL REPORTING	(7.00)	(7.00)
C. STATEWIDE ACCOUNTING SERVICES		
CLASSIFIED POSITIONS	490,920	445,486
	(6.00)	(4.00)
OTHER OPERATING EXPENSES	32,023	1,351
TOTAL C. STATEWIDE	522,943	446,837
ACCOUNTING SERVICES	(6.00)	(4.00)
TOT II. STATEWIDE SERVICES	3,211,174	2,448,166
	(32.00)	(22.75)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,552,047	1,382,422
TOT III. EMPLOYEE BENEFITS	1,552,047	1,382,422
TOTAL COMPTROLLER	7,080,233	5,994,799
GENERAL'S OFFICE	(43.00)	(33.75)

SECTION 98
E160-STATE TREASURER'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
STATE TREASURER	164,000	164,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	266,122	66,122
	(4.00)	(2.00)
OTHER OPERATING EXPENSES	14,115	14,115
TOTAL I. ADMINISTRATION	444,237	244,237
	(5.00)	(3.00)
II. PROGRAMS AND SERVICES		
CLASSIFIED POSITIONS	5,504,844	1,520,766
	(76.00)	(16.00)
UNCLASSIFIED POSITIONS	595,012	6,368
	(4.00)	
OTHER PERSONAL SERVICES	118,500	
OTHER OPERATING EXPENSES	4,527,728	127,641
TOTAL II. PROGRAMS	10,746,084	1,654,775
AND SERVICES	(80.00)	(16.00)
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,937,861	692,361
TOT III. EMPLOYEE BENEFITS	2,937,861	692,361
TOTAL STATE	14,128,182	2,591,373
TREASURER'S OFFICE	(85.00)	(19.00)

SECTION 99
E190-RETIREMENT SYSTEM INVESTMENT
COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	230,000	
	(1.00)	
UNCLASSIFIED POSITIONS	5,408,745	
	(50.00)	

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General and Permanent Laws—2025
E190-RETIREMENT SYSTEM INVESTMENT
COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	2,861,255	
OTHER OPERATING EXPENSES	5,503,000	
TOTAL I. ADMINISTRATION	14,003,000	
	(51.00)	
II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,500,000	
TOT II. EMPLOYEE BENEFITS	2,500,000	
TOTAL RETIREMENT SYSTEM	16,503,000	
INVESTMENT COMMISSION	(51.00)	

SECTION 100
E240-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	186,903	186,903
	(1.00)	(1.00)
CLASSIFIED POSITIONS	1,998,681	1,639,681
	(21.20)	(14.87)
OTHER PERSONAL SERVICES	193,158	178,158
OTHER OPERATING EXPENSES	1,003,800	1,002,800
BURIAL FLAGS	19,371	19,371
CIVIL AIR PATROL	55,000	55,000
FUNERAL CAISSON	100,205	100,205
TOTAL I. ADMINISTRATION	3,557,118	3,182,118
	(22.20)	(15.87)
II. ARMORY OPERATIONS		
CLASSIFIED POSITIONS	21,424	
	(0.55)	
NEW POSITIONS -	374,500	374,500
NETWORK ADMINISTRATOR	(3.00)	(3.00)
OTHER PERSONAL SERVICES	74,000	
OTHER OPERATING EXPENSES	9,014,580	4,510,004

STATUTES AT LARGE
General and Permanent Laws--2025
E240-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
ARMORY REVITALIZATIONS	23,022,000	3,072,000
TOT II. ARMORY OPERATIONS	32,506,504	7,956,504
	(3.55)	(3.00)
 III. BUILDINGS & GROUNDS		
CLASSIFIED POSITIONS	298,102	156,607
	(11.75)	(8.25)
OTHER PERSONAL SERVICES	7,683	3,783
OTHER OPERATING EXPENSES	102,034	59,896
TOTAL III. BUILDINGS & GROUNDS	407,819	220,286
	(11.75)	(8.25)
 IV. ARMY CONTRACT SUPPORT		
CLASSIFIED POSITIONS	1,076,749	
	(24.69)	(0.25)
OTHER PERSONAL SERVICES	4,793,082	42,128
OTHER OPERATING EXPENSES	15,479,685	154,000
YOUTH CHALLENGE PROGRAM	800,000	800,000
PERMANENT IMPROVEMENTS	1,700,000	
TOTAL IV. ARMY CONTRACT SUPPORT	23,849,516	996,128
	(24.69)	(0.25)
 V. ENTERPRISE OPERATIONS		
CLASSIFIED POSITIONS	98,857	
	(2.00)	
OTHER PERSONAL SERVICES	839,436	
OTHER OPERATING EXPENSES	2,841,700	
TOTAL V. ENTERPRISE OPERATIONS	3,779,993	
	(2.00)	
 VI. MCENTIRE ANG BASE		
CLASSIFIED POSITIONS	939,698	60,031
	(2.81)	(2.81)
OTHER PERSONAL SERVICES	1,250,897	63,880
OTHER OPERATING EXPENSES	3,006,805	322,951
TOT VI. MCENTIRE ANG BASE	5,197,400	446,862
	(2.81)	(2.81)

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E240-ADJUTANT GENERAL'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VII. EMERGENCY PREPAREDNESS		
CLASSIFIED POSITIONS	3,812,196	1,708,192
	(62.00)	(25.75)
OTHER PERSONAL SERVICES	437,445	71,463
OTHER OPERATING EXPENSES	24,947,652	2,650,199
ALLOC MUNICIPALITIES	4,500,000	
- RESTRICTED		
ALLOC COUNTIES - RESTRICTED	7,990,342	36,410
ALLOC OTHER STATE AGENCIES	693,766	
ALLOC OTHER ENTITIES	60,000	
TOTAL VII.	42,441,401	4,466,264
EMERGENCY PREPAREDNESS	(62.00)	(25.75)
VIII. STATE GUARD		
CLASSIFIED POSITIONS	192,642	192,642
	(3.50)	(3.50)
OTHER PERSONAL SERVICES	923,157	923,157
OTHER OPERATING EXPENSES	265,064	265,064
TOTAL VIII. STATE GUARD	1,380,863	1,380,863
	(3.50)	(3.50)
IX. SC MILITARY MUSEUM		
CLASSIFIED POSITIONS	316,927	316,927
	(5.00)	(5.00)
OTHER OPERATING EXPENSES	110,000	110,000
TOT IX. SC MIL MUSEUM	426,927	426,927
	(5.00)	(5.00)
X. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	7,016,928	2,284,944
TOT X. EMPLOYEE BENEFITS	7,016,928	2,284,944
TOTAL ADJUTANT GENERAL'S OFFICE	120,564,468	21,360,895
	(137.50)	(64.43)

SECTION 101
E260-DEPARTMENT OF VETERANS' AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	149,690	149,690
	(1.00)	(1.00)
CLASSIFIED POSITIONS	471,573	471,573
	(2.00)	(2.00)
UNCLASSIFIED POSITIONS	141,023	141,023
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	331,000	331,000
TOTAL I. ADMINISTRATION	1,093,286	1,093,286
	(4.00)	(4.00)
II. PROGRAMS AND SERVICES		
A. VETERANS' AFFAIRS		
CLASSIFIED POSITIONS	1,989,808	1,989,808
	(37.00)	(37.00)
OTHER PERSONAL SERVICES	158,281	158,281
OTHER OPERATING EXPENSES	925,156	925,156
POW COMMISSION	2,080	2,080
VETERANS COUNSELING	65,279	65,279
CASE SERVICES	300,000	
TOT A. VETERANS' AFFAIRS	3,440,604	3,140,604
	(37.00)	(37.00)
B. VETERANS' CEMETERY		
CLASSIFIED POSITIONS	639,238	639,238
	(15.00)	(15.00)
OTHER OPERATING EXPENSES	308,730	63,730
TOT B. VETERANS' CEMETERY	947,968	702,968
	(15.00)	(15.00)
C. MILITARY AFFAIRS		
CLASSIFIED POSITIONS	145,289	145,289
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	70,996	70,996
MIL CONNECTED CHILDREN	532,000	532,000

E260-DEPARTMENT OF VETERANS' AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
MIL ENHANCEMENT FUND	2,000,000	2,000,000
TOT C. MILITARY AFFAIRS	2,748,285	2,748,285
	(3.00)	(3.00)
TOTAL II. PROGRAMS AND SERVICES	7,136,857	6,591,857
	(55.00)	(55.00)
III. VETERAN HOMES		
A. SUPPORT SERVICES		
CLASSIFIED POSITIONS	1,615,614	1,615,614
	(16.00)	(16.00)
UNCLASSIFIED POSITIONS	475,868	475,868
	(4.00)	(4.00)
OTHER OPERATING EXPENSES	710,940	710,940
TOT A. SUPPORT SERVICES	2,802,422	2,802,422
	(20.00)	(20.00)
B. CAMPBELL VETERANS HOME		
OTHER OPERATING EXPENSES	415,546	245,546
CASE SERVICES	30,902,083	16,093,409
TOTAL B. CAMPBELL VETERANS HOME	31,317,629	16,338,955
C. VETERANS' VICTORY HOUSE		
OTHER OPERATING EXPENSES	635,667	245,546
CASE SERVICES	26,268,966	13,887,306
TOTAL C. VETERANS' VICTORY HOUSE	26,904,633	14,132,852
D. VETERANS VILLAGE		
OTHER OPERATING EXPENSES	176,076	116,076
CASE SERVICES	21,696,542	12,696,562
TOT D. VETERANS VILLAGE	21,872,618	12,812,638
E. PALMETTO PATRIOTS HOME		
OTHER OPERATING EXPENSES	176,076	116,076

STATUTES AT LARGE
General and Permanent Laws--2025
E260-DEPARTMENT OF VETERANS' AFFAIRS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CASE SERVICES	20,506,032	12,750,305
TOTAL E. PALMETTO	20,682,108	12,866,381
PATRIOTS HOME		
F. SUMTER		
OTHER OPERATING EXPENSES	150,000	150,000
CASE SERVICES	20,714,922	11,083,983
TOTAL F. SUMTER	20,864,922	11,233,983
G. STONE PAVILION		
CASE SERVICES	25,027,675	14,718,848
TOTAL G. STONE PAVILION	25,027,675	14,718,848
TOT III. VETERAN HOMES	149,472,007	84,906,079
	(20.00)	(20.00)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,536,585	2,536,585
TOT IV. EMPLOYEE BENEFITS	2,536,585	2,536,585
TOTAL DEPARTMENT OF	160,238,735	95,127,807
VETERANS' AFFAIRS	(79.00)	(79.00)

SECTION 102
E280-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	150,000	150,000
	(1.00)	(1.00)
CLASSIFIED POSITIONS	889,069	825,272
	(10.50)	(8.00)
OTHER OPERATING EXPENSES	679,101	463,198
TOTAL I. ADMINISTRATION	1,718,170	1,438,470
	(11.50)	(9.00)

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E280-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. VOTER SERVICES		
CLASSIFIED POSITIONS	3,280,934	3,280,934
	(29.00)	(29.00)
OTHER OPERATING EXPENSES	2,453,845	2,453,845
HELP AMERICA VOTE	3,544,077	
TOTAL II. VOTER SERVICES	9,278,856	5,734,779
	(29.00)	(29.00)
III. PUBLIC INFORMATION/ TRAINING		
CLASSIFIED POSITIONS	807,146	807,146
	(8.00)	(8.00)
OTHER OPERATING EXPENSES	60,000	25,000
TOTAL III.	867,146	832,146
PUBLIC INFO/TRAINING	(8.00)	(8.00)
IV. DISTRIBUTION TO SUBDIV		
AID TO COUNTIES	840,000	840,000
- ELECTION COMMISSION		
TOTAL IV. DISTRIBUTION TO SUBDIVISIONS	840,000	840,000
V. STATEWIDE/SPECIAL PRIMARIES		
SPECIAL PRIMARIES	100,000	
STWIDE PRIMARIES/GENERAL ELECTION	8,930,000	7,730,000
TOTAL V. STATEWIDE/ SPECIAL PRIMARIES	9,030,000	7,730,000
VI. AUDIT		
CLASSIFIED POSITIONS	900,000	900,000
	(11.00)	(11.00)
OTHER OPERATING EXPENSES	400,000	400,000
TOTAL VI. AUDIT	1,300,000	1,300,000
	(11.00)	(11.00)

STATUTES AT LARGE
General and Permanent Laws--2025
E280-ELECTION COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
VII. TRAINING		
CLASSIFIED POSITIONS	1,062,250	1,062,250
	(15.00)	(15.00)
OTHER OPERATING EXPENSES	453,291	453,291
CERTIFIED POLL CLERK PROGRAM	750,000	750,000
POLLING LOCATION	500,000	500,000
TECHNICIAN CERTIFICATION		
TOTAL VII. TRAINING	2,765,541	2,765,541
	(15.00)	(15.00)
VIII. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,783,548	1,757,548
TOT VIII. EMPLOYEE BENEFITS	1,783,548	1,757,548
TOT ELECTION COMMISSION	27,583,261	22,398,484
	(74.50)	(72.00)

SECTION 103
E500-REVENUE & FISCAL AFFAIRS OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	270,000	270,000
	(1.00)	(1.00)
APPOINTEE ALLOWANCE	16,000	16,000
CHAIRMAN'S ALLOWANCE	10,000	10,000
TOTAL I. ADMINISTRATION	296,000	296,000
	(1.00)	(1.00)
II. PROGRAM SERVICES		
CLASSIFIED POSITIONS	5,680,513	3,284,656
	(84.75)	(47.45)
OTHER PERSONAL SERVICES	526,658	47,500
OTHER OPERATING EXPENSES	5,500,691	1,908,960
WIRELESS E911	50,826,615	
TOT II. PROGRAM SRVCS	62,534,477	5,241,116
	(84.75)	(47.45)

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E500-REVENUE & FISCAL AFFAIRS OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,998,257	1,717,770
TOT III. EMPLOYEE BENEFITS	2,998,257	1,717,770
 TOTAL REVENUE &	 65,828,734	 7,254,886
FISCAL AFFAIRS OFFICE	(85.75)	(48.45)

SECTION 104
E550-STATE FISCAL ACCOUNTABILITY
AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
EXECUTIVE DIRECTOR	254,800	
	(1.00)	
CLASSIFIED POSITIONS	1,745,053	
	(25.50)	
UNCLASSIFIED POSITIONS	684,523	
	(2.50)	
OTHER PERSONAL SERVICES	157,000	
OTHER OPERATING EXPENSES	1,055,786	
TOTAL I. ADMINISTRATION	3,897,162	
	(29.00)	
 II. PROCUREMENT SERVICES		
CLASSIFIED POSITIONS	5,863,975	1,270,013
	(69.50)	(17.50)
UNCLASSIFIED POSITIONS	491,786	66,293
	(3.50)	(1.00)
OTHER PERSONAL SERVICES	97,847	24,719
OTHER OPERATING EXPENSES	7,961,672	111,657
TOTAL II.	14,415,280	1,472,682
PROCUREMENT SERVICES	(73.00)	(18.50)
 III. INSURANCE SERVICES		
A. INSURANCE RESERVE FUND		
CLASSIFIED POSITIONS	2,725,000	
	(46.10)	

STATUTES AT LARGE
General and Permanent Laws--2025
E550-STATE FISCAL ACCOUNTABILITY
AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
UNCLASSIFIED POSITIONS	245,000	
	(2.00)	
OTHER PERSONAL SERVICES	12,000	
OTHER OPERATING EXPENSES	3,298,000	
TOTAL A. INSURANCE	6,280,000	
RESERVE FUND	(48.10)	
 B. SECOND INJURY FUND SUNSET		
CLASSIFIED POSITIONS	107,000	
	(1.90)	
OTHER OPERATING EXPENSES	223,000	
TOTAL B. SECOND	330,000	
INJURY FUND SUNSET	(1.90)	
 TOT III. INSURANCE SERVICES	6,610,000	
	(50.00)	
 IV. BOND SERVICES AND TRANSFERS		
OTHER OPERATING EXPENSES	4,475	
DEBT SERVICE	2,760,019	
TOTAL IV. BOND	2,764,494	
SERVICES AND TRANSFERS		
 V. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	5,336,005	520,577
TOT V. EMPLOYEE BENEFITS	5,336,005	520,577
 TOTAL STATE FISCAL	33,022,941	1,993,259
ACCOUNTABILITY AUTHORITY	(152.00)	(18.50)

SECTION 105
F270-SFAA - STATE AUDITOR'S OFFICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
STATE AUDITOR	187,200	187,200
	(1.00)	(1.00)
CLASSIFIED POSITIONS	258,746	258,746
	(3.00)	(3.00)
OTHER OPERATING EXPENSES	32,261	32,261
TOTAL I. ADMINISTRATION	478,207	478,207
	(4.00)	(4.00)
II. AUDITS		
CLASSIFIED POSITIONS	3,594,257	2,899,228
	(48.00)	(34.00)
UNCLASSIFIED POSITIONS	111,512	111,512
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	2,646,229	531,229
TOTAL II. AUDITS	6,351,998	3,541,969
	(49.00)	(35.00)
III. INTERNAL AUDIT SERVICES		
CLASSIFIED POSITIONS	577,156	577,156
	(6.00)	(6.00)
UNCLASSIFIED POSITIONS	123,324	123,324
	(1.00)	(1.00)
OTHER OPERATING EXPENSES	27,245	27,245
TOTAL III. INTERNAL	727,725	727,725
AUDIT SERVICES	(7.00)	(7.00)
IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	2,538,391	2,268,781
TOT IV. EMPLOYEE BENEFITS	2,538,391	2,268,781
TOTAL SFAA -	10,096,321	7,016,682
STATE AUDITOR'S OFFICE	(60.00)	(46.00)

SECTION 106
F300-STATEWIDE EMPLOYEE BENEFITS

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. STATE EMPLOYEE BENEFITS		
A. BASE PAY INCREASE		
BASE PAY INCREASE	66,550,092	66,550,092
TOT A. BASE PAY INCREASE	66,550,092	66,550,092
B. RATE INCREASES		
HLTH INSURANCE-EMPLOYER	112,234,000	112,234,000
CONTRIBUTIONS		
TOT B. RATE INCREASES	112,234,000	112,234,000
TOTAL I. STATE	178,784,092	178,784,092
EMPLOYEE BENEFITS		
TOTAL STATEWIDE	178,784,092	178,784,092
EMPLOYEE BENEFITS		

SECTION 107
F310-CAPITAL RESERVE FUND

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. RESERVE FUND		
CAPITAL RESERVE FUND	387,352,137	387,352,137
TOTAL I. RESERVE FUND	387,352,137	387,352,137
TOT CAPITAL RESERVE FND	387,352,137	387,352,137

SECTION 108
F500-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
DIRECTOR	242,541	
	(1.00)	

F500-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
PUBLIC EMPLOYEE BENEFIT AUTHORITY	132,000	
OTHER OPERATING EXPENSES	10,000,000	
TOTAL I. ADMINISTRATION	10,374,541 (1.00)	
II. PROGRAM AND SERVICES		
A. EMPLOYEE INSURANCE		
CLASSIFIED POSITIONS	6,475,385 (117.93)	
UNCLASSIFIED POSITIONS	341,064 (3.00)	
OTHER PERSONAL SERVICES	195,104	
OTHER OPERATING EXPENSES	3,945,263	
ADOPTION ASSISTANCE PROG	300,000	
TOT A. EMPLOYEE INSURANCE	11,256,816 (120.93)	
B. SC RETIREMENT SYSTEMS		
CLASSIFIED POSITIONS	8,401,050 (155.50)	
UNCLASSIFIED POSITIONS	513,327 (5.00)	
OTHER PERSONAL SERVICES	303,835	
OTHER OPERATING EXPENSES	5,003,246	
TOTAL B. SC RETIREMENT SYSTEMS	14,221,458 (160.50)	
TOTAL II. PROGRAM AND SERVICES	25,478,274 (281.43)	
III. STATEWIDE EMPLOYER CONTRIBUTIONS		
JSRS TRUST FUND	2,900,000	2,900,000
OPEB TRUST FUND	2,375,300	2,375,300
PENSIONS - RET NATL GUARD	5,289,727	5,289,727
PORS TRUST FUND	13,121,990	13,121,990
RET - POLICE INSURANCE & ANNUITY FUND	960	960

F500-PUBLIC EMPLOYEE BENEFIT AUTHORITY

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
RET SUPP - POLICE OFFICERS	17,506	17,506
RETIRE SUPP - PUBLIC SCHOOL	199,855	199,855
RETIRE SUPP - ST EMPLOYEES	233,258	233,258
SCRS TRUST FUND SUPPLEMENT	88,230,143	88,230,143
TOTAL III. STATEWIDE	112,368,739	112,368,739
EMPLOYER CONTRIBUTIONS		
 IV. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	10,177,276	
TOT IV. EMPLOYEE BENEFITS	10,177,276	
 TOTAL PUBLIC EMPLOYEE	158,398,830	112,368,739
BENEFIT AUTHORITY	(282.43)	

SECTION 109
R440-DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. ADMINISTRATIVE & PROG		
SUPPORT		
DIRECTOR	204,163	204,163
	(1.00)	(1.00)
CLASSIFIED POSITIONS	268,437	268,437
	(10.00)	(10.00)
UNCLASSIFIED POSITIONS	123,375	123,375
	(2.00)	(2.00)
OTHER OPERATING EXPENSES	35,000	35,000
TOTAL I. ADMINISTRATIVE	630,975	630,975
& PROGRAM SUPPORT	(13.00)	(13.00)
 II. PROGRAMS AND SERVICES		
A. SUPPORT SERVICES		
CLASSIFIED POSITIONS	7,683,961	6,109,760
	(159.75)	(116.75)
UNCLASSIFIED POSITIONS		
	(1.00)	(1.00)

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R440-DEPARTMENT OF REVENUE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
OTHER PERSONAL SERVICES	150,000	100,000
OTHER OPERATING EXPENSES	62,872,089	6,996,060
TOT A. SUPPORT SERVICES	70,706,050	13,205,820
	(160.75)	(117.75)
 B. REVENUE & REGULATORY		
CLASSIFIED POSITIONS	25,381,109	25,011,755
	(618.50)	(535.50)
OTHER PERSONAL SERVICES	350,000	
OTHER OPERATING EXPENSES	6,431,052	5,376,963
TOT B. REVENUE & REGULATORY	32,162,161	30,388,718
	(618.50)	(535.50)
 C. LEGAL,POLICY & LEGIS		
CLASSIFIED POSITIONS	519,215	519,215
	(12.00)	(12.00)
OTHER OPERATING EXPENSES	80,000	80,000
TOTAL C. LEGAL, POLICY & LEGISLATIVE	599,215	599,215
	(12.00)	(12.00)
 TOTAL II. PROGRAMS AND SERVICES	103,467,426	44,193,753
	(791.25)	(665.25)
 III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	16,318,261	15,414,841
TOT III. EMPLOYEE BENEFITS	16,318,261	15,414,841
 TOT DPTMNT OF REVENUE	120,416,662	60,239,569
	(804.25)	(678.25)

SECTION 110
R520-STATE ETHICS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
 I. ADMINISTRATION		
EXECUTIVE DIRECTOR	194,058	194,058
	(1.00)	(1.00)

STATUTES AT LARGE
General and Permanent Laws--2025
R520-STATE ETHICS COMMISSION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
CLASSIFIED POSITIONS	1,407,963	1,179,915
	(22.00)	(19.00)
OTHER PERSONAL SERVICES	18,187	3,187
OTHER OPERATING EXPENSES	464,340	234,340
TOTAL I. ADMINISTRATION	2,084,548	1,611,500
	(23.00)	(20.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	634,107	589,647
TOT II. EMPLOYEE BENEFITS	634,107	589,647
 TOTAL STATE ETHICS	2,718,655	2,201,147
COMMISSION	(23.00)	(20.00)

SECTION 111
S600-PROCUREMENT REVIEW PANEL

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. ADMINISTRATION		
CLASSIFIED POSITIONS	104,073	104,073
	(2.00)	(2.00)
OTHER PERSONAL SERVICES	3,771	3,771
OTHER OPERATING EXPENSES	44,910	42,376
TOTAL I. ADMINISTRATION	152,754	150,220
	(2.00)	(2.00)
 II. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	50,921	50,921
TOT II. EMPLOYEE BENEFITS	50,921	50,921
 TOTAL PROCUREMENT	203,675	201,141
REVIEW PANEL	(2.00)	(2.00)

SECTION 112
V040-DEBT SERVICE

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. GEN OBLIGATION BONDS		
AIR CARRIER HUB BONDS	4,308,400	4,308,400
CAP IMPROVEMENT BONDS	49,343,728	49,343,728
ECONOMIC DVLPMNT BONDS	63,976,984	63,976,984
RESEARCH UNIVER BONDS	24,220,344	24,220,344
STATE SCH FACILITIES BONDS	12,050,289	12,050,289
TOTAL I. GENERAL	153,899,745	153,899,745
OBLIGATION BONDS		
II. SPECIAL BONDS/STOCKS/		
OTHER		
INT PAYMT-AGRI COLLEGE STOCK	11,508	11,508
INT PAYMT-CLEMSON STOCK	3,513	3,513
TOTAL II. SPECIAL	15,021	15,021
BONDS/STOCKS/OTHER		
TOTAL DEBT SERVICE	153,914,766	153,914,766

SECTION 113
X220-AID TO SUBDIVISIONS –
STATE TREASURER

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
I. AID TO SUBDIVISIONS		
AID TO COUNTY	313,071	313,071
VETERANS' OFFICES		
AID PLANNING DISTRICTS	1,556,253	1,556,253
AID TO FIRE DISTRICTS	16,496,453	16,496,453
AID - LOCAL GOVMNT FUND	305,896,242	305,896,242
RURAL COUNTY	12,000,000	12,000,000
STABILIZATION FUND		
TOT I. AID TO SUBDIVISIONS	336,262,019	336,262,019

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General and Permanent Laws--2025
X220-AID TO SUBDIVISIONS –
STATE TREASURER

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
II. AID TO SUBDIV-CATEGOR		
GRANTS CNTYS		
AID TO COUNTIES -	690,000	690,000
CLERKS OF COURT		
AID TO COUNTIES	690,000	690,000
- PROBATE JUDGES		
AID TO COUNTIES - SHERIFFS	690,000	690,000
AID TO COUNTIES -	360,000	360,000
REGISTER OF DEEDS		
AID TO COUNTIES - CORONERS	690,000	690,000
AID TO CNTIES - MAGISTRATES	3,000,000	3,000,000
AID TO COUNTIES - AUDITORS	1,128,969	1,128,969
AID TO CNTIES - TREASURERS	1,128,968	1,128,968
AID TO COUNTIES - LOCAL	1,600,000	1,600,000
CHILD FATALITY REVIEW TEAM		
TOTAL II. AID TO SUBDIV-	9,977,937	9,977,937
CATEGORICAL GRANTS CNTYS		
III. EMPLOYEE BENEFITS		
EMPLOYER CONTRIBUTIONS	1,273,530	1,273,530
TOT III. EMPLOYEE BENEFITS	1,273,530	1,273,530
TOT AID TO SUBDIVISIONS	347,513,486	347,513,486
- STATE TREASURER		

RECAPITULATION

AGENCY	TOTAL FUNDS	GENERAL FUNDS
H630 DEPARTMENT OF EDUCATION	7,611,068,522	4,393,428,827
H620 FIRST STEPS	91,673,420	20,539,334
H660 LOTTERY EXPENDITURE ACCOUNT	562,586,859	
A850 EDUCATION OVERSIGHT COMMITTEE	2,187,264	
H710 WIL LOU GRAY OPPORTUNITY SCHOOL	10,512,408	9,635,187
H750 SCHOOL FOR THE DEAF AND THE BLIND	30,663,592	19,852,237
L120 GOV SCHL FOR AGRI AT JOHN DE LA HOWE	10,713,089	9,752,915
H670 EDUCATIONAL TELEVISION COMMISSION	34,858,282	10,563,282
H640 GOV SCHL FOR ARTS AND HUMANITIES	13,696,826	12,692,055
H650 GOV SCHL FOR SCIENCE AND MATH	19,417,965	18,171,465
H030 COMMISSION ON HIGHER EDUCATION	48,839,024	42,157,983
H060 HIGHER EDU TUITION GRANTS COMM	58,671,684	28,421,684
H090 THE CITADEL	200,777,776	30,786,188
H120 CLEMSON UNIV -EDU & GENERAL	1,807,026,326	219,327,137
H150 UNIVERSITY OF CHARLESTON	301,977,911	59,415,145
H170 COASTAL CAROLINA UNIVERSITY	297,535,732	37,221,088
H180 FRANCIS MARION UNIVERSITY	37,090,457	37,990,994
H210 LANDER UNIVERSITY	124,660,692	26,787,210
H240 SOUTH CAROLINA STATE UNIVERSITY	156,214,648	34,158,601
H270 UNIVERSITY OF SOUTH CAROLINA	1,620,019,957	325,886,983
H290 USC - AIKEN CAMPUS	81,910,014	27,952,652
H340 USC - UPSTATE	125,787,931	38,460,951
H360 USC - BEAUFORT CAMPUS	52,293,097	17,008,171
H370 USC - LANCASTER CAMPUS	29,350,135	11,175,634
H380 USC - SALKEHATCHIE CAMPUS	18,675,413	6,421,414
H390 USC - SUMTER CAMPUS	24,266,047	10,639,944
H400 USC - UNION CAMPUS	15,481,665	6,892,352
H470 WINTHROP UNIVERSITY	192,174,270	39,660,215
H510 MEDICAL UNIV OF SOUTH CAROLINA	981,083,449	176,290,820
H530 AREA HEALTH EDUCATION CONSORTIUM	18,192,125	14,538,498
H590 ST BOARD FOR TECH & COMPREHEN EDU	817,140,625	262,395,759
H790 DEPARTMENT OF ARCHIVE S& HISTORY	13,946,287	12,427,146
H870 STATE LIBRARY	26,442,106	24,505,960
H910 ARTS COMMISSION	11,233,666	10,550,618
H950 STATE MUSEUM COMMISSION	12,613,256	10,451,656
H960 CONFED RELIC ROOM AND MIL MUS COMM	1,763,194	1,343,942
J060 DEPARTMENT OF PUBLIC HEALTH	505,958,889	137,232,538
H730 DEPT OF VOCATIONAL REHABILITATION	169,342,546	20,157,088
J020 DEPT OF HEALTH & HUMAN SERVICES	11,937,772,404	2,271,102,188
J120 DEPARTMENT OF MENTAL HEALTH	558,361,819	327,267,357
J160 DEPT OF DISABILITIES & SPECIAL NEEDS	446,585,264	142,649,170
J200 DEPT OF ALC & OTHER DRUG ABUSE SRVC	93,350,972	25,947,921
L040 DEPARTMENT OF SOCIAL SERVICES	628,940,201	338,625,452
L240 COMMISSION FOR THE BLIND	57,558,590	6,933,199
L060 DEPARTMENT ON AGING	78,290,509	36,952,624
L080 DEPT OF CHILDREN'S ADVOCACY	22,669,682	13,873,814
L320 HOUSING FINANCE & DEVT AUTHORITY	277,039,000	
P120 FORESTRY COMMISSION	53,243,604	35,507,931
P160 DEPARTMENT OF AGRICULTURE	60,620,657	27,833,687
P200 CLEMSON UNIVERSITY - PSA	120,070,283	69,299,715
P210 SOUTH CAROLINA ST UNIV - PSA	15,483,955	9,983,560
P240 DEPT OF NATURAL RESOURCES	187,200,974	86,328,111

STATUTES AT LARGE
General and Permanent Laws--2025
RECAPITULATION

	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
P260 SEA GRANT CONSORTIUM	6,006,962	1,387,262
P280 DEPT OF PARKS, REC & TOURISM	157,373,376	68,008,781
P320 DEPARTMENT OF COMMERCE	139,126,567	70,871,052
P340 JOBS-ECONOMIC DEVT AUTHORITY	1,041,150	
P360 PATRIOTS POINT DEVT AUTHORITY	20,000,000	
P400 SC CONSERVATION BANK	58,968,565	23,768,565
P450 RURAL INFRASTRUCTURE AUTHORITY	59,309,684	36,202,666
P500 DEPT OF ENVIRONMENTAL SRVCS	205,243,392	102,961,732
B040 JUDICIAL DEPARTMENT	132,824,877	113,731,584
C050 ADMINISTRATIVE LAW COURT	7,110,257	5,454,271
E200 ATTORNEY GENERAL'S OFFICE	96,498,539	30,580,274
E210 PROSECUTION COORDINATION COMM	60,785,870	52,149,487
E230 COMMISSION ON INDIGENT DEFENSE	69,529,755	53,232,883
D100 GOV OFF-STATE LAW ENFORCEMENT DIV	156,020,825	105,101,380
K050 DEPARTMENT OF PUBLIC SAFETY	292,867,416	217,320,999
N200 LAW ENFORCEMENT TRAINING COUNCIL	18,921,554	10,687,617
N040 DEPARTMENT OF CORRECTIONS	674,228,567	615,361,272
N080 DEPT OF PROB, PAROLE & PARDON SRVCS	92,479,852	71,598,861
N120 DEPARTMENT OF JUVENILE JUSTICE	193,789,261	171,732,162
L360 HUMAN AFFAIRS COMMISSION	6,061,357	4,579,784
L460 COMMISSION ON MINORITY AFFAIRS	3,890,200	3,670,886
R040 PUBLIC SERVICE COMMISSION	7,941,046	542,624
R060 OFFICE OF REGULATORY STAFF	22,749,548	3,163,433
R080 WORKERS' COMPENSATION COMMISSION	11,624,386	6,016,541
R120 STATE ACCIDENT FUND	11,563,224	
R200 DEPARTMENT OF INSURANCE	25,759,449	10,928,695
R230 STATE BD OF FINANCIAL INSTITUTIONS	7,377,305	
R280 DEPARTMENT OF CONSUMER AFFAIRS	5,214,161	2,379,962
R360 DEPT OF LABOR, LICENSING & REGULATION	70,911,750	11,405,503
R400 DEPARTMENT OF MOTOR VEHICLES	138,628,076	121,680,480
R600 DEPT OF EMPLOYMENT AND WORKFORCE	145,356,655	12,984,847
U120 DEPARTMENT OF TRANSPORTATION	2,776,671,324	123,057,270
U150 INFRASTRUCTURE BANK BOARD	125,269,870	
U200 COUNTY TRANSPORTATION FUNDS	160,140,325	
U300 DIVISION OF AERONAUTICS	24,470,998	8,240,131
A010 LEG DEPT - THE SENATE	25,905,869	25,430,869
A050 LEG DEPT - HOUSE OF REPRESENTATIVES	32,074,633	32,074,633
A150 LEG DEPT - CODIFI OF LAWS & LEGIS CNCIL	7,320,368	7,020,368
A170 LEG DEPT - LEG SERVICES AGENCY	12,042,180	12,042,180
A200 LEG DEPT - LEGISLATIVE AUDIT COUNCIL	2,622,030	2,462,030
D050 GOV OFFICE - EXEC CONTROL OF STATE	4,661,520	4,661,520
D200 GOV OFFICE - MANSION AND GROUNDS	837,335	637,335
D300 OFFICE OF RESILIENCE	126,462,970	6,793,186
D500 DEPARTMENT OF ADMINISTRATION	409,569,591	129,159,118
D250 OFFICE OF INSPECTOR GENERAL	1,950,167	1,950,167
E080 SECRETARY OF STATE'S OFFICE	5,276,820	1,618,519
E120 COMPTROLLER GENERAL'S OFFICE	7,080,233	5,994,799
E160 STATE TREASURER'S OFFICE	14,128,182	2,591,373
E190 RETIREMENT SYS INVESTMENT COMM	16,503,000	
E240 ADJUTANT GENERAL'S OFFICE	120,564,468	21,360,895
E260 DEPARTMENT OF VETERANS' AFFAIRS	160,238,735	95,127,807

OF SOUTH CAROLINA
General and Permanent Laws—2025
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	<u>TOTAL FUNDS</u>	<u>GENERAL FUNDS</u>
E280 ELECTION COMMISSION	27,583,261	22,398,484
E500 REVENUE & FISCAL AFFAIRS OFFICE	65,828,734	7,254,886
E550 ST FIS ACCOUNTABILITY AUTHORITY	33,022,941	1,993,259
F270 SFAA - STATE AUDITOR'S OFFICE	10,096,321	7,016,682
F300 STATEWIDE EMPLOYEE BENEFITS	178,784,092	178,784,092
F310 CAPITAL RESERVE FUND	387,352,137	387,352,137
F500 PUBLIC EMPLOYEE BENEFIT AUTHORITY	158,398,830	112,368,739
R440 DEPARTMENT OF REVENUE	120,416,662	60,239,569
R520 STATE ETHICS COMMISSION	2,718,655	2,201,147
S600 PROCUREMENT REVIEW PANEL	203,675	201,141
V040 DEBT SERVICE	153,914,766	153,914,766
X220 AID TO SUBDIVISIONS - ST TREASURER	347,513,486	347,513,486
 GRAND TOTAL	 39,160,420,867	
STATE OF SOUTH CAROLINA		13,246,162,593
 SOURCE OF FUNDS		
APPROP GENERAL FUNDS	13,246,162,593	
FEDERAL FUNDS	12,487,697,316	
OTHER FUNDS	13,426,560,958	
GRAND TOTAL	39,160,420,867	

STATEMENT OF REVENUES

ESTIMATE OF GENERAL, SCHOOL, TRANSPORTATION,
EDUCATION IMPROVEMENT ACT AND
EDUCATION LOTTERY REVENUES
FISCAL YEAR 2025-26

General Fund	
Sales and Use Tax	5,086,141,000
Individual Income Tax	6,226,288,000
Corporate Income Tax	1,204,382,000
Insurance Taxes	362,995,000
Admissions Tax	42,170,000
Alcoholic Liquor Tax	123,052,000
Bank Tax	54,911,000
Beer and Wine Tax	112,737,000
Business Filing Fees	11,604,000
Circuit & Family Court Fines	6,013,000
Corporation License Tax	196,255,000
Documentary Tax	125,713,000

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STATEMENT OF REVENUES

Earned on Investments	449,948,024
Indirect Cost Recoveries	16,542,000
Motor Vehicle Licenses	12,010,000
Nursing Home Licenses/Fees	2,923,000
Parole & Probation Supervision Fees	3,393,000
Private Car Lines Tax	7,280,000
Public Service Authority	19,985,000
Purchase Card Rebates	4,411,000
Record Search Fees	4,461,000
Savings & Loan Association Tax	1,005,000
Security Dealer Fees	36,684,000
Tobacco Tax	27,055,000
Unclaimed Property Fund Transfer	15,000,000
Workers' Compensation Insurance Tax	13,698,000
Other Source Revenues	18,572,940
Total General Fund Revenues	14,185,228,964
Less:	
Transfer to Tax Relief Trust Funds (§11-11-150)	(814,021,523)
Revenue Transferred to Recurring Appropriations	<u>124,319,000</u>
Net General Fund Revenues	13,495,526,441
Education Improvement Act Fund Revenues	1,332,079,000
Nonrecurring EIA Surplus	<u>131,528,000</u>
Total Education Improvement Act Fund Revenues	1,463,607,000
Transportation Fund Revenues	2,653,614,054
Education Lottery Account Revenues	518,573,000
Surplus Lottery Revenues	<u>44,013,859</u>
Total Education Lottery Account Revenues	<u>562,586,859</u>
Total Estimated Revenues (§11-11-410)	<u>18,989,355,877</u>

END OF PART IA

PART IB

OPERATION OF STATE GOVERNMENT

SECTION 1 – H630 - 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: 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: State Aid to Classrooms) (A) For the current fiscal year, the total pupil count is projected to be 770,504, which includes 712,097 traditional school districts, 57,665 charter school authorizers, and 742 special school districts. The total appropriations for State Aid to Classrooms represent an average per pupil appropriation of \$5,884. The average total per pupil funding, excluding revenue and local bond issues, is projected to be \$8,914 from state sources, \$1,225 from federal sources, and \$8,936 from local sources. This is an average total funding level of \$19,075, excluding revenues of local bond issues.

(B) The State Minimum Teacher Salary Schedule for the current fiscal year is as follows, and districts have flexibility to pay above these levels:

	CLASS 3	CLASS 1	CLASS 7	CLASS 8
	BACHELORS	MASTERS	MASTERS	DR
YRS	DEGREE	DEGREE	DEGREE	DEGREE
EXP			+30 HOURS	
0	\$48,500	\$52,500	\$54,000	\$56,500
1	\$48,750	\$52,750	\$54,250	\$57,000

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2	\$49,000	\$53,000	\$54,500	\$57,500
3	\$49,250	\$53,250	\$54,750	\$58,000
4	\$49,500	\$53,500	\$55,000	\$58,500
5	\$50,500	\$54,500	\$55,500	\$59,000
6	\$51,000	\$55,000	\$56,000	\$59,500
7	\$51,500	\$55,500	\$56,500	\$60,500
8	\$52,000	\$56,000	\$57,000	\$62,000
9	\$52,500	\$56,500	\$57,500	\$63,500
10	\$53,500	\$57,500	\$58,500	\$64,750
11	\$54,000	\$58,000	\$59,500	\$66,000
12	\$54,500	\$58,750	\$60,500	\$67,250
13	\$55,000	\$59,500	\$61,500	\$68,500
14	\$55,500	\$60,250	\$62,500	\$69,750
15	\$56,000	\$61,000	\$63,500	\$71,000
16	\$56,500	\$61,750	\$64,500	\$72,250
17	\$57,000	\$62,500	\$65,500	\$73,500
18	\$57,500	\$63,250	\$66,000	\$74,000
19	\$58,500	\$64,250	\$66,500	\$74,500
20	\$59,000	\$64,750	\$67,000	\$75,250
21	\$59,500	\$65,250	\$67,500	\$76,000
22	\$60,000	\$65,750	\$68,000	\$76,750
23	\$60,500	\$66,250	\$68,500	\$77,250
24	\$61,000	\$66,750	\$69,000	\$77,500
25	\$61,500	\$67,250	\$69,500	\$77,750
26	\$62,000	\$67,750	\$70,000	\$78,000
27	\$62,250	\$68,000	\$70,250	\$78,250
28+	\$62,500	\$68,250	\$70,500	\$78,500

(C) For the current fiscal year, the funds appropriated for State Aid to Classrooms represent the State's contribution to the Aid to Classrooms program for direct instruction of students in kindergarten through grade twelve in our state, which is seventy-five percent of the total salary and employer contribution cost of funding one teacher for every 11.2 students. The salary used to determine the amount of funding required for the state effort is based on that of a teacher having a master's degree and twelve years of experience, which equates to \$58,750 on the statewide minimum salary schedule for the current fiscal year and including fringe benefits of \$19,129, for a total of \$77,879. The types of teachers used in the calculation of student-teacher ratio includes those teachers eligible pursuant to Section 59-20-50(4)(b). This includes classroom teachers, librarians, guidance counselors, psychologists,

SECTION 1 – H630 - DEPARTMENT OF EDUCATION

social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the State. School districts are required to meet the statewide minimum salary schedule in the current fiscal year and are required to provide the annual step increase pursuant to Section 59-20-50. No school district is required to increase teacher salaries above the amount necessary to meet the statewide minimum salary schedule as prescribed in this act. For the current fiscal year, the provisions of Section 59-20-50(3) of the 1976 Code, as amended, are suspended.

(D) To allocate the funds, the department will calculate the total number of weighted pupil units (WPU) in each school district and in the State. The funds appropriated herein for State Aid to Classrooms represent the state share of the total Aid to Classrooms program, which is seventy-five percent. The local required effort is twenty-five percent of the total program. The total Aid to Classrooms funding for each district is calculated based on the district's percentage of the total statewide weighted pupils multiplied by the total Aid to Classrooms program. The district's local share is calculated by multiplying the total local share by the district's imputed index of taxpaying ability, which is the district's relative fiscal capacity compared to that of all other districts in the State. The State Aid to Classrooms amount allocated to each district will be determined by subtracting the calculation of the district's local share from the calculation of the district's total Aid to Classrooms projected funding. The Statewide Public Charter School District and any approved institution of higher education authorizing charter schools shall receive one hundred percent of the Aid to Classrooms funding from the State. For Fiscal Year 2025-26, no local match is required for the State Aid to Classroom EIA distributions for the base funding rolled up from the previous fiscal year.

(E) Each district will receive either the amount determined by this new methodology or the actual state funding received in Fiscal Year 2021-22 from State Aid to Classrooms, Aid School Districts, Student Health and Fitness, Guidance/Career Specialists, Handicapped – Profoundly Mentally, EIA - Aid to Districts, EIA - Students at Risk of School Failure, Allocations EIA – Teacher Salaries, Allocations EIA – Employer Contributions, EIA – Student Health and Fitness Act - Nurses, and EIA - South Carolina Public Charter Schools.

(F) To provide flexibility, each district may expend the funds as determined by the local school board of trustees to meet the educational needs of students as defined in Section 59-1-50, Chapter 18, Title 59,

SECTION 1 – H630 - DEPARTMENT OF EDUCATION

and as delineated in a child's Individualized Education Program (IEP). Pursuant to Section 59-20-80, each school board of trustees must make available by September first of each fiscal year its annual budget that includes state, local, and federal investments in education. The budget must be available on the district's website. The department, in collaboration with local school districts, will provide a template that each district must use in reporting its budget.

(G) To provide transparency, Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the expenditure of all state, local, and federal funds by each district and by each charter school authorizer and other relevant data to include its fund balance and average fund balance for the reporting year. The districts shall report monthly, to the Department of Education, their monthly fund balance that will be used to calculate an average. To ensure that the public reporting meets the needs of educators, parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will consult routinely with a group of educators, parents, citizens, and policymakers. District expenditures for the prior fiscal year must be published on the department's website for public disclosure by January 1.

(H) If a traditional school district, charter school authorizer, or special school district fails to submit expenditure data needed for the online financial dashboard, the Revenue and Fiscal Affairs Office will notify the Department of Education. Within thirty days of such notification, the Department of Education must then withhold ten percent of all state payments to the district or authorizer until the district or authorizer complies and all payments will then be made.

(I) To ensure accountability, each district's annual audit that is submitted to the Department of Education pursuant to Section 59-17-100 must be conducted using an auditing firm from an approved list provided by the State Auditor. The State Auditor will develop standards and criteria for determining qualifying auditors. Each district's annual audit must be available on the district's website.

(J) 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 Aid to Classroom funds to the charter school. Students enrolled in charter schools authorized by the South Carolina Public Charter School District or an institution of higher education will receive in addition to the base weight of 1.00 or in addition to the disability weight of 2.60 an additional weight

SECTION 1 – H630 - DEPARTMENT OF EDUCATION

based upon the type of charter school that they attend. These additional funds must support the provision of educational services for children served by a charter school that does not receive local revenues. These students are also eligible to receive additional weights for personalized instruction. The department will make any necessary adjustments to account for the state share for Charter and Special Districts.

(K) Three and four year old students with a disability, who are eligible for services under IDEA and enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or registered IHE, shall be included in student counts solely for the purposes of receiving the additional weighting for students attending a brick and mortar charter school.

(L) For Fiscal Year 2025-26, special districts and alternative schools will receive the amount received in the prior fiscal year from these funds.

(M) 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 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.

(N) 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 documented by their Individualized Education Program (IEP)	2.60
(3) Precareer and Career Technology	1.20
(4) Charter school students	
(a) Enrolled in brick and mortar school	1.25
(b) Enrolled in virtual charter school	0.50

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(5) 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	0.50

(O) The Department of Education will review the child count data for all of the districts and charter school authorizers in the State and identify any school district or charter school authorizer whose percentage of total enrolled students with IEPs is outside of the typical percentage range based on national and state data. The department will then conduct a focused review of the district's special education population and provide technical assistance, as needed, to ensure that students with disabilities are being appropriately identified and served.

(P) Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

(Q) Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP), International Baccalaureate (IB), and Cambridge International 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.

(R) Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state 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.

(S) Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

(T) 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

SECTION 1 – H630 - DEPARTMENT OF EDUCATION

to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

(U) Up to ten percent of any funds appropriated for State Aid to Classrooms at the end of the fiscal year may be carried forward into the subsequent fiscal year and allocated to school districts, the South Carolina Public Charter School District, and an institution of higher education that authorizes charter schools pursuant to this provision. The additional funds must first support increases in student enrollment and any balance may be allocated proportionately utilizing weighted pupil units to districts. Any additional unexpended funds shall revert to the general fund or to the EIA Fund.

(V) With the funds that the Department of Education receives for health insurance for school districts, the department shall allocate the funds to school districts proportionately utilizing weighted pupil units. The department shall allocate to districts funds received for retirement benefits through the State Aid to Classrooms formula.

(W) In the event of a mid-year across-the-board budget reduction, which reduces the total appropriation of general funds for State Aid to Classrooms, the Department of Education is directed to first reduce the amount of funds allocated to traditional school districts, charter school authorizers, and the special school districts for proportional funding under this provision.

(X) The South Carolina Revenue and Fiscal Affairs Office shall review the student weightings used in the State Aid to Classrooms funding formula and examine methods to improve the alignment of State Aid to Classrooms funding with student enrollment while ensuring districts and charter authorizers receive more consistent distributions. The agency must consider input from policymakers and relevant stakeholders as determined by the Revenue and Fiscal Affairs Office. Any recommendations for changes to the formula must be submitted to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, the Governor, and the Superintendent of Education by December 1, 2025.

1.4. (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.

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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.

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.

1.5. (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.

1.6. (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

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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 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.

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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. Upon discharge or release from the treatment facility, the agency placing the child in the receiving school must work with the school district where the student will reside after treatment to assure continuity of the student's education.

1.7. (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.

1.8. (SDE: Revenue Authorization) The State Department of Education is hereby authorized to collect, expend, and carry forward revenues in the following areas to offset the cost of providing such

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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.

1.9. (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.

1.10. (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.

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1.11. (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, X, 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.

1.12. (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.

1.13. (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.

1.14. (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

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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.

1.15. (SDE: School Bus Driver CDL) From funds provided in Part IA, Section 1, VII.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.

1.16. (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 determined to be safe, more economical, and in the public interest, when compared to the specifications set forth by the School Bus Specifications Committee.

1.17. (SDE: Buses, Parts, and/or Fuel) Funds appropriated for other operating in program VII.B. - Bus Shops and funds appropriated in VII.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.

1.18. (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.

1.19. DELETED

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1.20. (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.

1.21. (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, and 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 funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the current school year.

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 InSite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by InSite. 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 transportation, food service, and safety within 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.

"InSite" 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

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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. 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.

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.

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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.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, of 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.

1.22. (SDE: Medical Examination and Security Reimbursement/Expenditures) From funds authorized in Part IA, Section 1, VII.B. Other Operating Expenses, the Department of Education may directly pay, or reimburse employees, for the cost of a medical 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.

1.23. (SDE: Budget Reduction) In compensating for any reduction in funding or an operating deficit publicly recognized by the School Board of Trustees, 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.

1.24. (SDE: School District Furlough) Should there be a midyear reduction in state funding to the districts, school districts may institute

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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.

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

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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.

1.25. (SDE: School Lunch/Attendance Supervisors) For those counties in which an entity other than the school district administers the 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.

1.26. (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.

1.27. (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.

1.28. (SDE: Student Report Card-GPA) For each high school student, school districts shall be required to print the student's individual cumulative grade point average for grades nine through twelve on the student's report card.

1.29. (SDE: Lost & Damaged Instructional Materials Fees) Fees for lost and damaged instructional materials 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 instructional materials funding from schools that have not paid their fees by the payment deadline.

1.30. (SDE: State Aid to Classrooms 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 State Aid to Classrooms Reserve Fund. All unexpended general funds appropriated to the Department of Education for the State Aid to Classrooms in the

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current fiscal year shall be transferred to the State Aid to Classrooms Reserve Fund. In the event that the amount appropriated for the State Aid to Classrooms is insufficient to fully fund the designated student-teacher ratio as established by this act, revenues from the State Aid to Classrooms 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 State Aid to Classrooms Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

1.31. (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.

1.32. (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 identified on the State Qualified Providers list and meets the requirements of 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 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.

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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 pupils in a Residential Treatment Facility of 2.10, as set forth in Proviso 1.3 of this act 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 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 \$90 per student per day. Through a joint agreement with the facility school district and the RTF, the funding received for RTF students must be utilized to deliver an instructional program that meets the needs of the students, and when applicable, the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. Facility school districts providing the educational services shall notify the resident district in writing within

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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.

RTF facilities on the State Qualified Provider List not located within the boundaries of the state shall be reimbursed at a rate that may not exceed \$45 per student per day for education services and school districts shall be eligible to receive a base student cost weighted funding of 2.10 provided that the student remains enrolled in the school district. Facilities 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 qualified facility 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 be unable to reach agreement with the resident school district regarding reasonable costs differences, the provider 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 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 shall have the right to file a complaint in a Circuit Court. Additionally, qualified RTF providers' general education curriculum must be aligned to the South Carolina academic standards in the core content areas. All students with disabilities who are eligible for special education and

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related services under the Individuals with Disabilities Education Act (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 a qualified RTF will at all times be eligible to receive the educational credits (e.g., Carnegie Units) earned through their educational efforts. The resident school district and the RTF should develop a memorandum of understanding to outline the responsibilities of the RTF in providing the educational services and responsibilities, if any, of the resident school district while the student is housed in the RTF.

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 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

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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.

1.33. (SDE: Special Schools Flexibility) For the current fiscal year, the special schools are authorized to transfer funds among funding categories, including capital funds.

1.34. (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.

1.35. (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.

1.36. (SDE: Administrative Costs Report Posting) School districts must report the amount of funds spent on administrative costs, as defined by In\$ight 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 State Aid to Classrooms

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cost by one percent until such time as the requirement is met. Once in compliance, any funds withheld will be returned to the district.

1.37. (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.

1.38. (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 General Appropriations Act and other applicable provisions of law.

1.39. (SDE: State Aid to Classrooms State Share) A school district that does not recognize a State share of State Aid to Classrooms shall be supplemented with an amount equal to seventy-five percent of the school district with the least State financial requirement.

1.40. (SDE: Health Education) (1) 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 and aligns to all standards and regulations adopted by the South Carolina State Board of Education. 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 determines that a district is non-compliant with mandated health education upon review of the district's annual CHE Compliance Survey or if the district fails to publish the title and publisher of materials on its website, then the Department of Education shall withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance.

(2) Any person may complain in a signed, notarized writing to the chairman of the governing board of a school district that matter not in

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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 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 within 60 days of such a determination, or if no investigation is made within 60 days of the chairman's receipt of the notarized statement, then the complainant may within 60 calendar days, give written notice to the department. The notice must include the original notarized complaint. If, upon investigation, the department determines that the district has not taken appropriate immediate action to correct a violation, then the Department of Education shall withhold one percent of the district's funds allocated in Part IA, Section 1, X - Student Health and Fitness Act until the department determines the district is in compliance.

1.41. (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.

1.42. (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.

1.43. (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.

1.44. (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.

1.45. (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 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

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appeals to the prurient interest. Revenue generated from the sale of commercial advertising space shall be retained by the school district.

1.46. (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.

1.47. (SDE: Full-Day 4K) (A) Eligible students residing in any school district or attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(B) A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds. No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

(C) 4K programs in public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP. Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality educational programs pursuant to Section 59-156-160.

(D) Public and private providers shall be funded for instructional costs at a minimum rate of \$5,100 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

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school shall also be eligible for reimbursement at a minimum of \$620 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. 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 at a minimum of \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding at a minimum of \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. 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. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and Education Program. Providers may receive reimbursement for these children if funds are available. By September 1, the Department of Education and the Office of First Steps must collect the documented waiting lists, share the lists, and determine a process to notify parents of eligible students of available slots in all approved providers. The

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Department of Education is required to offer waivers allowing students with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

(E) Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

(F) Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Early Reading Development and Education Program (CERDEP) and to issue findings in a report to the General Assembly by March first of each year. To aid in this evaluation, the Education Oversight Committee shall determine and obtain 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, including average daily attendance data, so that consistent enrollment may be determined. 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 public or private provider including those funded by CERDEP, Head Start, SC Child Care Scholarships, EIA, Title I, district-funded, and all other federal, state, or local public sources. 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

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success in the early elementary grades along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs. To aid in the accurate reporting of four-year-olds in poverty served in formal education programs in public schools in South Carolina, the Department of Education must provide to the EOC data related to four-year-olds served in formal education programs funded with other state, local, or federal funds, including Title 1 and EIA-District-funded programs, denoting full- or partial-day status.

(G) For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

(H) For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher reimbursement rates to high-quality providers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to \$250,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be 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 shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the

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House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15.

(I) If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall 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. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

(J) On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional costs of serving children enrolled in the program and if a waiting list of eligible children can be documented by the Department of Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the Department of Education and the Office of First Steps.

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(K) The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs including Head Start by participating in PalmettoPreK and First5SC.

1.48. (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 shall partner with local school districts to provide enrichment activities as part of 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 forty percent or greater. All mentors and tutors that are a part of these after school programs or summer reading camps must have passed a SLED criminal background check. Participant to volunteer or teacher ratio must conform to that of the school district in which the program is located; 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 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

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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.

1.49. (SDE: Interscholastic Athletic Association Dues) (A) 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 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

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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;

(d) an appeal stays the determination of a sanction made by the association, body, or entity, or staff member of such, pending the outcome of the appeal;

(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) a uniform system applicable to all member schools at the varsity, sub-varsity, junior varsity, and middle school levels, establishing fines for the cancellation of a scheduled contest regardless of if the contest is in or out of region, including a member school refusing to schedule a mandatory region contest with another member school within the same region. At a minimum, the school canceling the scheduled contest must be fined an amount equal to the cost incurred for officials, tickets, and concessions or \$1,000, whichever is greater. If the contest is rescheduled or cancelled for a documented health or safety reason, the school shall not be fined;

(6) does not permit, allow, or authorize students to earn compensation from the use of their name, image, and likeness (NIL); and

(7) 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.

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(B) 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.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

1.50. (SDE: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches, the Department of Education shall retain up to \$14,000,000 to be expended for the Palmetto Literacy Project. The Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third grade students scoring at the lowest achievement level on the statewide summative English language arts assessment. For each school identified and participating in the Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of Education.

(B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure of funding must be included in the district reading plan approved by the Department of Education.

(C) These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary school, the school district shall be eligible to receive up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach.

(D) 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/literacy coaches with local funds. A district may only utilize

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these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district except in the event that the district can request and receive a waiver from the Department of Education to expend the funds on interventionists who spend more than fifty percent of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(E) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155, Title 59.

(F) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(G) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. 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 assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate.

(H) The Department of Education shall require:

- (1) any school district receiving funding to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and
- (2) any school district receiving funding to account for the specific amounts and uses of such funds.

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(I) 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/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Any unspent or unallocated funds may be carried forward and expended for Summer Reading Camps.

1.51. (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. Should a school fail to comply with this provision, the Department of Education shall withhold one percent of their total state allocation.

1.52. (SDE: Graduation Rates) For the current fiscal year, if a high school has a graduation rate of seventy percent or less, 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.

1.53. (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.

1.54. (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. A teacher certified in elementary education may teach first grade without having the add on certification in early childhood 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.

1.55. (SDE: Digital Instructional Materials) The Department of Education shall continue to 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 have options for print/digital student materials to include class sets of print student editions, if needed. Funds appropriated for the purchase of instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of

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refurbishing science kits on the state-adopted instructional materials inventory, purchasing new kits or those adopted as supplemental 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.

1.56. (SDE: Technology Technical Assistance) Of the funds appropriated in VIII.D - Technology 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.

1.57. (SDE: Technology Technical Assistance) Funds appropriated to the Department of Education for Technology Technical Assistance must be used to increase the capacity of districts, first who are or were the original trial and plaintiff school districts in the Abbeville law suit, and then other districts that need such assistance. Funds shall be used by the department to assist school districts in procuring appropriate technology to include devices and infrastructure and to build capacity to offer online testing and increased access. For the current fiscal year, districts and individual public charter schools may request a waiver from the State Board of Education from the requirement that all assessments be administered online; however, any paper administrations must be completed according to the deadlines set by the department.

1.58. (SDE: Assistance Funding) For the current fiscal year, any funds appropriated to the Department of Education to assist districts that are or were Plaintiffs in the Abbeville law suit and funding appropriated to the department to provide technical assistance to underperforming districts may not be transferred to any other program, are not subject to flexibility, and may be carried forward and expended for the same purposes.

1.59. (SDE: Reporting and Procurement) Any state agency or school for which the department acts as the fiscal agent must comply with any state and federal reporting requirements using agency procedures and shall follow all state procurement laws.

1.60. (SDE: School Leadership) Of the funds appropriated to and retained by the department for Professional Development, \$400,000

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shall be used to contract with a non-profit statewide K-12 professional association located in South Carolina whose membership provides for the development and support of current and future school leaders. The provider must specialize in multiple assessments, executive coaching, and leadership development that provides the skills necessary for a progressive career path in school leadership.

1.61. (SDE: School Bus Drivers) For the current fiscal year, a driver candidate must possess a valid driver's license that meets the requirements in State and Federal law to operate commercial and non-commercial school bus type vehicles with no restrictions other than vision correction to qualify for issuance. Driver candidates must complete all Department of Education classroom and behind-the-wheel training requirements, including a medical examination and drug/alcohol testing, for initial certification as well as all Department of Education required in-service training annually to qualify for continued certification.

1.62. (SDE: Special Education Minutes Requirement) For the current fiscal year the required two-hundred fifty minutes of specialized instruction a student is required to receive in order to qualify for the special education weighting in the State Aid to Classrooms is waived. A special education weighting may be applied for any public school child with an Individualized Education Program in effect, regardless of the number of minutes of instruction.

1.63. (SDE: Retired Educators Employment) For the current fiscal year school districts may notify retired educators of employment in writing on or before May 1. School districts employing retired educators pursuant to Section 9-1-1795 of the 1976 Code shall provide documentation of compliance with the earnings limitation exemptions to the department. The department shall verify the compliance and send the verification to the Public Employee Benefit Authority.

1.64. (SDE: Education Rate Program) For purposes of the federal Educational Rate Program, a child attending a state-funded four-year-old kindergarten program must be considered an elementary school student.

1.65. (SDE: Safe Schools Initiative) For the current fiscal year, the Department of Education and the State Law Enforcement Division shall continue to support, through the state level Threat Assessment Team, school threat assessment teams and training in school districts. Each school in the state shall continue to identify key staff and maintain a threat assessment team. The department shall work with stakeholders to provide professional development to staff serving on the team. The state

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level Threat Assessment Team shall continue to coordinate, collect, and compile Threat Assessment & School Safety Plans from each school district with their input. These plans shall be exempt from the provisions of Section 30-4-10, et seq of the 1976 Code. The Department of Education and the State Law Enforcement Division shall continue to provide the Governor and the General Assembly with recommendations regarding school safety which shall include any projected costs or necessary statute changes. For the current fiscal year, notwithstanding other provisions of law, the ability to possess a firearm on public school property is not extended to an enrolled student.

1.66. (SDE: Alternative Certification Programs) For the current fiscal year, the department, through the State Board of Education, is authorized to award a conditional teaching certificate to a person who is enrolled in an approved alternative certification program provided the person has earned a bachelor's degree from a regionally accredited college or university with a major, or major equivalence, as defined by the State Board of Education in guidelines developed by the department in a certification area for which the board has determined there exists a critical shortage of teachers, and the person has passed the appropriate teaching examination.

1.67. (SDE: Student Meals) For the current fiscal year, all school districts shall conduct an updated analysis identify students in poverty according to the provisions in Proviso 1.3 of this act and increase access to free school meals for these students. School districts shall use the criteria to directly certify pupils eligible for free and reduced-price school meals to the extent permitted under federal law. The local board of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school breakfasts and lunches served, pursuant to the Community Eligibility Provision in Section 1759(a) of Title 42 of the United States Code, shall adopt a resolution indicating participation. If a district is unable to participate because participation causes a financial hardship, the local board of trustees shall adopt a resolution stating that it is unable to participate in CEP and demonstrate the financial hardship. The resolution shall be published on a public meeting agenda concurrently with the proposed district budget as an action item and shall be approved by a majority of the board. School districts shall ensure that the parents or guardians of students eligible for free and reduced lunch receive the necessary applications and instructions and upon request are provided with assistance in completing the paperwork. Schools shall not publicly

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identify or penalize a student who is unable to pay for a meal or accrues meal debt for any reason including, but not limited to, denying meals, serving alternative meals, discarding meals after serving them to a student, requiring chores or work in exchange for meals, prohibiting participation in extracurricular activities, denying participation in graduation, withholding diplomas, or refusing transcript requests. Communications from the district regarding any meal debt owed must only be directed to the parent or guardian and may be sent home through the student.

1.68. (SDE: Consolidate Administrative Functions) For the current fiscal year, any school district that has an average daily membership of less than 1,500 students, has been designated in Fiscal Watch, Caution or Emergency status, has a risk assessment of medium or high, has a school or is a district with an accreditation status of probation or denied, or has a school or schools that have been in improvement status for three years may be directed by the State Superintendent of Education to consolidate administrative and professional services with one or more school districts. Administrative and professional services may include, but are not limited to: finance, human resources, procurement, administrative functions, transportation and collaboration on increasing instructional offerings. The Superintendent shall notify a district in writing that they meet one or more of the criteria. The district then has thirty business days from receipt of the notification to deliver a plan to the Superintendent for her approval. The Superintendent must either approve or amend the plan within fifteen days. Plans must be implemented within sixty days of approval. If a district fails to submit a plan, the Superintendent shall direct the consolidation of services with another school district and if the district fails to comply, the department shall withhold one percent of the district's State Aid to Classrooms allocation until the district does comply. At that time, the State Aid to Classrooms payments shall resume and any State Aid to Classrooms funds withheld shall be allocated to the district.

1.69. (SDE: Exceptional Needs Sports Participation) A student who meets the definition of "Exceptional needs child" in Section 12-6-3790 (A)(2) and the definition of "Qualifying Student" in Section 12-6-3790 (A)(5) of the 1976 Code shall be eligible to participate in any sport offered at the public school for which the child is zoned to attend.

1.70. (SDE: Teacher Salaries/SE Average) (A) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the Revenue

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and Fiscal Affairs Office. For the current school year, the Southeastern average teacher salary is projected to be \$61,964. 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.

(B) 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 at a minimum 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. For Fiscal Year 2025-26, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended.

(C) For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1.71. (SDE: School District Hold Harmless) If there is not an increase in state support for school districts that is disbursed pursuant to Proviso 1.3 in this act, any district that must use reserve funds to pay for teacher pay raises, to include step increases, shall be held harmless from the local school district's reserve fund requirement provisions in the Fiscal Accountability Act for the current fiscal year and upon approval by the Department of Education.

1.72. (SDE: Standards-Based Assessments Suspended) In the current fiscal year, the provisions of Section 59-18-325(C)(3) of the 1976 Code requiring science standards-based assessments of students in grade eight and social studies standards-based assessments of students in grades five and seven are suspended. Of the funds available due to the suspension of these assessments, \$500,000 must be used by the Department of Education to fund educator professional development regarding the South Carolina Computer Science and Digital Literacy Standards. The remainder of the funds shall be used to pay for industry certification/credentials as approved to measure College/Career Readiness for purposes of the state accountability system.

1.73. DELETED

1.74. DELETED

1.75. (SDE: ESSER Monthly Funding Report) The Department of Education is required to submit a monthly report to the Department of Administration, Executive Budget Office documenting the expenditure

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of federal funds allocated to South Carolina through the Elementary and Secondary Emergency Education Relief Fund and the Emergency Assistance to Non-Public Schools Program. The Executive Budget Office, in collaboration with the Senate Finance Committee and the House Ways and Means Committee, shall determine how the data will be reported. The data shall document how federal funds are expended at the state and district level in accordance with federal guidelines on allowable expenditures and shall include information on how the funds have been used to offset the learning loss students are facing and mitigations taken due to the COVID-19 pandemic. The Department of Education and the Executive Budget Office shall post the monthly reports on their websites.

1.76. (SDE: Public School Virtual Program Funding) For the current fiscal year, all school districts and brick and mortar charter schools shall be permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM count without impacting any state funding. The Department of Education shall establish guidelines for the virtual program and parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual program to the State Board of Education for approval.

School districts offering a virtual program must report their ADM counts for students participating in their virtual program and the number of students participating face to face for the 5th, 45th, 90th, and 135th day to the Department of Education.

For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22% of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report pursuant to Proviso 1.3. This amount shall be withheld from State Aid to Classroom's district allocation.

The five percent threshold shall not apply to students whose IEP or 504 status requires their participation in a program administered in a virtual format.

1.77. (SDE: Funding for Schools Safety) (A) The funds appropriated for Funding for Schools Safety shall be made available for the direct benefit of all children of South Carolina enrolled in K-12 schools by funding security assessments and facilities upgrades aligned with school safety priorities. The department shall allocate these funds to the public school districts and charter school districts. Eligible school

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facility upgrades shall include: (a) classroom/internal door locks; (b) secure school entry points and access control; (c) window covers; (d) bulletproof glass or bulletproof film for windows or doors; (e) electronic or other technology; and (f) ballistic proof doors. School facilities eligible for safety upgrades under this subsection are defined as locations with daily student attendance and shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

(B) The department shall develop an application process for public and charter school districts to request funding for facilities upgrades aligned with school safety priorities and establish policies, procedures, and priorities for the making of awards pursuant to this subsection. Criteria for prioritizing the awarding of funding shall include, but not be limited to, percentage of students enrolled from low-income families, the age and condition of the existing school facilities to be upgraded as well as the ability to commence construction in a timely matter and the quality of the application. The criteria must also require that all proposed projects do not create new recurring annual expenses and comply with local, state, and federal building codes.

(C) Applications must be submitted to the department by September 1, 2025. Upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need using the established criteria and shall submit a list of recommended awards to the State Board of Education no later than December 31, 2025. Funding shall be awarded upon an affirmative vote of the State Board.

(D) The financial assistance provided to public school districts and charter school districts pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision. Unexpended funds may be carried forward to be expended for the same purposes by the department and award recipients. Following the close of the fiscal year, the department shall submit a report of approved projects to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

(E) Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department and school districts.

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1.78. (SDE: Partisanship Curriculum) For the current fiscal year, of the funds allocated by the Department of Education to school districts, no monies shall be used by any school district or school to provide instruction in, to teach, instruct, or train any administrator, teacher, staff member, or employee to adopt or believe, or to approve for use, make use of, or carry out standards, curricula, lesson plans, textbooks, instructional materials, or instructional practices that serve to inculcate any of the following concepts: (1) one race or sex is inherently superior to another race or sex; (2) an individual, by virtue of his race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (3) an individual should be discriminated against or receive adverse treatment solely or partly because of his race or sex; (4) an individual's moral standing or worth is necessarily determined by his race or sex; (5) an individual, by virtue of his race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (6) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his race or sex; (7) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race; and (8) fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. Nothing contained herein shall be construed as prohibiting any professional development training for teachers related to issues of addressing unconscious bias within the context of teaching certain literary or historical concepts or issues related to the impacts of historical or past discriminatory policies.

1.79. (SDE: Retired Teacher Salary Negotiation) With funds appropriated for State Aid to Classrooms, when hiring retired teachers for the 2024-25 School Year, school districts uniformly may negotiate salaries below the school district salary schedule.

1.80. (SDE: Mask Mandate Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized pursuant to this act to require that its students and/or employees wear a facemask at any of its education facilities. This prohibition extends to the announcement or enforcement of any such policy.

1.81. (SDE: Magnet School Athletics) From funds authorized or appropriated in the current fiscal year, any public magnet school which shares a physical campus with another public magnet school shall allow any student enrolled at a school on that physical campus to participate in an athletic sport not offered at the student's school of enrollment,

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provided the student meets all age and academic requirements for participation. For the purposes of determining athletic classification, competition status, or eligibility, schools with students participating pursuant to this provision shall not have their school enrollments joined or modified due to compliance with this provision, nor shall any school or student be subjected to a change in athletic classification competition status, or eligibility as a result of compliance with this provision. The Department of Education, all public schools, or all public school districts in this State, receiving or expending funds authorized or appropriated in the current fiscal year are prohibited from expending any funds to pay membership dues or other funds to any organization that changes or alters a school's or student's athletic classification, eligibility, or competition status as a result of any student, school, or school district's compliance with this provision, or to any organization that refuses to allow, accept, or approve participation pursuant to the terms of this provision. This provision shall not limit the ability of any magnet school student, provided the student meets all age and eligibility requirements, to otherwise elect to participate in sub-varsity or varsity athletics at the student's zoned or resident school.

1.82. (SDE: Charter School Management Organizations) A person paid or employed by an Education Management Organization (EMO) or a Charter Management Organization (CMO) shall not be allowed to serve on the board of any charter school sponsored by a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning. Any school violating this provision shall have fifty percent of all appropriated state funds withheld until the school becomes compliant with this provision. A person paid or employed by an EMO or a CMO shall not be allowed to serve on the board of any authorizer's board of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning. Any authorizing board violating this provision shall have fifty percent of all appropriated state funds retained for operations withheld until the authorizer and its board becomes compliant with this provision.

1.83. (SDE: READY Program) Funds for the Resources for Early Acceleration and Development in Youth (READY) program must be awarded by the South Carolina First Steps to School Readiness Board of Trustees to First Steps local partnerships through a competitive and targeted grants process. Grant awards must prioritize evidenced-based programs for children from birth through age three who live in rural

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communities and in communities where kindergarten readiness scores are consistently below the state average. Of the funds appropriated, no more than ten percent may be distributed to any one county, and no more than three percent may be retained by the Office of First Steps for administering, monitoring, and evaluating the program. An annual report on the state's investment in early learning and development must be provided by the Office of First Steps to the General Assembly and the Governor by December 1st of the current fiscal year.

1.84. (SDE: Education Data Dashboard) The Education Oversight Committee is directed to maintain an Education Data Dashboard. The data dashboard must interface with existing systems to provide school districts, schools, policymakers, families, and the public with meaningful information on school district, school, and system progress. The Education Data Dashboard would use existing data to document educational attainment and growth as well as financial expenditures of state, local, and federal funds. The Department of Education and public school districts shall provide accountability and financial data as requested by the committee for the establishment of the dashboard. If a school or school district fails to submit expenditure data needed for the online dashboard, the Department of Education must then withhold ten percent of all state payments to the applicable school district or charter school authorizer until the district or authorizer complies and all payments will then be made.

1.85. (SDE: Teaching Transformation Pilot Program) (A) Subject to funding, on or before July 31st of the current fiscal year, \$1,000,000 shall be allocated to the University of South Carolina's College of Education for the design and implementation of a pilot program to reinvent and transform the state's teaching profession. The goals of the pilot program are to:

- (1) diversify the PK-12th grade educator workforce;
- (2) address teacher shortages through innovations in educator development; and
- (3) accelerate student learning.

(B) The pilot program shall support at least three diverse school districts which shall include a minimum of one, with a maximum of two, large urban districts and a minimum of two, with a maximum of four, rural districts in order to:

- (1) incentivize the recruitment and preparation of high quality educators including a focus on diversifying the teaching workforce for high-need students and stipends for student teachers/residents;

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(2) support the development of a coherent and financially sustainable system, based on current school funding models, of teacher leadership that improves learning environments and educator retention and effectiveness; and

(3) produce several models of the school-university-community partnerships in South Carolina, testing evidence-based elements of a coherent system of teacher development including, but not limited to:

(a) prototyping a paid teacher residency for South Carolina, modeled from the medical profession, to develop well-prepared new recruits to teaching and new school designs to support teacher learning and leadership;

(b) applying state of the art technology and tools that save time, not only to help teachers problem-solve instructional challenges, but also to teach students across schools and districts;

(c) reinventing the school day and/or school year calendar as teachers work on different contracts to create expanded and more personalized student learning as well as more opportunities for educators to lead;

(d) reducing teaching loads for some of the state's top teachers, including over six thousand who are National Board certified, so they can lead without leaving the classrooms; and

(e) rethinking the teacher salary schedule to:

(i) include opportunities for additional pay for increased responsibility, leadership roles, and expanded impact; and

(ii) prototype a menu of financial and nonfinancial incentives for effective educators to work in priority schools, subjects, and grade levels.

(C) State funding will support both an external evaluation of the pilot program as well as South Carolina districts participating in a national learning community of other school-university partnerships seeking to transform the educator workforce.

(D) The pilot program to transform the teaching profession will be in partnership with selected South Carolina Historically Black Colleges and Universities which will be critical to recruiting and developing teachers of color. In addition, the pilot program will be designed and developed in collaboration with national partners, Education Resource Strategies and Bank Street College, bringing respective expertise in resource reallocations for innovative school staffing in public education and recruiting and preparing diverse teachers through teaching residences. The pilot program will be anchored in data collection

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underway by SC-TEACHER, with a grant funded by the Carnegie Corporation of New York, as well as in effective educator practices from across the globe.

(E) The pilot program shall compliment and/or enhance the state's effective innovations in educator recruitment, induction, evaluation, and professional learning, and draw upon research evidence to create a transformative system of educator development including new ways to compensate teachers and principals that impact student learning and more efficient use of human capital across the State. Current teacher shortages cannot be addressed without transforming the teaching job and the profession itself.

(F) A report detailing the pilot program's success related to its stated goals including, but not limited to, the success of teacher recruitment and retention of those teachers shall be provided to the Governor, the Chairman of House Ways and Means, the Chairman of Senate Finance, and the Superintendent of Education by June 30th.

1.86. (SDE: Base Student Cost/EFA) For the current fiscal year, references to Base Student Cost and EFA for reimbursement purposes for other entities shall have the same meaning as in the previous fiscal year.

For the current fiscal year, references to Base Student Cost and EFA for withholding purposes shall mean a withholding of State Aid to Classroom and for purposes of Section 59-71-155(B) references to amounts appropriated under the EFA shall mean all amounts appropriated as State Aid to Classrooms.

1.87. (SDE: Surplus Property) (A) A school district must transfer, or offer for sale or lease, any surplus real property or property which has been vacant, unused, or unused for direct student instruction for the previous four school years and is not currently included in any district capital improvement plan for future use on or before July 1, 2025. All school districts must publish on their website by September 15, 2025, a list of properties that qualify under this provision.

(B) A school district shall comply with the requirements of this provision by transferring such property to another governmental subdivision or state agency that has provided written confirmation of an intent to accept the property for public use by December 31, 2025. Any governmental subdivision or state agency providing such written confirmation must comply with all requirements related to the acquisition of real property or surplus property, and/or requirements

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related to the establishment of permanent improvement projects prior to accepting property transferred pursuant to this provision.

(C) If no governmental subdivision or state agency confirms an intent to accept the property, the district shall offer the property for sale or lease at fair market value as determined by a neutral appraiser and in compliance with existing law providing for sale or lease of such property by a school district. If a school district fails to comply with this provision, the Department of Education must withhold five percent of all state payments to the district until the district complies.

1.88. RESERVED

1.89. (SDE: Alternative Education Programs Options) The State Department of Education shall create, publish, and provide to all public schools in the State a list of alternative education programs that can award a high school diploma or high school equivalency credential. The list must include, but not be limited to, the Wil Lou Gray Opportunity School and the South Carolina Youth Challenge Academy. Schools shall distribute information provided by the Wil Lou Gray Opportunity School, the South Carolina Youth Challenge Academy, and any other appropriate alternative diploma-seeking education program to students age sixteen or older who are not on track for on-time graduation or who otherwise are at risk of dropping out of school. The names and addresses of all students age sixteen or older who are not on track for on-time graduation or who are otherwise at risk of dropping out of school, except for students who have opted out of disclosure of directory information under the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g will be made available to these institutions. Parents or students age eighteen or older may complete a form to opt the student out of the disclosure of student contact information with these institutions. The department shall develop this opt-out and each district shall make the form available on its website.

1.90. (SDE: Incentive Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized pursuant to this act to offer students any monetary incentive or inducement to receive a COVID-19 vaccination.

1.91. (SDE: Reporting Requirements) (A) For the current fiscal year, the college freshman reporting requirements of Section 59-101-130 are suspended. The Department of Education, in collaboration with the Education Oversight Committee, is authorized to use data that is already collected to report on the in-state and out-of-state college enrollment,

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college persistence, and post-secondary completion of South Carolina's high school graduates.

(B) The Department of Education shall work to streamline data collection timelines and processes to reduce burden and increase efficiency of data collection and reporting. For the current fiscal year, legislatively mandated due dates for school, district, and state plans including, but not limited to, District Strategic and School Renewal Plans, Read to Succeed Reading Plans, Academic Recovery Plans, District ADEPT Plans, and School Turnaround Plans are extended at the discretion of the Department of Education, but shall be due by June 30, 2026.

1.92. (SDE: ByteDance Ltd. Application Prohibition) No school district, or any of its schools, may use any funds appropriated or authorized pursuant to this act or use any devices or agency resources purchased or leased with any funds appropriated or authorized pursuant to this act to access the TikTok application. The prohibition extends to any application with any ownership by ByteDance Ltd., which is the parent company of TikTok.

1.93. (SDE: Student Technology Safety) The Department of Education is directed to create and maintain an approved list of third-party providers on an annual basis that provide technology to mitigate cyberbullying and assist in the prevention of self-harm, suicide, or possible harm to others by monitoring student digital activity on school-issued devices and accounts. Providers included on the list must meet all state and agency data use and governance policies and must be domiciled in the United States.

1.94. (SDE: Cash for Admissions) For the current fiscal year, any school district or school that receives funds appropriated in this act must accept cash as a payment option for admission to extracurricular activities.

1.95. (SDE: Abstinence Education Grant) For the current fiscal year, funds made available to the State of South Carolina under the provisions of Title V, Section 510, only may be awarded to other entities through a competitive grant process.

1.96. (SDE: Abstinence-Until-Marriage Emerging Programs) (A) From the funds appropriated to the Department of Education 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

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all the A-H Title V, Section 510 definitions of Abstinence Education, as defined in the 2017 Social Security Act.

(B) Grants must be awarded utilizing a competitive grant process.

(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 grant pursuant to this provision 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. Organizations or individuals awarded grants must provide quarterly reports on expenditures and participation to the Department of Education and the Department of Social Services within forty days of the end of each quarter.

(G) Grantees failing to submit reports within forty days of the end of each quarter will be terminated.

1.97. (SDE: Abstinence Until Marriage Evidence-Based Programs Funding) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, grants 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, as defined in the 2017 Social Security Act. Grants must be awarded utilizing a competitive grant process. 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 grant award notification. The programs implemented by the entity awarded a grant pursuant to this proviso may not violate any portion of the South Carolina Comprehensive Health Education Act when implemented in a school

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setting. An entity that violates any portion of the South Carolina Comprehensive Health Education Act must reimburse the State for all funds disbursed.

1.98. (SDE: SC Future Makers and Tallo) With the funds appropriated to the Educational Oversight Committee for the Education Data Dashboard, the committee shall disburse funds to support the opportunity for middle and high school students, technical college students, and four-year college students to access SC Future Makers and Tallo to discover careers, apprenticeships, or internships in careers in advanced manufacturing and logistics and supply chain management.

1.99. (SDE: Anti-Bullying/School Safety) To receive state funds allocated for State Aid to Classrooms, a school district shall implement a policy adopted by the State Board of Education that prohibits access to personal electronic communication devices by students during the school day. For purposes of this provision, a personal electronic communication device is considered to be a device not authorized for classroom use by a student, utilized to access the Internet, wi-fi, or cellular telephone signals.

1.100. (SDE: District Accounting Systems and Best Practices) (A) The Department of Education shall convene and staff a study committee to examine and propose necessary revisions for improving district accounting systems and best practices.

(B) The study committee shall be comprised of the following individuals who each should have background and expertise in education finance:

(1) one member appointed by the Governor; who shall serve as Chair of the task force;

(2) the State Superintendent of Education or their designee;

(3) the Chief Financial Officer of the State Department of Education;

(4) one member of the South Carolina House of Representatives appointed by the Chair of the House of Representatives Education and Public Works Committee;

(5) one member of the South Carolina Senate appointed by the Chair of the Senate Education Committee;

(6) one member appointed by the Chair of the House of Representatives Ways and Means Committee;

(7) one member appointed by the Chair of the Senate Finance Committee;

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(8) one member appointed by the Chair of the Board of the Revenue and Fiscal Affairs Office;

(9) one member appointed by the Governor upon recommendation of the South Carolina Association of School Administrators;

(10) one member appointed by the Governor upon recommendation of the South Carolina School Boards Association; and

(11) one member appointed by the Governor upon recommendation of the South Carolina Association of School Business Officials.

(C) Members of the task force shall receive no compensation but may receive per diem and mileage from the South Carolina Department of Education as provided for boards and commissions.

(D) The task force must submit recommendations for potential reforms to the Governor, the Speaker of the House of Representatives, and the President of the Senate no later than May 31, 2026. Recommendations shall include, but not be limited to, the following areas:

(1) increased transparency for school district personnel, stakeholders, and policymakers;

(2) ensuring alignment to accounting standards across the State;

(3) ease of reporting;

(4) consolidation of multiple reports into a streamlined reporting format;

(5) consistency of data across districts; and

(6) increased efficiency for school district financial staff.

1.101. DELETED

1.102. (SDE: Charter School Expenditures) Of the funds appropriated or authorized herein, a charter school authorizer shall not expend any state appropriated funds, or funds realized as a result of its operations, for any purposes other than those listed in Chapter 40, Title 59. If the Superintendent of Education discovers a violation of this provision, she may declare that the authorizer no longer has the authority to charter or authorize schools and all schools may apply to transfer to a different authorizer. Furthermore, the authorizer shall not demand or withhold any unspent appropriated funds held by or owed to a charter school that is leaving under the provisions of this item and may not charge any fees associated with the school moving to another authorizer.

1.103. DELETED

1.104. (SDE: Carry Forward Reallocation) Carry forward funds from Lottery and Capital Reserve Fund proceeds appropriated for Facilities Assessments and Efficiency Studies during a prior fiscal year shall be

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reallocated to support school district shared services and capital infrastructure efforts. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department and school districts.

1.105. (SDE: School Nurses Unencumbered Time) Of the funds appropriated through the Department of Education for school districts, the department shall work with school districts to incorporate, where practical, school nurses into the statewide policy outlining penalties and exceptions to the unencumbered time requirements pursuant to Section 59-5-63.

1.106. (SDE: Literacy Funding) With funds appropriated for this fiscal year for implementation of Act 114 of 2024, which includes funding for summer reading camps, professional development, and reading/literacy coaches, all schools and districts, including charter schools and authorizers, must adhere to the provisions of Act 114 of 2024. Schools and districts, including charter schools and authorizers, failing to adhere to the provisions of Act 114 of 2024, are ineligible to receive state funding for implementation but must continue to adhere to the provisions in Act 114 of 2024.

1.107. (SDE: Strategic Compensation Pilot) (A) Of the funds appropriated to the Department of Education, the department shall establish a strategic compensation pilot program for which districts or charter schools may elect to apply. The department shall ensure through its awards that at least half of participants are in a “critical need geographic area” as designated annually by the State Board of Education.

(B) The criteria for the pilot application shall include, but not be limited to:

(1) measurement of educator effectiveness using student academic growth data as the primary indicator;

(2) additional measures of educator effectiveness including observation data, student survey data, attendance data, etc. as potential secondary indicators;

(3) ability to utilize student information systems and data governance policies to ensure appropriate rostering of students to their "educator(s) of record";

(4) demonstration of entrepreneurial spirit and willingness to implement a strategic compensation program that attracts, rewards, and recognizes educators;

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(5) a quarterly reporting requirement to ensure key milestones are achieved and that fiscal stewardship and fidelity to core premise is evident; and

(6) evidence that the strategic compensation design is aligned with proven South Carolina efforts and/or proven national efforts that are backed by evidence.

(C) Districts and charters receiving funding under this pilot shall provide data as requested by the department to produce a report on the effectiveness of the pilot to be provided to the General Assembly, with particular emphasis placed on year-end data once available.

1.108. (SDE: 4K Teachers) Of the funds appropriated through the Department of Education for school districts, the department shall work with school districts to encourage, where practical, to include 4K teachers in the unencumbered time requirements in Section 59-5-63.

1.109. (SDE: Child Nutrition Programs) For the current fiscal year and subject to the appropriation of funds, child nutrition programs that serve school breakfast and/or school lunch shall not charge a qualifying student a reduced-price copayment. The traditional \$0.30 copayment for breakfast and \$0.40 copayment for lunch may not be collected from the student. This restriction on payment collection does not change the requirements for processing meal applications. School districts shall continue to process meal applications and assign meal status based on income eligibility guidelines. Districts shall continue to claim meals based on assigned eligibility status. Meals counted by students that have a reduced meal status must be claimed for reimbursement as reduced meals. Reimbursements to school districts for reduced meals shall be reduced proportionately if sufficient funds are not appropriated to cover the full cost.

1.110. (SDE: School Mapping Data Program) (A) From the funds appropriated to the Department of Education to facilitate efficient emergency responses in public schools by public safety agencies in this State, the School Mapping Data Program is established as a statewide initiative within the State Department of Education. Subject to funding, the department shall contract with a vendor to provide school mapping data for each public school in the State. The data must be provided to each school district, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this proviso, emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical

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service provider, public safety telecommunicator, or any other emergency management provider may respond.

(B) School mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies or school districts to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

(7) contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school.

(C) Each school district must be required to pay an annual maintenance fee to update their school map to ensure the school floor plans and aerial imagery are accurate and up-to-date. This fee may not exceed six hundred fifty dollars for each school.

(D) School mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this proviso, “school mapping data” means information collected pursuant to this proviso in an electronic or a digital format and provided to assist first responders in responding to emergencies at school.

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1.111. (SDE: Palmetto Boys/Girls State) Of the funds appropriated to the State Department of Education, or carried forward from the prior fiscal year, the department shall provide \$25,000 to Palmetto Boys State and \$25,000 to Palmetto Girls State.

1.112. (SDE: Interscholastic Athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(1) student resides within the attendance zone boundaries of the public school;

(2) independent school that the student attends is not a member of the South Carolina High School League;

(3) independent school attended by the student does not offer the particular sport for the student's gender;

(4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport;

(7) student meets all public school district eligibility requirements with the exception of the:

(a) school district's school or class attendance requirements; and

(b) class and enrollment requirements of the association administering the interscholastic sports;

(8) student and the student's parent or guardian agree for the student to be subject to the code of conduct of the public school; and

(9) student was not expelled from the same public school during the same academic year.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

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(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) A public school may expend funds on students specified in subsection (A) to participate in an interscholastic athletic program.

(E) The provisions of this proviso shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

(F) For purposes of this proviso, “independent school” means a school:

(1) established by an entity other than the State or a subdivision of the State;

(2) supported primarily by private or nonpublic funds; and

(3) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school.

1.113. (SDE: Charter Authorizer Fees) From the funds appropriated, the South Carolina Public Charter School District and a public or independent institution of higher learning sponsor of a charter school may retain no more than two percent of the total state appropriations for each charter school it authorizes to cover the costs for overseeing its charter schools. The sponsor’s administrative fee does not include costs incurred in delivering services that a charter school may purchase at its discretion from the sponsor. The sponsor’s fee is not applicable to federal money or grants received by the charter school. The sponsor shall use its funding provided pursuant to this proviso exclusively for the purpose of fulfilling sponsor obligations in accordance with applicable charter school law.

1.114. (SDE: Student Physical Privacy) (A) For the purposes of this provision:

(1) “Changing Facility” means a facility in which a person may be in a state of undress in the presence of others, including a locker room, changing room, or shower room.

(2) “Restroom” means a facility that includes one or more toilets or urinals.

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(3) “Sex” means a person’s biological sex, either male or female, as objectively determined by anatomy and genetics existing at the time of birth. Evidence of a person’s biological sex includes, but is not limited to, any government-issued identification document that accurately reflects a person’s sex as listed on the person’s original birth certificate issued at or near the time of birth.

(4) “Sleeping Quarters” means a room with a bed in which more than one individual is housed overnight.

(B) A school district supported in part by funds appropriated by this act, shall not permit any public school within the district to use any funds to maintain or operate any restroom or changing facility on its premises that is not in compliance with this provision or facilitate any public-school authorized activity or event involving overnight lodging that is not in compliance with this provision. A school district that violates any portion of this provision shall be penalized twenty-five percent of the funds appropriated by this act that are used to support the school district’s operations.

(C)(1) Multi-occupancy public school restrooms and changing facilities shall be designated for use only by members of one sex. Any public school restrooms and changing facilities that are designated for one sex shall be used only by members of that sex; no person shall enter a restroom or changing facility that is designated for one sex unless he or she is a member of that sex; and the public school with authority over that building shall take reasonable steps to ensure that all restrooms and changing facilities provide its users with privacy from members of the opposite sex. The provisions in this item do not apply: (a) to custodial or maintenance work when the restroom or changing facility is not being used or otherwise occupied by a member of the opposite sex; (b) to a person or people rendering medical assistance; and (c) during a natural disaster, emergency, or when use of the restroom or changing facility is necessary to prevent a serious threat to good order or student safety.

(2) During any public-school authorized activity or event where students share overnight lodging, no student shall share a sleeping quarter or multi-occupancy restroom with a member of the opposite sex, unless such persons are members of the same family, such as a parent, legal guardian, sibling, or grandparent.

(3) In any other public-school facility or setting where a person may be in a state of undress in the presence of others, school personnel shall provide separate, private areas designated for use by persons based

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on their sex, and no person shall enter these private areas unless he or she is a member of the designated sex.

(D) Nothing in this proviso may be construed to prohibit schools from adopting policies necessary to accommodate disabled persons or young children in need of physical assistance when using restrooms or changing facilities.

1.115. DELETED

1.116. RESERVED

1.117. (SDE: Activity Buses) *In the current fiscal year, school districts may offer the services of activity buses to nonprofit organizations and may impose conditions and fees for the use of buses including, but not limited to, liability coverage for any loss incurred during the period of activity or use.*

1.118. (SDE: Assessments and Final Grade Determination) For Fiscal Year 2025-26, no school district receiving funds pursuant to Section 1 of the Appropriations Act may require the inclusion of student performance on any district-selected benchmark assessment in calculating a student's final grade in any course or subject. District-selected benchmark assessments may only be used as formative assessments for informing instructional purposes and shall not factor into a student's course grade unless the assessment is developed or directly approved by the course instructor and exclusively measures content that has previously been taught in the course. Any school district found in violation of this provision may be subject to corrective action, including a reduction in state funding allocations as determined by the department. These provisions do not apply to End of Course assessments.

1.119. DELETED

1.120. (SDE: Charter School Authorizer Contracts) If a public or independent institution of higher learning charter authorizer ceases operations, any charter school under a current contract with the authorizer may apply to a new authorizer for the remainder of the charter school's contract term. Any charter school with an approved application that has not yet executed a contract as of the effective date of this act may elect to request that a new authorizer consider its application. Of the funds appropriated, the Department of Education shall create a LEA closure protocol to be fully implemented by June 1, 2026 and a timeline for the transfer of any charter schools and the receipt and review of any applications by a new authorizer for this purpose. Schools shall not be

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required to resubmit a full application unless the new authorizer specifically identifies an area of concern.

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1A.1. (SDE-EIA: 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. (SDE-EIA: African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year. Funds that are currently a salary line item will be reallocated for the development of instructional materials and programs and the implementation of professional learning opportunities that promote African American history and culture. For the current fiscal year, not less than seventy percent of the funds carried forwarded must be expended for the development of additional instructional materials by nonprofit organizations, school districts, or institutions of higher education selected through a grant process by the Department of Education.

1A.3. (SDE-EIA: Teacher Evaluations, Implementation/Education Oversight) The Department of Education is directed to oversee the evaluation of teachers at the School for the Deaf and the Blind and the Department of Juvenile Justice under the ADEPT model.

1A.4. (SDE-EIA: Teacher Salaries/State Agencies) (A) Each state agency which does not contain a school district but has instructional personnel shall receive an appropriation funded by the General Assembly for teacher 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 defined to cover curriculum development specialists, educational testing psychologists,

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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 Governor's School for the Arts and Humanities, the Governor's School for Science and Mathematics, and the Governor's School for Agriculture at John de la Howe 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 located.

(B) Teacher salary increases funded in this act shall be incorporated into each agency's EIA appropriation.

1A.5. (SDE-EIA: Work-Based Learning) Of the funds appropriated in Part IA, Section 1, VIII.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/ WIOA 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.6. (SDE-EIA: CHE/Teacher Recruitment) Of the funds appropriated in Part IA, Section 1, VIII.F. for the Teacher Recruitment Program, the 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 percent must be used for the Teaching Fellows Program specifically to provide scholarships for future teachers, and of which twenty-two percent must

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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 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 committee must be staffed by CERRA, and shall meet at least twice annually. The committee's responsibilities are limited to: (1)

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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.7. (SDE-EIA: Disbursements/Other Entities) Notwithstanding the provisions of Sections 2-7-66 and 11-3-50, it is the intent of the General Assembly that funds appropriated in Part IA, Section 1, VIII.F. 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 Executive Budget Office is authorized to make necessary appropriation reductions in Part IA, Section 1, VIII.F. 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, VIII.F. 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 Executive Budget Office to conform to the appropriations in Part IA, Section 1, VIII.F. 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, VIII.C.2. Teacher Supplies to the Department of Education at the start of the fiscal year from available revenue.

1A.8. (SDE-EIA: Arts in Education) Funds appropriated in Part IA, Section 1, VIII.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 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 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

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current fiscal year to be expended in accordance with the proposed award.

1A.9. (SDE-EIA: Teacher Supplies) (A) All certified and non-certified public school teachers identified in PCS, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district, a charter school, or lead teachers employed in a publicly funded full day 4K classroom approved by the South Carolina First Steps to School Readiness, as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of \$400 each school year to offset expenses incurred by them for teaching supplies and materials identified by the employee as essential for student success. 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 and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds the manner in which the funds will be disbursed. Funds may be disbursed to each teacher via check 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, or the funds may be disbursed to each teacher via direct deposit as long as the funds are handled in a manner to be separate and distinct from their payroll check. This reimbursement shall not be considered by the state as taxable income or reported as income on the employee's annual W-2 form, and a district may not withhold or garnish the amount of the supply check from an employee's salary. 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, Governor's School for Agriculture at John de la Howe, 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

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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 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.

(B) 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 2025 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 \$400, 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 2025 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. Any person receiving the reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

1A.10. (SDE-EIA: 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.11. (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.

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1A.12. (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 provision.

1A.13. (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, and 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 funds required for debt service or bonded indebtedness. All school districts must report the student teacher ratio for every classroom to the Department of Education at the forty-fifth and the one hundred and thirty-fifth day mark. The department shall report this information to the General Assembly for the current school year.

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 only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, 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 transportation, food service, and safety within 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.

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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. 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.

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;

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- (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.

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30 of 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.

1A.14. (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.15. (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

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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.16. (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, pre-ACT, or 10th grade Aspire.

1A.17. (SDE-EIA: Report Card Information) The percentage each school district expended on classroom instruction as defined by the Department of Education's In\$ite classification for "Instruction" must be printed on the Annual School and District Report Card.

1A.18. (SDE-EIA: Core Curriculum Materials) The funds appropriated in Part IA, Section 1, VIII.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, VIII.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.

1A.19. (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. For the current fiscal year the Education Oversight Committee may carry forward prior year Education Data Dashboard funds.

1A.20. (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 in poverty, as defined in Proviso 1.3 of this act. 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.

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1A.22. (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 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. The department is authorized to carry forward and expend professional development funds for the same purpose.

1A.23. (SDE-EIA: Assessments-Gifted & Talented, Advanced Placement, & International Baccalaureate Exams) Funds appropriated and/or authorized for assessment shall be used for assessments to determine eligibility of students for gifted and talented programs and for the cost of Advanced Placement, International Baccalaureate, and Cambridge International exams.

1A.24. (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. 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 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. Up to a

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maximum of \$300,000 of funds may be used to establish an initiative by which qualifying adult education students may qualify for a free high school equivalency test. The Department of Education shall establish guidelines for the free high school equivalency testing initiative.

1A.25. (SDE-EIA: Clemson Agriculture Education Teachers) The funds appropriated in Part IA, Section VIII.F. 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. If sufficient funds remain, Clemson University PSA may utilize such funds for a Regional Coordinator.

1A.26. (SDE-EIA: Full-Day 4K) (A) Eligible students residing in any school district or attending any charter school authorized by the South Carolina Public Charter School District or an approved institution of higher education may participate in the South Carolina Early Reading Development and Education program (CERDEP) pending the availability of space and funding. Student eligibility as defined by Section 59-156-130 of the 1976 Code is an annual family income of one hundred eighty-five percent or less of the federal poverty guidelines as promulgated annually by the United States Department of Health and Human Services or a statement of Medicaid eligibility.

(B) A parent or guardian may choose to enroll their child in a public school participating in the program and approved by the Department of Education pursuant to Section 59-156-210 or in a private provider participating in the program and approved by the Office of First Steps pursuant to Section 59-156-200. A private provider includes, but is not limited to, a child care center, a military child care facility regulated by the United States Department of Defense, or a non-profit independent school. State funds appropriated for the provision of CERDEP services in military child care facilities may not be used to supplant existing federal child care funds. No school district can be denied participation in CERDEP or be denied CERDEP funding pursuant to the terms of this provision.

(C) 4K programs in public schools and non-profit independent schools participating in CERDEP are not required to be approved, registered, or licensed by the Department of Social Services in order to participate in CERDEP. Instead, the Department of Education and the Office of First Steps are responsible for ensuring that providers deliver high-quality educational programs pursuant to Section 59-156-160.

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(D) Public and private providers shall be funded for instructional costs at a minimum rate of \$5,100 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 reimbursement at a minimum of \$620 per eligible child transported. First Steps and the Department of Education must provide an equitable distribution above the minimum between public and private providers. First Steps and the Department of Education must provide a quarterly report beginning October 1 detailing funding above the minimum made to any provider to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. 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 at a minimum of \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding at a minimum of \$10,000. The Department of Education and the Office of First Steps Readiness are authorized to utilize carry forward funds and federal funds to supplement the amount expended for materials and equipment. 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. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool based on the one hundred and thirty-five day student average daily membership. For the current fiscal year, providers may enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales by July 1 if at least seventy-five percent of the total number of children eligible or the Child Early Reading Development and Education Program in a district or county are projected to be enrolled in that program, Head Start, or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, Child Early Reading Development and

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Education Program. Providers may receive reimbursement for these children if funds are available. By September 1, the Department of Education and the Office of First Steps must collect the documented waiting lists, share the lists, and determine a process to notify parents of eligible students of available slots in all approved providers. The Department of Education is required to offer waivers allowing students with disabilities to be served in multi-categorical classroom settings based on similar cognition and abilities. Funding appropriated for CERDEP may be carried forward and expended for the same purpose.

(E) Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

(F) Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Early Reading Development and Education Program (CERDEP) and to issue findings in a report to the General Assembly by March first of each year. To aid in this evaluation, the Education Oversight Committee shall determine and obtain 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, including average daily attendance data, so that consistent enrollment may be determined. 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 public or private provider including those funded by CERDEP, Head Start, SC Child Care Scholarships, EIA, Title I, district-funded, and all other federal, state, or local public sources. 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

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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 along with information, recommendations, and a timeline for how the state can increase the number of students served in high-quality programs. To aid in the accurate reporting of four-year-olds in poverty served in formal education programs in public schools in South Carolina, the Department of Education must provide to the EOC data related to four-year-olds served in formal education programs funded with other state, local, or federal funds, including Title 1 and EIA-District-funded programs, denoting full- or partial-day status.

(G) For eligible children residing in school districts that do not participate in CERDEP, the Department of Education is required to develop and implement inter-district transfer policies that give parents or guardians the option of their eligible child attending an out-of-district school that participates in CERDEP.

(H) For the current fiscal year, the Office of First Steps may expend: (1) up to \$2,000,000 to pilot a program to provide higher reimbursement rates to high-quality providers. The reimbursement rate for students enrolled by child care providers rated B or higher in the ABC Quality System operated by the Department of Social Services may be increased by up to 10% of the per-student base following guidelines developed by the Office of First Steps; and (2) up to \$250,000 to provide one-time supplemental, needs-based incentive grants in an amount not to exceed \$30,000 for newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities unable to enroll all eligible students in a public, private, or Head Start setting during the prior fiscal year. These grants are designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement shall be expected to participate in the program and provide high-quality, center-based

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programs as defined herein for a minimum of three years. Failure to participate for three years shall require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15.

(I) If by August first, the Department of Education or the Office of First Steps determines that appropriations will exceed expenditures, available funds may be used to fund an extended program and to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. If a district chooses to fund summer enrollment, the program funding shall conform to the funding in this act for full year programs; however, it shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this act and end of year adjustments shall be based on the one hundred and thirty-five-day student average daily membership or later student average daily membership for districts choosing to extend the program past one hundred and eighty days. Funds may also be used to provide parent engagement, professional development, and quality evaluations of programs. No later than April first, the Department of Education and the Office of First Steps shall 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. The Office of First Steps is directed to determine if the provision of extended programs in private centers improves the ability of parents to enter the workforce or to pursue postsecondary training or industry credentials.

(J) On or before November 15, the Department of Education and the Office of First Steps shall share data that identifies the total number of children enrolled in CERDEP in both public and private providers. If available appropriations exceed the instructional costs of serving children enrolled in the program and if a waiting list of eligible children

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can be documented by the Department of Education and by the Office of First Steps, then the Executive Budget Office may authorize the transfer of funds between the Department of Education and the Office of First Steps.

(K) The Office of First Steps and the Department of Education shall collaborate with the South Carolina Head Start State Collaboration Office to inform parents of all publicly funded full-day 4K programs including Head Start by participating in PalmettoPreK and First5SC.

1A.27. (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.28. (SDE-EIA: Career Cluster Industry Partnerships) From the funds appropriated to the Department of Education, \$800,000 must be 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 thirty-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 in direct support of students 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

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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 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.29. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, VIII. F. 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, unless requested in writing by the entity to match federal or other funds. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

1A.30. (SDE-EIA: ETV Teacher Training/Support) Of the funds appropriated in Part IA, Section 1, VIII.F. South Carolina Educational Television must provide training and technical support on the educational resources available to teachers and school districts.

1A.31. (SDE-EIA: Teacher Salaries/SE Average) (A) 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 \$61,964. 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.

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(B) 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 at a minimum 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. For Fiscal Year 2025-26, the requirement that school districts maintain local salary supplements per teacher no less than their prior fiscal year level is suspended.

(C) For purposes of this provision, teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

1A.32. (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. The department may carry forward and expend the funds for the same purpose.

1A.33. (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.34. (SDE-EIA: 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

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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.35. (SDE-EIA: 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.36. (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 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 be used to support the innovative delivery of science, technology, and genetic education and exposure to career opportunities in science, including mobile science laboratory programs, to students enrolled in the Abbeville equity school districts and students in high poverty schools. 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.37. (SDE-EIA: Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, VIII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies and fire marshals, and when necessary, state law

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enforcement agencies and the Office of the State Fire Marshal in order to ensure that the district has updated school safety and fire plans in place. The safety and fire plans must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plans must be submitted to the Department of Education no later than September first, of the current fiscal year. In the current fiscal year, school districts may continue to negotiate with local law enforcement for the provision of School Resource Officers. 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.38. (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.

1A.39. (SDE-EIA: EEDA Regional Education Centers) Funds appropriated from the EEDA for Regional Education Centers must not be less than \$108,500.

1A.40. (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.41. (SDE-EIA: EOC-South Carolina Autism Society) (A) Of the funds appropriated in Section 1A, VIII.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. No more than ten percent of these funds may be used for central office related administrative purposes, with the remaining funds used to directly provide services through the Parent-School Partnership Program.

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(B) On a quarterly basis, the South Carolina Autism Society shall submit to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee a comprehensive report concerning the society's finances. The report must include, but is not limited to:

- (1) All income derived during the quarter from any source;
- (2) An itemized list of all expenditures for the quarter, including the amount of each expenditure;
- (3) A list of employees, independent contractors hired by the society, and any other person or entity that provides goods or services to the society, including the amount paid to each; and
- (4) Any other such information that aids in fully understanding the fiscal health of the society.

(C) On or before August 1 of the current fiscal year, the society shall provide the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee an audit of the society's books from the society's previous fiscal year. On or before June 30 of the current fiscal year, the society shall provide an updated audit to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

1A.42. (SDE-EIA: 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.43. (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to charter schools sponsored by either the South Carolina Public Charter School District or a registered Institution of Higher Education, the sponsor must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting

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requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District or a registered Institution of Higher Education 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 or a registered Institution of Higher Education 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 on June 30th of the current fiscal year.

1A.44. (SDE-EIA: CERDEP 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 or SUNS numbers for each student enrolled in the CERDEP 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 thirtieth. 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 CERDEP report no later than November thirtieth.

1A.45. (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.

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(B) During the current fiscal year CERRA shall publish 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 eleven percent average annual teacher turnover, as reported on the districts' five most recent district report cards issued by the South Carolina Department of Education and are not one of the fifteen wealthiest districts based on the index of taxpaying ability, 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) 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 provision shall not be excluded from participation in Teaching Fellows Program.

(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, loan forgiveness, professional development, and mentorship to be provided to classroom educators that offer instructional services in eligible districts 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 and including individuals entering the field through an alternative certification pathway to include, but not limited to, PACE, ABCTE, Teach for America, and CATE Work-Based Certification.

At a minimum, the incentives shall include:

(1) Development of a program for forgiveness of undergraduate student loans, not to exceed \$5,000 per year, for up to 7 years, for teachers participating in this incentive that achieve certification through an alternative pathway or who have a loan from an institution other than the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

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(2) Development of a forgivable loan program for individuals pursuing graduate coursework in furtherance of a teaching career, including enrollment in graduate-level coursework necessary to seek additional credentialing or certification relevant to the participant's teaching practice, or individuals seeking an alternative pathway to certification as a teacher.

(3) Support for the establishment and maintenance of a teaching mentorship program, including salary supplements for teaching mentors not to exceed \$2,500 per year.

(4) Other technical support and recruiting incentives as developed by CERRA in conjunction with the Department of Education and the Education Oversight Committee consistent with the objectives of this section.

(D) In addition to eligibility and application requirements, CERRA shall develop a process for recovering an amount equal to the incentives given to individual participants who fail to comply with the obligations associated with a relevant incentive in which they participate including, but not limited to, failure to complete a prescribed course of study, failure to obtain a relevant certification or licensure upon completion of a course of study, or failure to provide instructional services in an eligible district for a prescribed period of time.

(E) CERRA shall report by July thirty-first of the current fiscal year to the Governor, President of the Senate, and Speaker of the House on the incentives developed pursuant to item (C) of this proviso 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.

(F) 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.

(G) The Education Oversight Committee is required to complete an evaluation of the impact of the funds and incentives related to the Rural Teacher Recruiting Incentive. A completed evaluation is due to the House Ways and Means Committee, the House Education Committee, the Senate Finance Committee, the Senate Education Committee, and the Governor's Office by June 30, 2026.

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1A.46. (SDE-EIA: Project Read) Of the funds appropriated in Section 1A. VIII.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.

1A.47. (SDE-EIA: Reading/Literacy Coaches) (A) For the current fiscal year, of the funds appropriated for Reading/Literacy Coaches, the Department of Education shall retain up to \$14,000,000 to be expended for the Palmetto Literacy Project. The Department shall identify schools in the Palmetto Literacy Project that have one-third or more of its third grade students scoring at the lowest achievement level on the statewide summative English language arts assessment. For each school identified and participating in the Palmetto Literacy Project in the prior school year, the Department of Education shall provide, at a minimum, the following support: provision of reading specialists, professional learning, and curriculum resources based on the science of reading. The reading specialist/coaches provided to the Palmetto Literacy Project schools shall be hired and evaluated annually by the Department of Education.

(B) The balance of funds appropriated to the Department for Reading/Literacy Coaches shall be allocated to school districts for schools not included in the Palmetto Literacy Project to support reading instruction and interventions which may include, but not be limited to, hiring reading/literacy coaches, interventionists, or professional development based on the science of reading. Expenditure of funding must be included in the district reading plan approved by the Department of Education.

(C) These funds must be allocated to school districts by the Department of Education as follows: for each primary and elementary school, the school district shall be eligible to receive up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach.

(D) 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/literacy coaches with local funds. A district may only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district except in the event that the district can request and receive a waiver from the Department of

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Education to expend the funds on interventionists who spend more than fifty percent of their time providing direct support to struggling readers in grades kindergarten through grade five. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(E) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155, Title 59.

(F) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(G) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. 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 assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate.

(H) The Department of Education shall require:

- (1) any school district receiving funding to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and
- (2) any school district receiving funding to account for the specific amounts and uses of such funds.

(I) 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/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

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(J) Any unspent or unallocated funds may be carried forward and expended for Summer Reading Camps.

1A.48. (SDE-EIA: Digital Instructional Materials) The Department of Education shall continue to 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 have options for print/digital student materials to include class sets of print student editions, if needed. Funds appropriated for the purchase of instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted instructional materials inventory, purchasing new kits or those adopted as supplemental 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.

1A.49. (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. If these funds are not available, funds appropriated and/or authorized for assessment shall be used to administer the prekindergarten assessments. The department shall manage the administration of assessments that analyze the early literacy and language development of children in publicly funded prekindergarten as done in the prior fiscal year. 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. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized

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Education Program or 504 Accommodations Plan and for students who are Limited English Proficient according to their LEP Plan. 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, up to \$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 KRA to 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 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. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program, 504 Accommodations Plan, or LEP Plan. 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.

For all students assessed with the KRA, the Department of Education is required to collect data from schools and school districts on the prior early learning experience of each student. The data would include whether the kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public school, a child care center (registered faith-based, registered family home, group home, or exempt provider), or informal child care.

1A.50. (SDE-EIA: Industry Certifications/Credentials) Of the funds appropriated for Industry Certifications/Credentials, \$3,000,000 must be allocated to school districts based upon the number of national industry

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exams administered in the prior school year with each district receiving a base amount of \$10,000. The department will identify the national industry exams that will be funded based upon the job availability in the state. School districts may carry forward funds from the prior fiscal year into the current fiscal year and expend the funds for the cost of national industry exams. The department shall work with the Department of Commerce, the Department of Employment and Workforce, state and local chambers of commerce and economic development offices and the Tech Board to ensure that students are aware of the industry required credentials for current job availability in the state organized by region. Any additional funds appropriated must be allocated to school districts based upon the number of national industry exams/credentials earned in the prior school year, and districts must expend these funds to pay for the cost of industry exams or to support students in preparing for the exams in the current fiscal year.

1A.51. (SDE-EIA: Career and Technology Education) Of the funds appropriated for Career and Technology Education, multi-district careers centers that received funds in Fiscal Year 2025-26 from the State Aid to Classrooms line item shall receive in the current fiscal year at least \$2,750,000. The balance of funds appropriated for Career and Technology Education will be distributed to school districts and multi-district career centers based on the prior year actual student enrollment for career and technology education courses, with no district or multi-district career center receiving less than \$50,000. Funds may be expended for the purchase of career and technical equipment, the up fitting of facilities and the purchase of consumables, regional career specialists, and such evidence-based initiatives like High Schools that Work and Project Lead the Way. Each district must include in the district plan submitted to the Office of Career and Technology Education information on other career and technical equipment available. The district must include, at a minimum, equipment located at the career center and at the technical college, information on the alignment of equipment to current industry jobs and needs in the state as recommended by career and technical program advisory committees. District plans must include charter schools within the school district offering at least one career and technical education completer program. School districts and career centers may carry forward unexpended funds to be used for the same intended purposes to up fit career and technical facilities and replace career and technical program consumables. In addition, \$125,000 of the funds appropriated shall be allocated to the

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Palmetto Partners for Science and Technology for robotics competition, curriculum, and support.

1A.52. (SDE-EIA: Family Connection South Carolina) Funds appropriated in Part IA, Section 1, VIII.F, Partnerships, for Family Connection South Carolina (H63), shall be transferred in quarterly installments from the Department of Education to Family Connection South Carolina. Funds shall be used to provide support to families of children with disabilities. Support shall include home visits, transition assistance, education assistance, parent support, and parent training. The department shall establish guidelines through which Family Connection South Carolina shall provide planning documents to the department not later than July fifteenth of the current fiscal year, and quarterly reporting of expenditures thereafter; and a performance report submitted annually.

1A.53. (SDE-EIA: Assistance Funding) For the current fiscal year, any funds appropriated to the Department of Education to assist districts that are or were Plaintiffs in the Abbeville law suit and funding appropriated to the department to provide technical assistance to underperforming districts may not be transferred to any other program, are not subject to flexibility, and may be carried forward and expended for the same purposes.

1A.54. (SDE-EIA: Educator Preparation Provider) Of the funds carried forward from the prior fiscal year, the department is authorized to use up to \$300,000 to develop a data system to house post-certification data and employment for Education Preparation Provider (EPP) completers in accordance with S.C. Code Reg. 43-90. The system must provide the department with the ability to collect, store, and disseminate data elements needed for national accreditation of providers. Such data shall be exempted from disclosure under Section 30-4-40 of the 1976 Code, the South Carolina Freedom of Information Act.

1A.55. (SDE-EIA: 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 Section 59-65-50 of the 1976 Code 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 assignment to alternative school for a non-attending child before petitioning the court.

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1A.56. (SDE-EIA: Grants Committee) (A) Of the funds appropriated to the Department of Education for Innovation Grants, the grants committee shall accept applications per the established process for new grantees not to exceed the amount appropriated by the General Assembly.

(B) The process shall include the application and selection process. The grants committee must be comprised of seven members, one member of the Senate appointed by the Chairman of the Senate Finance Committee, one member of the House of Representatives appointed by the Chairman of the House Ways and Means Committee, two members selected from the education community, and three members selected from the business community. The suggested criteria for awarding the grants to schools or school districts or directly purchasing services must include, but are not limited to:

(1) identification of key measurable benchmarks to raise student achievement and ensure all students are prepared to graduate college, career and civic ready;

(2) innovative strategies to close student achievement gaps in reading and mathematics, with a focus on schools with an academic achievement rating of below average and unsatisfactory;

(3) a demonstrated ability to implement the initiative or model as outlined in the application; and

(4) a demonstrated ability to be both replicable and scalable with priority given to projects grounded in evidence-based practices that have significantly impacted student achievement outcomes.

(C) Notice of grant opportunities and applications shall be posted on the department's website by May 30th. Applications for funding must be submitted to the department by June 30th. Notification of grant awards and final grant amounts shall be sent to applicants by July 31st.

(D) Applicants who commit to a match will be given priority in the selection process. The 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. De-identified student level data shall be submitted, including a definition of program fidelity. The committee shall submit an annual report to the Governor, the Chairman of House Ways and Means and the Chairman of Senate Finance by June 30th.

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(E) Grantees will be required to participate in an external evaluation by selecting an evaluator approved by the department.

(F) The grants committee must award at least one grant to an applicant providing an assessment tool that will provide each district with a local inventory dashboard of education software programs used by their students and teachers, and that includes an aggregate dashboard of program usage from across the state, for the department. Additionally, the system must provide a compilation of usage data by educator and student, be able to conduct rapid cycle evaluations to measure the effectiveness of education software programs based on student outcomes, and support evidence-based analysis of education software programs aligned to the required levels of evidence in the Every Student Succeeds Act. Any system procured must meet the state and agency minimum IT security standards as prescribed by the department. The department is authorized to carry forward and expend any balance for funds authorized in the prior fiscal year for Innovation Grants that provide an assessment tool as described herein in the current fiscal year.

1A.57. (SDE-EIA: Teacher Loan Program) With the funds appropriated for the Teacher Loan Program and with funds in the revolving fund, in the current fiscal year the annual maximum award for eligible juniors, seniors and graduate students is \$7,500 per year and the aggregate maximum loan amount is \$27,500.

1A.58. (SDE-EIA: Digital Learning Plan) The implementation of the e-Learning program is the responsibility of the Department of Education. Those e-Learning school districts who meet the criteria for an e-Learning district as determined by the Department of Education may use up to five e-Learning days to allow for the make-up of short-term disruptions to in-person teaching and learning.

1A.59. (SDE-EIA: Teacher Recruitment Program) On or before September 30th of the current fiscal year, following the development of accountability metrics, \$750,000 of the funds appropriated in this act to the Department of Education for "Rural Teacher Recruitment" shall be allocated to the University of South Carolina's College of Education (COE) for the development and implementation of a new teacher recruitment pilot program to be administered by the COE in partnership with the Mira Education. The purpose of the pilot program shall be the employment of innovative and cost-effective teacher recruitment strategies, customized training for new teachers, and dedicated, ongoing mentoring support. The pilot program shall compliment and/or enhance the state's ongoing rural teacher recruitment initiatives such as those

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supported pursuant to Proviso 1A.45 of this act. At minimum, the pilot program must assist no fewer than ten school districts to include at least four districts along the I-95 corridor and serve no fewer than 250 teacher candidates. The pilot program shall stipulate reasonable fees for participating candidates and districts and districts shall agree to release time for required on site mentors who shall be experienced, practicing teachers within the district for the purposes of co-teaching with and supporting candidates' development. Within participating districts, the pilot program shall emphasize high-need schools and within selected schools, the emphasis shall be on developing teacher candidates teaching in high-need subject areas to include, but not be limited to, STEM and special education with all candidates receiving training in literacy skills. The pilot program design shall be based on emerging empirical evidence of effective teacher education as well as best practices from recent innovations in university-based and alternative certification and residency programs for the dual purpose of recruiting needed candidates with equal focus on retaining accomplished, experienced teachers utilizing, in part, a model which contains intensive mentoring and support for candidate teachers. For purposes of maximizing the impact of this pilot program in identifying qualified teacher candidates as required herein, subject area assessment requirements as they relate to permitted standard deviation tolerances shall mirror those of State Department of Education requirements for traditionally prepared candidates. The pilot program shall assess the certification outcomes of candidates in relation to these tolerances. Before any funds are disbursed to the COE, the COE and Mira Education shall develop accountability metrics for the pilot program that must include, at minimum, employment outcome indicators such as job placement and retention statistics as well as survey instrumentation in order to measure candidate, mentor, and principal satisfaction with the pilot program. No later than June 30th, program data and evidence collected as a result of this accountability requirement must be shared in report form with the Department of Education, the Education Oversight Committee, the South Carolina Center for Educator Recruitment, Retention, and Advancement, the Commission on Higher Education, the Chairman of the Senate Education Committee, the Chairman of the House Education and Public Works Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee.

1A.60. DELETED

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1A.61. (SDE-EIA: Return to Covered Employment) For compensation earned during the current fiscal year, the earnings limitation imposed pursuant to Sections 9-1-1790(A)(1) and 9-11-90(4)(a)(i) of the 1976 Code does not apply if the retired member is hired by the Department of Education to primarily provide services to the department for its tiered system of support for underperforming schools and districts. The department may not pay a retiree who qualifies for the earnings limitation exception under this provision more than \$125,000 per year. The department may only use this provision for a maximum of twenty employees during the fiscal year. The department shall report the number of employees hired under this provision to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by June 30.

1A.62. (SDE-EIA: Kindergarten and Pre-K Start Dates) A district superintendent or charter school authorizer may submit a request to the department to waive the minimum one hundred eighty day school attendance requirement for CERDEP and kindergarten students for the purpose of scheduling assessments. Upon approval of the waiver request, the approved school may stagger administering the assessments to CERDEP and kindergarten students during the first five days of the academic year.

1A.63. (SDE-EIA: Surplus) For Fiscal Year 2025-26, EIA cash funds from the prior fiscal year and EIA funds not otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed.

(1) \$29,614,175 to the Department of Education for the purchase of instructional materials;

(2) \$35,000,000 to the Department of Education for School Buses;

(3) \$20,000,000 to the Department of Education for School Facilities Safety Upgrades;

(4) \$23,519,825 to the Department of Education for Summer Reading Camps;

(5) \$1,000,000 to the College of Education at the University of South Carolina for the Teaching Transformation Pilot Program;

(6) \$750,000 to the South Carolina Farm Bureau Federation to support the Ag in the Classroom program by providing resources and professional development to teachers and schools;

(7) \$5,000,000 to the Department of Education for the Teacher Strategic Compensation;

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(8) \$1,600,000 to reimburse school districts for reduced meals for the Child Nutrition Program;

(9) \$1,500,000 to the South Carolina Technical College System to create, in partnership with the South Carolina Technical College System Foundation (SCTCSF), a pilot program to increase the number of individuals earning an associate's degree in education who will then transfer to a four-year institution of higher learning and complete a bachelor's degree in education. The pilot program will provide a cost-efficient, accelerated online, in-person or hybrid program to facilitate completion of an education degree. Focusing on rural South Carolina communities, the SCTCSF will partner with local school districts to identify future teachers, provide apprenticeship opportunities, and encourage future long-term employment in rural school districts for Tech-to-Teach graduates. The SCTCSF shall issue a report to the Governor, the Senate Finance Committee, the House Ways and Means Committee, and the Education Oversight Committee by June 30, 2026; and

(10) \$6,000,000 to the Statewide Implementation of the Imagination Library.

1A.64. (SDE EIA: National Board Certification Incentive) (A) 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 both the State Board of Education and the National Board for Professional Teaching Standards (NBPTS), shall be paid an annual salary supplement of either \$7500 or \$5000. When all other criteria included in this provision are met, the amount of the supplement shall be determined by the teacher's date of application to NBPTS and the length of the national certificate as described below.

(1) A salary supplement of \$7500 shall be paid to National Board Certified Teachers (NBCTs) who made an initial application before July 1, 2010, and who hold a ten-year national certificate.

(2) A salary supplement of \$5000 shall be paid to NBCTs who made an initial application before July 1, 2010, and who hold a five-year national certificate.

(3) A salary supplement of \$5000 shall be paid to NBCTs who made an initial application after July 1, 2010, and who hold either a five-year or a ten-year national certificate.

(B) The salary supplement shall begin in the year the teacher achieves national certification, be added to the teacher's annual pay, and

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continue as long as the teacher is certified by both the State Board of Education and NBPTS and employed as a public school classroom teacher as described above. However, the supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the districts payroll procedure.

(C) The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, Governor's School for Agriculture at John de la Howe, School for the Deaf and the Blind, Department of Juvenile Justice, and Palmetto Unified School District 1.

(D) Public school classroom teachers who are certified by NBPTS shall enter a recertification cycle for their South Carolina certificate consistent with the length of the recertification cycle for National Board Certification. Teachers who are certified by NBPTS 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 the length of the recertification cycle for National Board Certification. The department is authorized to carry forward funds and only expend them for the same purpose.

1A.65. (SDE-EIA: ARP Maintenance of Equity): The Department of Education is authorized to utilize funds appropriated in State Aid to Classrooms - Maintenance of Effort and Equity to ensure Maintenance of Equity is met under the American Rescue Plan and maintenance of state financial support for IDEA.

1A.66. (SDE-EIA: Evaluation of Alternative Instruction Methods) With funds appropriated, the Education Oversight Committee is responsible for evaluating the impact of alternative methods of instruction on student learning and working with other agencies to expand access to quality remote instruction which can be dispatched if necessary. Alternative methods of instruction may include, but are not limited to, online or virtual instruction, remote learning, and hybrid models. The Department of Education and school districts providing alternative methods of instruction must provide data as requested by the committee to evaluate the effectiveness of the instruction. The Education Oversight Committee shall report annually to the Governor, the General Assembly, the Department of Education, and the State Board of Education.

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1A.67. (SDE-EIA: Report Card) For the current fiscal year, the department is directed to produce the school report cards by October 15.

1A.68. (SDE-EIA: Return of Local Control) Utilizing funds appropriated to the Department of Education, any school or district declared under a state of emergency where management was taken over by the State Superintendent of Education in a previous fiscal year shall remain under such management until the Superintendent of Education deems the school or district has shown significant improvements and has met targets as set by the Superintendent of Education. Management of the school or district includes direct management, consolidation with another district, charter management, public/private management, or contracting with an educational management organization or another school district.

After management of a school district formerly under a state of emergency declared by the State Superintendent of Education has been relinquished and returned to the local board of education, the school district must provide the State Board of Education with monthly updates on the economic and academic conditions within the district for the remainder of the current fiscal year.

1A.69. (SDE-EIA: Developmental Education and Therapy Services) Of the funds appropriated for Developmental Education and Therapy Services for students with multiple documented disabilities, \$651,501 shall be allocated to the Meyer Center, \$1,648,499 shall be allocated to Pattison's Academy, and \$1,000,000 shall be allocated to the SC Public Charter School District for Palmetto Excel. The funding allocated to the Public Charter School District is estimated to serve 150 students. If less students are served, the money must be retained and not expended by the Public Charter School District on a pro rata basis. Funds shall be disbursed by the department to the district in full not later than December 1, and the district shall remit the total allocation to the schools within 30 calendar days.

1A.70. (SDE-EIA: Instructional Materials) Of the funds appropriated for Instructional Materials, \$250,000 shall be used to assist individual schools and/or districts to implement Ronald Rouse's Law requiring high school students to receive non-credentialed CPR instruction in health education class. Funds may be used to purchase, replace, and maintain equipment and training materials. Priority shall go to schools and districts determined high-need. High-need may be determined by using a district's Index of Taxpaying Ability.

1A.71. DELETED

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1A.72. (SDE-EIA: High-Dosage Tutoring) (A) The Department of Education is authorized to provide funds to school districts and community partners in the current fiscal year for academic support programs providing high-dosage, low-ratio tutoring to students in mathematics and reading by compensated tutors.

(B) The Department of Education shall prioritize available funding for academic support program applications that include Local Education Agencies (LEA) or local funding matches, LEA capacity for successful program implementation, or a large proportion of students needing priority placement within an academic support program. Of the funds appropriated, at least 95% shall be distributed as grants to participating LEAs and public charter schools and shall not be combined with any other state or federal grant program.

(C) The Department of Education may collaborate with community partners to implement and conduct academic support programs. Academic support program partners shall comply with personnel criminal history checks and any applicable building safety standards. The Department of Education shall issue a solicitation for education service providers to be included on a qualified provider list. For the current school year, this solicitation shall be published by August; provider applications shall be submitted by September 1; and provider approval notices shall be issued by October 1.

(D) The Department of Education shall issue a grant application for LEAs and public charter schools. For the current school year, this application shall be published by September 15 but not before September 1; grant applications shall be submitted by October 15; and grant awards shall be issued by November 15. Grantees may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

(E) At a minimum, eligible academic support programs shall include tutoring sessions totaling one and a half hours per week. Tutoring sessions should be scheduled at least twice weekly for forty-five minutes. Tutoring sessions shall be held in small group settings of no more than three students per tutor but may occur within or outside the regular school day. Students scoring, or expected to achieve, "Does Not Meet Expectations" on the statewide summative assessment should be given priority placement within the academic support program.

(F) The Department of Education, in collaboration with the Education Oversight Committee, shall prepare a report on the effectiveness of the academic support programs for the Governor and General Assembly. Participating LEAs and public charter schools shall

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submit data as requested by the Department of Education including, but not limited to, student enrollment, attendance, and student pre-/post-test scores from a state-approved formative assessment or high school content assessment.

1A.73. (SDE-EIA: Artificial Intelligence) The SC Department of Education will expend \$3 million to develop, pilot, and implement a high school curriculum for high school students in an artificial intelligence (AI) career and technology program. The program will include a four-year sequential pathway that is aligned with two- and four-year college automotive programs and includes teacher training, third-party assessments, and certifications.

1A.74. (SDE-EIA: CERDEP Foundational Literacy Skill Training) (A) Beginning in the 2025-26 Fiscal Year, with funds available, the Department of Education will train public school educators and class aides working with children in the South Carolina Early Reading Development and Education program (CERDEP) and staff the Office of First Steps to School Readiness in foundational literacy skills. Each school district with CERDEP classrooms shall participate in the implementation of this foundational literacy skills training.

(B) Selected educators shall participate in foundational literacy skills training provided and paid for by the Department of Education. Successful completion of this training shall satisfy the requirements of the literacy teacher endorsement. Educators who successfully complete the training, as determined by the department, shall receive a monetary stipend.

(C) The Department of Education is authorized to carry forward and expend any balance of funds authorized in the prior fiscal year for training for the same purposes in the current fiscal year.

1A.75. DELETED

1A.76. (SDE-EIA: Teacher Loan Program) Of the available funds in the Teacher Loan Program revolving account administered by the SC Student Loan Corporation, up to \$5,000,000 shall be made available to assist in refinancing student loan debt for all certified teachers employed in the public schools of the State. An additional \$5,000,000 from the revolving loan account will be made available to teachers for loan forgiveness patterned after the SC Teacher Loan in the following school districts based on the number of teacher vacancies and/or the number of teachers of record uncertified in the subject area in which they are teaching: Bamberg, Allendale, Calhoun, Jasper, Lee, and McCormick

SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA

school districts that show a vacancy rate of ten percent or greater based on the 2024-25 Teacher Supply and Demand Report.

SECTION 3 - H660 - 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 of the current fiscal year, 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 first 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.

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 of the current fiscal year. 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.

All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget Office by October 1 of the current fiscal year.

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

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. (LEA: Election Day Sales) For the current fiscal year, Section 59-150-210(E) is suspended.

3.3. (LEA: Student Unique Identifiers) For the current fiscal year, in order to provide longitudinal data, institutions of higher education and technical colleges accepting lottery funds must retain the student unique identifier or SUNS number assigned to students who attended public high schools in South Carolina. This shall not prohibit institutions of higher education or technical colleges from using additional student identifiers.

3.4. (LEA: Disclosure of Winner Information) Pursuant to Section 30-4-40, the South Carolina Freedom of Information Act, the Lottery Board of Commissioners is prohibited from disclosing a winner's name, address, telephone number, date of birth, social security number, electronic address, and any copy of the forms of identification provided to the board unless consent is given by the winner. In response to a request, the board only may allow the release of the date of the claim and draw, game played, amount of prize won, retailer location where the ticket was sold, and the hometown of the winner.

3.5. DELETED

3.6. DELETED

3.7. (LEA: FY 2025-26 Lottery Funding) (A) 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. For cash flow purposes, the Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the fiscal year.

(B) 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.

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

(C) 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.

(D) For Fiscal Year 2025-26, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2023-24 certified surplus, and Fiscal Year 2024-25 projected surplus and undesignated fund balance are appropriated as follows:

- (1) Commission on Higher Education –
LIFE Scholarships as provided
in Chapter 149, Title 59 \$215,903,281;
- (2) Commission on Higher Education –
HOPE Scholarships as
provided in Section 59-150-370 \$ 13,007,732;
- (3) Commission on Higher Education –
Palmetto Fellows
Scholarships as provided in
Section 59-104-20 \$ 60,957,272;
- (4) Commission on Higher Education
and State Board for Technical
and Comprehensive Education –
Tuition Assistance \$ 52,994,528;
- (5) Commission on Higher Education –
Need Based Grants \$ 80,000,000;
- (6) Higher Education Tuition Grants
Commission – Tuition Grants \$ 20,000,000;
- (7) Commission on Higher Education –
SC National Guard College
Assistance Program as provided
in Section 59-111-75 \$ 6,200,000;
- (8) State Board for Technical and
Comprehensive Education –
South Carolina Workforce Industry
Needs Scholarships \$ 54,324,046;
- (9) South Carolina State University \$ 2,500,000;
- (10) Commission on Higher Education –
Nursing Initiative \$ 10,000,000;
- (11) Commission on Higher Education –
PASCAL \$ 1,500,000;
- (12) State Board for Technical and

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

- Comprehensive Education –
 readySC \$ 1,000,000;
- (13) Department of Education –
 K-12 Education Scholarships \$ 20,000,000;
- and
- (14) State Board for Technical and
 Comprehensive Education –
 Intellectual and Developmental
 Disabilities Pilot Program \$ 700,000.
- (E) For Fiscal Year 2025-26, funds certified from unclaimed prizes
 are appropriated as follows:
- (1) Department of Alcohol and Other
 Drug Abuse Services –
 Gambling Addiction Services \$ 100,000;
- (2) State Board for Technical and
 Comprehensive Education – South
 Carolina Workforce Industry Needs
 Scholarships \$ 2,848,953;
- (3) Commission on Higher Education –
 College Transition Program
 Scholarships \$ 3,551,046;
- (4) State Department of Education –
 School Bus Purchase \$ 1;
- (5) Commission on Higher Education –
 Higher Education
 Excellence Enhancement Program \$ 9,000,000;
- and
- (6) Commission on Higher Education –
 Technology – Public
 Four-Year, Two-Year, and State
 Technical Colleges \$ 8,000,000.
- (F) Any unclaimed prize funds available in excess of the Board of
 Economic Advisors estimate of \$23,500,000 shall be appropriated as
 follows:
- Department of Education – School Bus Purchase \$ All
 remaining.
- (G) If the lottery revenue received from certified unclaimed prizes for
 Fiscal Year 2025-26 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.

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

(H) Fiscal Year 2025-26 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive 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.

(I) The provisions of Section 2-75-30 regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

(J) 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.

(K) Fiscal Year 2025-26 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 2025-26 are fully funded.

(L) If the lottery revenue received for Fiscal Year 2025-26 certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2024-25 projected surplus, and Fiscal Year 2023-24 certified surplus and the undesignated fund balance are less than the amounts appropriated, the Executive Budget Office is authorized to use surplus lottery proceeds accumulated in the lottery account from previous fiscal years to fully fund appropriations from the lottery authorized by the General Assembly. If a revenue shortfall still exists once the fund balance has been exhausted, then 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.

(M) 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.

(N) Any funds carried forward for the South Carolina Institutes of Innovation and Information (SCIII) shall be redirected to support the Higher Education Excellence Enhancement Program and be distributed

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

based on the requirements of Section 2-77-20 and those contained in this act. By March fifteenth, the Commission on Higher Education shall provide a final report on the expenditures of the SCIII program to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

(O) Of the funds appropriated to the Commission on Higher Education for College Transition Scholarships, the commission shall provide scholarships to South Carolina resident students enrolled at a public institution of higher education in an established College Transition Program (CTP) that serves students with intellectual disabilities. The commission, in consultation with the CTPs, shall develop guidelines establishing scholarship eligibility, retention, and/or renewal requirements in accordance with this paragraph. Scholarships shall be awarded to each South Carolina resident student enrolled in an established public CTP in an amount of at least \$2,500 per semester, not to exceed \$15,000 per academic year (including summer semester), and no student may receive a scholarship for more than eight semesters in total. In addition, the limitations of Proviso 11.10 notwithstanding, individual CTPs shall have the discretion to allocate a portion of their aggregate funding provided pursuant to this provision for need-based grants to eligible students. This discretion is allowable only to the extent that the funding for need-based grants for eligible CTP students provided pursuant to Proviso 11.10 has first been fully exhausted. The commission, in cooperation with the CTPs, shall collect and report the number of scholarship recipients and other information determined necessary to evaluate the effectiveness of these scholarships in assisting students with intellectual disabilities in college transition programs. The commission shall provide this report to the Governor, the Chairman of the House Education and Public Works Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee no later than September 30. Unexpended funds may be carried forward and used for the same purpose, except that up to \$250,000 may be used by the CTP consortium (known as The South Carolina Inclusive Post-Secondary Education Consortium) to be used collaboratively by the consortium to promote better awareness of CTP programs statewide as an option for youth with intellectual disabilities after high school through dedicated support for activities such as, but not necessarily limited to, student recruitment, development and maintenance of a consortium website and associated materials, and the provision of strategic

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

informational events for prospective students and families across the State.

(P) Of the funds appropriated to the Commission on Higher Education for Need-Based Grants, public colleges and universities must submit final invoices for Need-based Grants by a date determined by the commission. Funds allocated for Fiscal Year 2025-26 must be distributed in the same academic year.

(Q) Of the funds appropriated to the Commission on Higher Education for the Nursing Initiative, the commission shall use the funds to address the nursing shortage. Funds shall be allocated accordingly to the state's public colleges and universities, including technical colleges and two-year institutions of the University of South Carolina, that have accredited nursing programs accredited by a national accrediting agency recognized by the United States Department of Education. For purposes of this provision, two-year institutions of the University of South Carolina System shall be eligible if their programs are accredited by and/or through the accreditation of a comprehensive or research institution within the University of South Carolina system. The first \$5 million shall be used to provide bonuses or supplement the salaries of existing full-time faculty and the hourly rates of part-time faculty, or the salaries of clinical nursing faculty, which includes adjunct faculty. The funds shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in nursing programs as defined by the Commission on Higher Education. The second five million shall be used to provide tuition reimbursement or scholarships for students enrolled in regionally accredited, not-for-profit, South Carolina based, public and private institution's graduate-level Master of Science (MSN) programs, Doctor of Nursing Practice, Ph.D., or other like programs appropriate to prepare individuals for faculty roles. The recipient must agree to assume a faculty role in a public South Carolina nursing program after graduation for a minimum of two years for each year they receive the scholarship. Annually by February 1, the Commission shall report on the Nursing Initiative, at a minimum, the following: (1) total number of students receiving tuition reimbursements or scholarships; (2) total number of students receiving tuition reimbursements or scholarships subsequently hired as faculty; (3) total number of students receiving tuition reimbursements or scholarships not hired as faculty; (4) amount of funding allocated to each institution with eligible nursing programs; (5) expenditures and encumbrances of Nursing Initiative funds for eligible faculty for each

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

program; and (6) retention rates, new hires and vacancies for full-time, part-time (including adjunct), and clinical faculty for each eligible program. The Commission may also request institutions to provide other information related to nursing workforce development. This report shall be submitted to the House Education and Public Works Committee, House Ways and Means Committee, Senate Education Committee, and Senate Finance Committee.

(R) Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges," (Technology), the commission shall allocate the realized funds on a proportional basis as follows:

(1) The Citadel	\$ 336,141;
(2) University of Charleston	\$ 704,188;
(3) Coastal Carolina University	\$ 699,612;
(4) Francis Marion University	\$ 320,888;
(5) Lander University	\$ 341,677;
(6) South Carolina State University	\$ 262,080;
(7) USC – Aiken Campus	\$ 310,494;
(8) USC – Upstate	\$ 394,951;
(9) USC – Beaufort Campus	\$ 240,556;
(10) USC – Lancaster Campus	\$ 131,927;
(11) USC – Salkehatchie Campus	\$ 98,932;
(12) USC – Sumter Campus	\$ 116,052;
(13) USC – Union Campus	\$ 109,659;
(14) Winthrop	\$ 389,413;

and

(15) State Technical Colleges and State Board for Technical and Comprehensive Education	\$ 3,543,430.

(S) Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.

(T) 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.

(U) 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.

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

(V) 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 that they continue to meet the requirement of this provision.

3.8 (LEA: Purchase of Lottery Tickets) For the current fiscal year, Section 59-150-70(D)(2) is suspended.

**SECTION 5 - H710 - 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.

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: 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.

5.5. (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.

5.6. (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

**SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY
SCHOOL**

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.

**SECTION 6 - H750 - SCHOOL FOR THE
DEAF AND THE BLIND**

6.1. (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.

6.2. (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.

6.3. (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.

6.4. (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.

6.5. (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.

6.6. (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

**SECTION 6 - H750 - SCHOOL FOR THE
DEAF AND THE BLIND**

revenue from the sale of donated property for educational and other operating purposes.

6.7. (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 Education Program In Visual Impairment at the University of South Carolina - Upstate.

6.8. (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.

6.9. (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.

6.10. (SDB: Deferred Maintenance) The School for the Deaf and the Blind is authorized to establish a Deferred Maintenance Project for the upkeep and maintenance of campus facilities and to transfer remaining balances from The Early Childhood Center Construction (Part 1A Sec. 4 2012-13), Robertson Hall Wing Construction (Part 1B Sec. 90 90.20 B17 2012-13), and Deferred Maintenance (Part 1A Sec. 4 2012-13).

**SECTION 7 - L120 - GOVERNOR'S SCHOOL FOR
AGRICULTURE AT JOHN DE LA HOWE**

7.1. (JDLHS: Campus Private Residence Leases) The Governor's School for Agriculture at John de la Howe 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.

7.2. (JDLHS: Telepsychiatry) The Governor's School for Agriculture at John de la Howe shall establish and maintain, with the Department of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person

**SECTION 7 - L120 - GOVERNOR'S SCHOOL FOR
AGRICULTURE AT JOHN DE LA HOWE**

or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

7.3. (JDLHS: Carry Forward) The Governor's School for Agriculture at John De La Howe may carry forward any appropriated or generated unexpended funds from the prior fiscal year into the current fiscal year.

7.4. (JDLHS: Use of Income Received by the School) All income that the school receives from the sale of timber or farm products, from the sales and services provided by the meats processing facility, and from programs and events facilitated by the agency must be used for the construction, erection, and building of permanent improvements at the school, for maintaining and equipping of capital improvements, and for the purpose of covering expenses of the school's programs and operations.

**SECTION 8 - H670 – 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. (ETV: Spectrum Auction) The Educational Television Commission shall be authorized to receive and retain up to \$35,000,000 of the proceeds from the Federal Communication Commission TV Auction and place them in a segregated, restricted account. These proceeds shall be used to fund capital needs, including broadcast industry standards changes, existing equipment repair, maintenance and replacement needs, and operational costs. Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. No later than June thirtieth of the current fiscal year, ETV must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee

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the amount of money expended from the fund and the balance of the fund.

8.3. (ETV: 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.

8.4. (ETV: Wireless Communications Tower) The Educational Television Commission is directed to coordinate tower and antenna operations within South Carolina state government. The commission 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. The commission 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. The commission 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.

8.5. (ETV: Rural Information Access Pilot Project) The Educational Television Commission shall work with the Office of Regulatory Staff to establish a pilot project supporting awareness of digital adoption and addressing the need for increased public wi-fi in rural and underserved counties. The initial pilot project will maximize federal dollars to the greatest extent possible and include, at a minimum, Orangeburg, Bamberg, Barnwell, and Allendale counties. The project will include leveraging existing SCETV broadcast and communications infrastructure to support public access to broadband, an awareness campaign to increase digital adoption in these counties, and local programming specifically for underserved and rural communities. Partners in the pilot project may include, but not be limited to, state agencies involved with digital access, school districts, colleges, and universities, including technical colleges and local businesses.

**SECTION 9 - H640 - GOVERNOR'S SCHOOL FOR THE ARTS
AND HUMANITIES**

9.1 (GSAH: Leave Policy) The Governor's School for the Arts and Humanities shall be authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

9.2. (GSAH: 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.

9.3. (GSAH: Schools' Fees) The Governor's School for the Arts and Humanities shall be authorized to charge, collect, expend, and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain program quality in both academics and residential support. No student shall be denied admittance or participation due to financial inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The school shall conspicuously publish a fee schedule on their website. All student fees must be reported by August first of the current fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

9.4. (GSAH: Certified Teacher Designation) Because of the unique nature of the 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.

9.5. (GSAH: Residency Requirement) Of the funds appropriated, the Governor's School for the Arts and the Humanities shall ensure that a parent(s) or guardian(s) of a student attending the Governor's School 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 may

**SECTION 9 - H640 - GOVERNOR'S SCHOOL FOR THE ARTS
AND HUMANITIES**

not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

9.6. (GSAH: Informational Access to Students) For the current fiscal year, school districts must permit the Governor's School for the Arts and Humanities to collaborate with individual schools and their staff to share information with students and families about the educational opportunities offered at the Governor's School through avenues including school visits, informational presentations, and posters. By June thirtieth of the current fiscal year, the Governor's School for the Arts and Humanities 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 Governor's School shall work with districts, the Department of Education, and School Report Card administrators to ensure that SAT scores of current Governor's School students are included in the School Report Card of those students' resident schools and districts.

9.7. (GSAH: Telepsychiatry) The Governor's School for Arts and Humanities shall establish and maintain, with the Department of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

**SECTION 10 - H650 - GOVERNOR'S SCHOOL FOR SCIENCE
AND MATHEMATICS**

10.1. (GSSM: 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 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.

**SECTION 10 - H650 - GOVERNOR'S SCHOOL FOR SCIENCE
AND MATHEMATICS**

10.2. (GSSM: Leave Policy) The Governor's School for Science and Mathematics shall be authorized to promulgate administrative policy governing annual and sick leave relative to faculty and staff with the approval of their board of directors. This policy shall address their school calendar in order to comply with the instructional needs of students attending the special school.

10.3. (GSSM: Schools' Fees) The Governor's School for Science and Mathematics shall be authorized to charge, collect, expend, and carry forward student fees as approved by their Board of Directors. The purpose and amount of any such fees shall be to maintain program quality in both academics and residential support. No student shall be denied admittance or participation due to financial inability to pay. The Board of Directors shall promulgate administrative policy governing the collection of all student fees. The school shall conspicuously publish a fee schedule on their website. All student fees must be reported by August first of the current fiscal year to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

10.4. (GSSM: Residency Requirement) Of the funds appropriated, the Governor's School for Science and Mathematics shall ensure that a parent(s) or guardian(s) of a student attending 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 Science and Mathematics may not admit students whose parent(s) or guardian(s) are not legal residents of South Carolina.

10.5. (GSSM: Informational Access to Students) For the current fiscal year, school districts must permit 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 Governor's School through avenues including school visits, informational presentations, and posters. By June thirtieth of the current fiscal year, 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 Governor's School shall work with districts, the Department of Education, and School Report Card administrators to ensure that SAT

**SECTION 10 - H650 - GOVERNOR'S SCHOOL FOR SCIENCE
AND MATHEMATICS**

scores of current Governor's School students are included in the School Report Card of those students' resident schools and districts.

10.6. (GSSM: Telepsychiatry) The Governor's School for Science and Mathematics shall establish and maintain, with the Department of Mental Health and the Medical University of South Carolina, a contractual relationship to provide psychiatric services from a licensed psychiatrist for its students upon the request of a student or the recommendation of a school employee who provides mental health services to students. The psychiatric services may be provided in person or through the use of telepsychiatry. The interactions between students and the psychiatrist shall be HIPPA compliant. Psychological fitness for continued attendance at the school shall be determined solely by the psychiatrist providing psychiatric services to a student. A student who receives psychiatric services from a psychiatrist may continue to receive those services in lieu of receiving services as provided for in this provision.

**SECTION 11 - H030 - 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. (CHE: African-American Loan Program) The funds appropriated to the Commission on Higher Education for the African-American Loan Program shall be distributed to South Carolina State University 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

**SECTION 11 - H030 - COMMISSION ON
HIGHER EDUCATION**

allocated according to this proviso, no more than ten percent shall be used for administrative purposes.

11.3. (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 institutions and one representative from the four-year teaching university sector.

11.4. (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.

11.5. (CHE: Performance Improvement Pool Allocation) Of the funds appropriated to the Commission on Higher Education under Section II. 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.

11.6. (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 \$3,500 above the annual 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

SECTION 11 - H030 - COMMISSION ON
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more than \$250,000 may be expended from currently appropriated need-based grants funding for this additional assistance.

11.7. (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 Department of Veterans' Affairs on the grounds of a serious extenuating health condition.

11.8. (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.

11.9. (CHE: SmartState) The Commission on Higher Education is prohibited from expending any source of funds on the marketing of the SmartState Program.

11.10. (CHE: College Transition Need-Based Grants) Of the currently appropriated need-based grants funding, no more than \$700,000 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.

**SECTION 11 - H030 - COMMISSION ON
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11.11. (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.

11.12. (CHE: Other Funded FTE Revenue) When institutions of higher learning request additional other funded full-time equivalent positions, the Executive Budget Office shall inform the Commission on Higher Education of its decision regarding the request and whether or not sufficient revenues exist to fund the salary and fringe benefits for the positions.

11.13. (CHE: Abatements) By November first of each year, state supported institutions of higher learning must submit to the Commission on Higher Education the total number of out-of-state undergraduate students during the prior fiscal year that received abatement of rates pursuant to Section 59-112-70 of the 1976 Code as well as the total dollar amount of the abatements received. The report must include the geo-origin of the student, class of the student, comprehensive 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. The Commission on Higher Education is directed to compile the information received from the state-supported institutions of higher learning into a comprehensive report and submit such report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January fifth each year.

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11.14. (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.

11.15. (CHE: Longitudinal Data Reports) By December first each year, the Commission on Higher Education is directed to provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on tuition and required fee trends submitted to the commission by the state's public colleges and universities. The baseline of the report must be the most recent fall semester compared to the previous five fall semesters. The commission shall also provide comparable data and trends for and among SREB states for the same period of time. For the same time periods noted above, the commission shall also calculate in the report the level of recurring base state operating funding received by each college and university as measured on an in-state student basis as well as the average of such funding provided in each SREB state. In addition, for the same time periods noted above, the commission shall also provide in the report a calculation of the level of recurring and/or non-recurring funding provided by the state to each college and university for capital related needs, including facilities and/or equipment related capital funding, as measured on an in-state student basis as well as the average of such funding provided in each SREB state.

11.16. (CHE: Suspend Governor's Professor of the Year Award) The requirements of Section 59-104-220 of the 1976 Code pertaining to the Governor's Professor of the Year Award shall be suspended for the current fiscal year.

11.17. (CHE: Prohibition of Discriminatory Practices) (A) In the current fiscal year and from the funds appropriated to the Commission on Higher Education, the commission shall distribute to all South Carolina public colleges and universities the definition of anti-Semitism.

(B) For purposes of this proviso, the term "definition of anti-Semitism" includes:

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(1) a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities;

(2) calling for, aiding, or justifying the killing or harming of Jews;

(3) making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective;

(4) accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the state of Israel, or even for acts committed by non-Jews;

(5) accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;

(6) accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of their own nations;

(7) using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;

(8) drawing comparisons of contemporary Israeli policy to that of the Nazis;

(9) blaming Israel for all inter-religious or political tensions;

(10) applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation;

(11) multilateral organizations focusing on Israel only for peace or human rights investigations; and

(12) denying the Jewish people their right to self-determination, and denying Israel the right to exist, provided, however, that criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.

(C) South Carolina public colleges and universities shall take into consideration the definition of anti-Semitism for purposes of determining whether the alleged practice was motivated by anti-Semitic intent when reviewing, investigating, or deciding whether there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion.

(D) Nothing in this proviso may be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States or Section 2, Article I of the South Carolina Constitution, 1895.

**SECTION 11 - H030 - COMMISSION ON
HIGHER EDUCATION****11.18.** DELETED**11.19.** DELETED**11.20.** RESERVED

11.21. (CHE: Higher Education Excellence Enhancement Program) Of the funds appropriated to the Commission on Higher Education for the Higher Education Excellence Enhancement Program, any institutions that received funding through the program in any of the prior four fiscal years shall be eligible in the current fiscal year. All eligible institutions must comply with all reporting and oversight requirements to receive funding.

11.22. (CHE: HEEEP Audit) The Commission on Higher Education shall conduct an annual audit of the Higher Education Excellence Enhancement Program (HEEEP) expenditures from all receiving institutions. This audit must be completed by September first of the current fiscal year. The commission shall provide a report of the results of the audit to the Chairman of the Ways and Means Committee and the Chairman of the Senate Finance Committee by November first of the current fiscal year.

11.23. (CHE: Review of Tuition Mitigation Calculations) The Commission on Higher Education shall review the calculation of tuition mitigation funding to public institutions of higher education. The commission shall collaborate with representatives from each of South Carolina's public research institutions, four-year public institutions, and systems of higher education and report on suggested recommendations to the General Assembly no later than October 1, 2025.

SECTION 14 – H120 – CLEMSON UNIVERSITY

14.1. (CU: College of Veterinary Medicine) With the funds appropriated in this act, Clemson University is authorized to undertake permanent improvements necessary for the construction of a College of Veterinary Medicine. Further, the funds appropriated in Part 1A and 1B of this act for the College of Veterinary Medicine may be carried forward and expended for the necessary permanent improvements. The funds must be accounted for separately, and the university shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be

SECTION 14 – H120 – CLEMSON UNIVERSITY

expended, the overall status of the project, and any other information requested by the committee.

**SECTION 19 - H240 – SOUTH CAROLINA STATE
UNIVERSITY**

19.1. (SCSU: Facilities Maintenance, Repair, and Renovation) Any appropriations carried forward from prior fiscal years or received in the current fiscal year by South Carolina State University for maintenance, repairs, and renovations may be expended on Truth Hall, Green Student Center, Turner Hall, Whittaker Library, and Nance Hall. Any excess funds may be carried forward by the University and expended for the same purposes.

19.2. (SCSU: Loan Forgiveness) The principal balance, and all associated interest and costs of the South Carolina Budget Control Board Operating Loan issued to South Carolina State University in 2015 are hereby forgiven.

SECTION 20 - H450 - 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.

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: South Carolina Child Abuse and Neglect Network) Of the funds appropriated to the University of South Carolina School of Medicine, not less than \$3,200,000 shall be expended for the South Carolina Child Abuse and Neglect Network. 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 South Carolina Child Abuse and Neglect Network greater than such stipulated percentage.

20.4. (USC: Maintenance, Renovation, and Replacement) Funds appropriated in this act and the Capital Reserve Fund to University of South Carolina-Aiken for Maintenance, Renovation, and Replacement, and any amounts remaining after the completion of other capital projects,

SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA

may be used to offset impacts on its campus caused by the construction of any building for the U.S. Department of Energy's Advanced Manufacturing Collaborative.

20.5. (USC: Science and Technology Center) With funds appropriated for the University of South Carolina Science and Technology Center, in support of furthering education of the state's future workforce in STEM and other high-demand fields, the University is authorized to undertake permanent improvements necessary for the renovation and upfit of the University's existing Science and Technology Building "East Tower" and/or construction of the University's new Science and Technology Center as funds are available. Further, funds appropriated in this act for the University's Science and Technology Center may be carried forward and expended exclusively in support of completing the necessary permanent improvements described herein. The funds must be accounted for separately, and the University shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be expended, the overall status of the project(s), and any other information requested by the committee.

20.6. (USC: Permanent Improvement Projects) Of the funds appropriated in Act 239 of 2022, Section 118.19, Item (18)(b) to the University of South Carolina, the remaining \$5,800,000 shall be redirected to be used by the University for permanent improvement projects.

20.7. (USC: Harper/Elliott Honors College) Capital Reserve Fund appropriations to the University of South Carolina in Section 1(11) of Act 285 of 2016 for construction of Education and General (E&G) space in the addition to the Honors College dormitory may instead be redirected by the university towards necessary renovations and repairs of E&G space in the Harper/Elliott Honors College located on the historic Horseshoe of campus.

20.8. (USC: Health Science Campus) With the funds appropriated for this purpose, the University of South Carolina is authorized to undertake permanent improvements necessary for the construction of the Health Science Campus, including the Brain Health Center. Further, the funds appropriated in Part 1A and 1B of this act for the Health Science Campus may be carried forward and expended for the necessary permanent improvements. The funds must be accounted for separately, and the university shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the

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amount remaining to be expended, the overall status of the project, and any other information requested by the committee.

20.9. (USC: Substance Abuse Prevention) Of the funds appropriated to the University of South Carolina for the current fiscal year, the University's Division of Student Health and Well-Being, Office of Substance Abuse Prevention and Education is encouraged to apply for applicable local, state, and/or federal grant funding intended to support the creation and ongoing maintenance of a pilot program across the eight-campus University system that is designed to increase the availability of, and provide more ready access to, over-the-counter opioid reversal medications, such as naloxone, through non-traditional distribution mechanisms including, but not limited to, harm reduction vending machines. In implementing the pilot program, the University shall examine best practices deployed by other states including, but not limited to, Georgia, Louisiana, and Oklahoma. In addition, implementation shall be in accordance with applicable local, state, and/or federal laws and regulations and access to the opioid reversal medications distributed as a direct result of this provision shall be at no cost to the end user/consumer. The University annually shall report metrics related to the utilization and effectiveness of this provision, including associated costs and funding sources to support the pilot program, to the Chairmen of the Senate Finance Committee, the House Ways and Means Committee, the House Medical, Military, Public and Municipal Affairs Committee, and the Senate Medical Affairs Committee on or before May thirty-first of each year. A copy of the report shall be forwarded to the South Carolina Department of Alcohol and Other Drug Abuse Services. Notwithstanding the requirements of this provision, nothing herein shall create an unfunded mandate on the University, and the creation and ongoing maintenance of this pilot program is dependent on the successful awarding of local, state and/or federal grant funding in an amount sufficient to support the program. Unexpended funds shall be reinvested in this program for the following fiscal year.

20.10. (USC: SC TEACHER Advisory Committee) *From funds appropriated to South Carolina TEACHER, an advisory committee shall be appointed to study and recommend policy changes to enhance the teaching of the State's educator workforce. Members shall include the Governor or their designee, the Superintendent of Education or their designee, the Dean of the College of Education at USC or their designee, the Chair of the Senate Education Committee or their*

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designee, the Chair of the House Education and Public Works or their designee, and the Executive Director of the Education Oversight Committee or their designee. South Carolina TEACHER shall serve as staff to the advisory committee and shall report annually to the Governor and General Assembly.

SECTION 23 - H510 – MEDICAL UNIVERSITY OF SOUTH CAROLINA

23.1. (MUSC: Rural Dentist Program) The Rural Dentist Program, in coordination with the Department of Public Health's 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 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, or his designee, of the South Carolina Dental Association. The Director of the Department of Public Health'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: 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 and other entities to ensure that these regions maintain access to medical care. The MUSC Hospital Authority shall submit a report to the Chairman of the Senate

**SECTION 23 - H510 – MEDICAL UNIVERSITY OF SOUTH
CAROLINA**

Finance Committee and the Chairman of the House Ways and Means Committee detailing efforts to maintain medical care at rural hospitals no later than the end of the fiscal year.

23.3. DELETED

23.4. (MUSC: Rural Behavioral Health Professional Incentive Program) Using funds appropriated, the Rural Behavioral Health Professional Incentive is established at the Medical University of South Carolina. The funds appropriated to the Medical University of South Carolina for the Rural Behavioral Health Incentive Program shall be administered by the South Carolina Area Health Education Consortium (AHEC) recruitment office. The costs associated with administering this program are to be paid from the funds appropriated to the Rural Behavioral Health Professional Incentive Program and shall not exceed four percent of the appropriation. AHEC shall be permitted to carry forward unspent general funds appropriated to the Rural Behavioral Health Professional Incentive Program provided that these funds be expended for the program for which they were originally designated. A board is created to manage and allocate these funds to ensure the location of licensed behavioral health professionals in rural and underserved areas of South Carolina. The board will be composed of the following: the Chief Executive Officer, or his designee, of the South Carolina Office of Rural Health; a representative from the South Carolina Primary Care Office of the Department of Public Health; a behavioral health professional; a representative from the South Carolina Department of Mental Health; and a staff member from the South Carolina Area Health Education Consortium. This board shall serve without compensation.

23.5. (MUSC: Blood Borne Virus Screening) Of the funds appropriated for Blood Borne Virus Screening, the Medical University Hospital Authority, in conjunction with the Frontlines of Communities in the United States (FOCUS) Initiative, shall utilize at least \$200,000 to develop a pilot program to improve the screening, diagnosis, and linkage to care for blood borne viruses by routinizing screening services in hospital emergency departments. The pilot program shall lead to reduced transmission rates for South Carolinians by improving the early identification of undiagnosed infections, supporting the identification of individuals living with blood borne viruses who were previously diagnosed but are not participating in care, and providing linkage to care for individuals who would benefit from blood borne virus management or participating in preventative services. By June 30, 2025, the MUSC

**SECTION 23 - H510 – MEDICAL UNIVERSITY OF SOUTH
CAROLINA**

Hospital Authority shall submit a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Department of Public Health detailing the effectiveness of the program.

23.6. (MUSC: Residential Rehabilitation Treatment Assessment) The MUSC Hospital Authority, in conjunction with existing service providers of alcohol and substance abuse treatment, shall assess the need in developing long-term inpatient residential rehabilitation treatment programs. The MUSC Hospital Authority shall submit a report by September 30, 2025, to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing these efforts and its proposed plan.

**SECTION 25 - H590 - 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.

(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 of the Senate, the Speaker of the House of Representatives, the Chairman

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

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 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: 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.

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

25.5. (TEC: Florence-Darlington Marion Campus) Nonrecurring funds appropriated in this act or the Capital Reserve Fund to Florence-Darlington Technical College for Maintenance, Renovation, and Replacement may be used to conduct a feasibility study and engineering related to the construction of a Marion County Campus. These funds may also be used for the completion of construction of the Darlington County Campus.

25.6. (TEC: Shared Services) Of the funds appropriated to the State Board for Technical and Comprehensive Education for Instructional programs, individual technical colleges may be required to engage in a shared services model with the board. If any technical college's enrollment falls below one thousand full-time equivalent students or the board determines that an institution's fiscal situation is deteriorating, the board may adopt a resolution requiring shared services for core functional areas including, but not limited to, any or all of the following: budget management, financial administration, human resources management, information technology, and procurement. If an institution does not comply with an adopted shared services resolution, the board may withhold any further transfers of state appropriations to the institution for the remainder of the fiscal year. The board shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the Ways and Means Committee by June 30th of each fiscal year on which institutions have been required to contract for shared services.

25.7. DELETED

25.8. (TEC: IDD Workforce Pilot) (A) Of the funds appropriated to the State Board of Technical and Comprehensive Education for the Intellectual and Developmental Disabilities Workforce Pilot Program, the board shall work with colleges within the South Carolina Technical College System to create workforce training programs for individuals with Intellectual and Developmental Disabilities (IDD). The programs shall provide opportunities for credentials that lead to increased employment outcomes for individuals with IDD. The pilot programs shall improve the ability of technical colleges to offer training and educational components that include improving employability skills and providing on-the-job training and apprenticeships with business and industry for individuals with IDD.

(B) Pilot colleges shall:

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
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(1) establish best practices for providing workforce training for individuals with IDD;

(2) support access to students for credentialing that are established by the local college;

(3) partner with local school districts, state agencies, community stakeholders, and businesses and industries;

(4) provide financial and benefits counseling;

(5) develop strategies on integrating assistive technology;

(6) identify methods to increase orientation and integration of individuals with IDD into the college community to the greatest extent possible; and

(7) collaborate with the College Transition Program Consortium.

(C) The pilot colleges shall submit a needs assessment, marketing plan, and measurable program goals to serve a broad array of individuals with intellectual, developmental, and other similar disabilities or learning challenges to the State Board for Technical and Comprehensive Education no later than November 15th. Students enrolled in the pilot programs shall be eligible for South Carolina Workforce Industry Needs Scholarship (SCWINS). Any unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

25.9. DELETED

25.10. (TEC: SC Workforce Competitiveness Initiative) Of the funds appropriated to the State Board for Technical and Comprehensive Education for the SC Workforce Competitiveness Initiative, and in collaboration and consultation with trade associations representing manufacturing, the State Board shall develop, deploy, and manage a public awareness campaign to ensure that parents, students, and educators understand employment opportunities, workplace environments, and careers in manufacturing and related industries in South Carolina. Related industries include, but are not limited to, transportation, distribution, logistics, warehousing, construction, and information technology. Funds must be used to create, deploy, and otherwise develop and manage the awareness campaign. Unexpended funds at the end of the fiscal year may be carried forward and expended for the same purpose.

25.11. DELETED

25.12. (TEC: Denmark Technical College) Of the funds appropriated to the State Technical College Board for Denmark

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL AND
COMPREHENSIVE EDUCATION**

Technical College, the board shall report quarterly on the financial health and budgetary condition of the college. The college shall supply all relevant information requested by the board to fulfill these reporting requirements. The quarterly reports must be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and to all members of the legislative delegation serving in the Denmark Technical College service area.

25.13. DELETED

25.14. (TEC: Dual Enrollment Courses) Of the funds appropriated to the State Board for Technical and Comprehensive Education, the board shall require all technical colleges to adopt policies prohibiting automatic enrollment of students in dual enrollment courses. The State Board shall withhold ten percent of state funding for any technical colleges failing to adopt such policies.

**SECTION 26 – H790 – DEPARTMENT OF ARCHIVES
AND HISTORY**

26.1. (SCDAH: State Historic Preservation Grant Fund Carry Forward) The department is authorized to carry forward unexpended funds allocated for state historic buildings preservation into the current fiscal year to be used for the same purpose.

SECTION 27 - H870 - 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 2020, as aid to the County Library. No county shall be allocated less than \$150,000 under this provision. Counties shall receive their allocations in two equal parts 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. Prior to receiving each of these allocations, county libraries must certify to the State Library and have an adopted policy in place that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children’s, youth, or teen book sections of

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libraries and are only made available with explicit parental consent. Failure to provide these certifications in a manner satisfactory to the State Library shall result in the immediate withholding of the allocation. If the local Legislative Delegation presents evidence that these requirements are not being met by a county library, the delegation may request a comprehensive review of the certification by the State Library. All remaining funds shall be withheld until the State Library verifies full compliance with these requirements and issues a written determination of compliance to the delegation.

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) (A) The State Library may accept money for the South Carolina Library Electronic 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.

(B) 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.

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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 - H910 - 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.

SECTION 28 - H910 - ARTS 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 communities through educational and cultural programs with proven research based strategies.

28.5. (ARTS: Distribution to Subdivisions) No later than December first of the current fiscal year, the Arts Commission must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of aid/allocations distributed to subdivisions during the most recently completed fiscal year, detailed by specific subdivisions.

28.6. (ARTS: Greenville Cultural and Arts Center) The City of Greenville is authorized to disperse a portion of the \$7,000,000 appropriated in Act 91 of 2019 in Proviso 118.16(41)(9) to the Greenville Cultural and Arts Center to a relevant arts entity.

SECTION 29 - H950 - 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

SECTION 29 - H950 - STATE MUSEUM COMMISSION

may be used for store operations, publications, acquisitions, educational programs, exhibit production and general operating expenses provided 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 \$3,505,361.94 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 - H960 - 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

**SECTION 30 - H960 - CONFEDERATE RELIC ROOM AND
MILITARY MUSEUM COMMISSION**

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 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 31 – J060 - DEPARTMENT OF PUBLIC HEALTH

31.1. (DPH: County Health Departments Funding) (A) 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 Department of Public Health, 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.

(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.

(B) The provisions of this proviso shall not supersede or suspend the provisions of Section 13-7-30.

31.2. (DPH: County Health Units) General funds made available to the Department of Public Health for the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Director of the Department of Public Health. 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.

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31.3. (DPH: Camp Burnt Gin Donations) 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.

31.4. (DPH: 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.

31.5. (DPH: Cancer/Hemophilia and Other Blood Disorders) 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 and other blood disorders 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 cancer treatment program and hemophilia and other blood disorders assistance program provided for herein greater than such stipulated percentage.

31.6. (DPH: Insurance Refunds) The Department of Public Health is authorized to budget and expend monies resulting from insurance refunds for prior year operations for case services in family health.

31.7. (DPH: 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 Public Health shall

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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 may be expended for administrative and operational support and for 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. After January 1st of the current fiscal year, fifty percent of unclaimed funds utilized for aid to counties from the prior fiscal year shall be transferred to the South Carolina EMS Association to promote and encourage education of emergency medical technicians and directors of emergency medical services; to collect, analyze, and distribute information about emergency medical services; to promote the improvement of patient care; to cooperate with other organizations; and to effect more efficient administration of emergency medical services in the State of South Carolina. 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.

31.8. (DPH: Rape Violence Prevention Contract) Of the amounts appropriated in Rape Violence Prevention, \$1,303,956 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.

31.9. (DPH: 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.

31.10. (DPH: Sickle Cell Programs) (A) \$761,233 is appropriated for Sickle Cell program services and shall be apportioned as follows:

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(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 DPH.

(B) The funds shall be used for providing prevention programs, educational programs, testing, counseling, and newborn screening. The existing Community Based Sickle Cell Programs will provide counseling for families of newborns who test positive for sickle cell trait or other similar blood traits upon referral from DPH. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DPH. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Public Health 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 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 DPH budget. For the current fiscal year, the department shall not reduce these funds below the current funding level.

31.11. (DPH: 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 Public Health 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.

31.12. (DPH: Medicaid Nursing Home Bed Days) Pursuant to Section 44-7-84(A), the maximum number of Medicaid patient days for

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which the Department of Public Health is authorized to issue Medicaid nursing home permits is 4,452,015.

31.13. (DPH: Nursing Home Medicaid Bed Day Permit) When a Medicaid patient is transferred from a nursing home to a receiving nursing home 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, provided that the receiving nursing home is an enrolled Medicaid provider that already holds Medicaid patient day permits, in which case the receiving facility shall apply to permanently retain the Medicaid patient day permit within sixty days of receipt of the patient.

31.14. (DPH: Per Visit Rate) The Department of Public Health 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 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.

31.15. (DPH: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

31.16. (DPH: 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.

31.17. (DPH: Health Facilities Licensing Monetary Penalties) In the course of regulating health care facilities and services, the Bureau of Health Facilities Licensing (BHFL) assesses civil monetary penalties against nonconforming providers. BHFL 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 provisions of

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regulations applicable to that division. These funds shall be separately accounted for in the department's fiscal records. Regulations for nursing home staffing for the current fiscal year 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.

31.18. (DPH: Prohibit Use of Funds) The Department of Public Health must not use any state appropriated funds to terminate a pregnancy or induce a miscarriage by chemical means.

31.19. (DPH: 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.

31.20. (DPH: 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.

31.21. (DPH: 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 fees, 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. 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 Public Health shall promulgate regulations

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as required in Section 44-61-540 for the administration and oversight of the Trauma Care Fund.

31.22. (DPH: Pandemic Influenza) The Department of Public Health 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 of the Senate, and the Governor by November first of 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, may access appropriated or earmarked funds as necessary to purchase an emergency supply of these medicines for the State of South Carolina.

31.23. (DPH: 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.

31.24. (DPH: 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.

31.25. (DPH: Metabolic Screening) The department may suspend any activity related to blood sample storage as outlined in Section 44-37-30 (D) and (E) if there are insufficient state funds to support the storage requirements. In that event, the samples may be destroyed in a

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scientifically appropriate manner after testing. The department shall notify providers of the suspension within thirty days of its effective date.

31.26. (DPH: SCHIDS) (A) 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.

(B) 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 coordination and the possible use of SCHIDS to assist in the evaluation of program outcomes.

(C) 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.

31.27. (DPH: 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.

31.28. (DPH: Residential Treatment Facilities Swing Beds) In the current fiscal year, 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.

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31.29. (DPH: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Public Health may expend any funds available to the agency, for the purpose of surveillance, investigation, containment, and treatment activities related thereto.

(B) Upon identification of a tuberculosis outbreak, the department will conduct a comprehensive contact investigation and implement control measures consistent with guidance from the Centers for Disease Control and Prevention. As part of the investigation and control of the outbreak, the department will alert the appropriate healthcare providers and community members using the most effective means available.

(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:

(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.

31.30. (DPH: Birth Center Inspections) With the funds appropriated and authorized to the Department of Public Health for this fiscal year, the department shall ensure that all licensed birth centers must register an on-call agreement and any transfer policies with the Department of Public Health. The on-call agreement shall contain provisions which provide that the on-call physician, or another physician designated by the on-call physician, is readily available to provide medical assistance

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either in person or by telecommunications or other electronic means, which means the physician must be within a thirty minute drive of the birth center or hospital, must be licensed in the State of South Carolina, and have hospital admitting or consulting privileges, and shall provide consultation and advice to the birth center at all times it is serving the public. Furthermore, a birth 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 or consulting privileges at one or more hospitals with appropriate obstetrical and newborn services by a birth center's consulting physician. The department shall require a \$25.00 registration fee upon receipt and review of the agreements containing these provisions. Acute care hospitals licensed by the department must negotiate in good faith and fair dealing effort with any birth center licensed by the department within a 50 mile radius to establish a written transfer agreement pursuant to this proviso. Birth 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) and any implementing regulations for this fiscal year.

31.31. DELETED

31.32. (DPH: AIDS Service Provision Program) For the current fiscal year, funds appropriated and authorized to the Department of Public Health for clinical services and medical case management shall be used to direct the department to establish through contract a pilot program for the expansion of direct services to clients who are HIV positive. As part of the pilot program, the department shall facilitate 340b pricing for the AIDS Healthcare Foundation by utilizing Ryan White Part B federal funding to support this pilot in order to maximize the state's resources and service provision beyond its current levels. The department shall require that the AIDS Healthcare Foundation provide any reports or information required by the 340b pricing program, and shall provide proof of the contractual relationship between the department and the AIDS Healthcare Foundation to the Office of Pharmacy Affairs at HRSA.

31.33. (DPH: EMS Monetary Penalties) In the course of regulating Emergency Medical Services (EMS) agencies and personnel, the Bureau of EMS assesses civil monetary penalties against nonconforming

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providers. The Bureau of EMS shall retain up to the first \$40,000 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. The agency shall provide a report on how these funds are expended to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

31.34. (DPH: HIV/AIDS Treatment and Prevention) From the funds appropriated to the Department of Public Health in the current fiscal year for HIV and AIDS prevention and treatment, the department shall partner with the Joseph H. Neal Health Collaborative and expend \$500,000 to provide preventative, psychological, and educational services to all patients, regardless of their financial or insurance status that may impact their ability to pay. In addition, the Joseph H. Neal Health Collaborative shall deploy its plan as a facilitator of Hepatitis C Virus (HCV) management strategies. The department shall ensure the funds are expended primarily for testing, prevention, education, treatment, and follow-up services of HIV/AIDS and HCV. As well, funds may be used in combination with Ryan White Part B Grant funds, other federal funds, or the state's AIDS Drug Assistance Program rebate funds for education and instruction.

31.35. (DPH: Reimbursement of Expenditures) The Department of Public Health is authorized to collect, expend, retain, and carry forward for general operating purposes all funds received in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

31.36. (DPH: Organizations Receiving State Appropriations) Notwithstanding any other provisions of this act, the funds appropriated to the Department of Public Health for the allocation/contribution of specific amounts of state aid to organizations, programs, special items, or activities shall be distributed as appropriated 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 reduce these items up to the stipulated percentage.

31.37. (DPH: Acute Hospital at Home Waiver) In the current fiscal year, a hospital approved by the Centers for Medicare and Medicaid Services to participate in an Acute Hospital Care at Home waiver program may not be deemed to be in violation of its hospital license solely on the basis of its participation in the program. Additionally, the

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department shall not subject such a hospital to any form of adverse enforcement action relating to its participation in the program.

31.38. (DPH: Immunity Passport) The Department of Public Health shall be restricted from using any resources to issue an immunity passport related to COVID-19. This restriction also shall encompass any integration with or becoming an issuer of SMART Health Cards.

31.39. (DPH: Community Violence Intervention and Prevention) (A) In the current fiscal year and from the funds appropriated to the department, the department shall expend up to \$200,000 to establish the Community Violence Intervention and Prevention Program.

(B) The program shall:

(1) establish, solicit, advertise, and administer the Community Violence Intervention and Prevention Grant Program to support, expand, and replicate evidence-informed violence intervention and prevention initiatives;

(2) conduct program evaluations in partnership with internal program staff, external stakeholders, and contractors with evaluation expertise to determine the effectiveness of funded programs;

(3) develop data collection policies for funded programs and procedures for distributing that data to relevant state and academic researchers to aid research and analysis of community violence, health, economic development, and other metrics over time;

(4) provide technical assistance to funded violence intervention programs to implement national best practices and state data collection requirements; and

(5) collaborate and coordinate with other state agencies, including the South Carolina Attorney General's Crime Victim Services Division, to identify and apply for federal grants and other funding.

(C) The Community Violence Intervention and Prevention program shall award funds on a competitive basis to nonprofit organizations and community-based partnerships that serve communities that are disproportionately impacted by violence to support, expand, and replicate effective, evidence-informed violence reduction initiatives. The grants must be used to:

(1) implement, expand, or enhance coordination between evidence-informed violence reduction initiatives including, but not limited to, hospital-based violence intervention, street outreach, and group violence intervention strategies that have demonstrated effectiveness at reducing homicides, gun violence, and group violence without contributing to mass incarceration;

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(2) support the development and delivery of intervention-based strategies by entities that provide targeted services to individuals at risk of being victimized or engaging in violence to interrupt cycles of violence, reinjury, and retaliation; and

(3) support initiatives that primarily target a reduction of violence among individuals who have been identified as having the highest risk of perpetrating or being victimized by violence in the near future based on the best available medical and public health research.

(D) In awarding grants, the program shall prioritize applicants operating in areas disproportionately affected by firearm violence and whose proposals demonstrate the greatest likelihood of reducing homicides, gun violence, and group violence without contributing to mass incarceration. The division shall not require grant recipients to participate in the policing, enforcement, or prosecution of any crime as a condition of receiving a grant.

31.40. (DPH: Deferred Maintenance, Capital Project, Ordinary Repair and Maintenance) The Department Public Health is authorized to establish an interest-bearing fund with the State Treasurer to deposit funds for deferred maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital project, 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.

31.41. (DPH: Allocation of Indirect Cost and Recoveries) The department shall continue to deposit in the general fund all indirect cost recoveries for the department's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The department shall retain recoveries in excess of the SWCAP amount to support the remaining administrative costs of the agency.

31.42. (DPH: Grant Authority) The department is authorized to make grants to nonprofit organizations and governmental entities to further the objectives of its public health 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 grants and to assure fairness and accountability in the award and administration of these grants. The department shall be guided by the definitions of "grant" and "procurement" in the South Carolina

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Procurement Code and the principles of the Federal Grant and Cooperative Agreement Act, 33 U.S.C. 6301-6308 in determining whether an expenditure of funds will be in the form of a grant or a procurement.

31.43. (DPH: Revenue Carry Forward Authorization) The Department of Public Health 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, 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-DPH employees. Any unexpended balance carried forward must be used for the same purpose.

31.44. (DPH: Data Center Migration) Of the funds appropriated to the Department of Public Health for Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared services including, but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services, and disaster recovery services. Unexpended funds appropriated for the data center migration may be carried forward from the prior fiscal year and used for the same purpose.

31.45. (DPH: 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.

31.46. (DPH: Agency Lease Payments) Funds appropriated and authorized to the department for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and

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distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

31.47. (DPH: Best Chance Network/Colon Cancer Prevention) Of the funds appropriated to the department for Best Chance Network and Colon Cancer Prevention, the department shall utilize \$1,000,000 for the Best Chance Network and \$2,000,000 as matching funds for the Colon Cancer Prevention Network.

31.48. (DPH: Nursing Home Review) The Department of Public Health shall conduct a study regarding separate requirements for memory care facilities and assisted living facilities within nursing homes. Additionally, the department shall assess and recommend appropriate staff-to-resident ratios to ensure a sufficient number of staff are available at all times to provide necessary nursing care and related services to each resident. A report detailing the findings and recommendations shall be submitted to the Senate Medical Affairs Committee and the House Medical, Military, Public and Municipal Affairs Committee no later than January 1, 2026.

31.49. DELETED

31.50. (DPH: Florence Health Department HVAC) The funds appropriated in Act 226 of 2024, Section 118.20(B)(26)(D) to the Department of Public Health for Florence Health Department HVAC shall be redirected for the Department of Public Health's Florence Office relocation and furniture.

**SECTION 32 - H730 – 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

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REHABILITATION**

Service Program, the State Agency of Vocational Rehabilitation be allowed to budget reallocation 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: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Vocational Rehabilitation 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.

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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

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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 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

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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.

With funds available to the department and by November first, the Director of the Department of Health and Human Services shall provide the governing authority and the legislative delegation of each county with information on the condition of space furnished for this purpose and shall specifically identify any known deficiencies with respect to the accessibility requirements of the Americans with Disabilities Act (ADA). By May first, the governing authority of any county with an identified ADA-related deficiency shall report to its legislative delegation and the Director of the Department of Health and Human Services on its progress in correcting such deficiency.

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.

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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. (DHHS: CHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children and households to the Children's Health Insurance Program (CHIP) and/or Medicaid and must use available state agency program data including, but not limited to, that housed in the Revenue and Fiscal Affairs Office, the Department of Social Services' Supplemental Nutritional Assistance Program (SNAP) and poverty-related information from the Department of Education. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and eligibility activities. In the current fiscal year and with funds available to it, the department shall submit to the Centers for Medicare and Medicaid Services such waivers and/or plan amendments

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necessary to ensure that the CHIP upper income limit is at least that of the average of the states within CMS Region IV and shall enroll children into the program accordingly.

33.16. (DHHS: Carry Forward) The Department of Health and Human Services is authorized to carry forward and expend any General Fund balance and any 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 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.

33.17. (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.

33.18. (DHHS: GAPS) The requirements of Article 5, Chapter 6, Title 44 shall be suspended for the current state fiscal year.

33.19. (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.

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33.20. (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) Community Health Improvement Initiative - To improve community health, the department may explore various health quality 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.

(B) Community Health Alignment Initiative - The department shall contract with the Center for Community Health Alignment (CCHA) at the University of South Carolina in a collaborative effort to expand the community health worker program to hospital settings. The goal of this program shall be to improve health outcomes for individuals that do not have access to affordable health insurance by facilitating resource connections and access to safety net providers. The department shall facilitate the Center's coordination of placement and funding of qualified community health workers in hospital settings to achieve program goals. The Center must provide the department with patient, service, and other data to assist in the operation and ongoing evaluation of this initiative. The department may tie hospital reimbursements, as appropriate, to participation in this Community Health Alignment Initiative.

(C) Improving Access Initiatives - The department may pursue Medicaid reimbursement and health care delivery methodologies to sustain and improve access to services particularly in underserved and designated rural areas. The department shall review existing reimbursement levels and, as funds are available, take measures to implement competitive rate structures that provide incentives for providers to treat Medicaid, uninsured, and underinsured individuals. These structures may include the use of disproportionate share, directed payments, and other supplemental payment programs. The department may adjust provider assessments to align with available supplemental funding not to exceed the safe harbor threshold under the federal hold harmless provision. Utilizing income, population, provider capacity, and other relevant data, the department may designate certain areas of the state as rural for Medicaid initiatives. To be eligible for these initiatives,

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the department may require providers to participate in quality, accountability, and reporting programs.

(D) Quality Through Technology and Innovation in Pediatrics (QTIP) Initiative – The department shall explore ways to enhance the existing QTIP program. The goal of this program is to improve quality measure outcomes, promote medical home concepts, and support mental health skill-building and integration through targeted quality improvement and technical assistance to pediatric practices.

(E) Health Services Initiative – The department may use available funds from the Children’s Health Insurance Program (CHIP) allotment to implement specific health service initiatives to improve the public health of children, including targeted low-income children and other low-income children as defined in 42 CFR 457.10. These initiatives may include preventive care and other interventions that improve the overall health and mental well-being of children. These initiatives may not supplant federal funds currently used to provide services under the state’s CHIP program.

(F) Primary Care Safety Net Initiative - The department shall formulate a separate methodology to allocate at least \$1,500,000 of funding to Free Clinics throughout the state, \$2,500,000 of funding for local alcohol and drug abuse authorities created under Act 301 of 1973, and up to \$4,000,000 for capital improvements to the Act 301 facilities through consultation with the Department of Alcohol and Other Drug Abuse Services, to ensure funds are provided on a needs based approach. The department may continue to develop and implement a process for obtaining encounter-level data that may be used to assess the cost and impact of services provided through this proviso.

(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 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 annually shall evaluate each initiative within this provision to measure its effectiveness in meeting expected goals. The department shall continually monitor all third-party contracts employed under this provision to ensure that appropriations are being efficiently

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and effectively utilized for their intended purpose. The department also shall annually report on the results of each evaluation to the House Ways and Means Healthcare Budget Subcommittee and the Senate Finance Health and Human Services Subcommittee.

33.21. (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative in the current fiscal year, the department shall partner with the following state agencies, institutions, and other key stakeholders to implement these components of a Rural Health Initiative to better meet the needs of medically underserved communities throughout the state. The department may leverage any and all available federal funds to implement this initiative. Recurring and non-recurring funding for the Rural Health Initiative may be carried forward by the department and expended for the same purpose.

(A) The Department of Health and Human Services shall incentivize the development of primary care access in rural and underserved areas, leverage Medicaid spending on Graduate Medical Education (GME) and continue to leverage the use of teaching hospitals to ensure rural physician coverage in counties with a demonstrated lack of adequate access and coverage through the following provisions:

(1) Rural and Underserved Area Provider Capacity - 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. In addition, the department shall also contract with the MUSC Hospital Authority in the amount of \$1,500,000, and the USC School of Medicine in the amount of \$2,000,000 to further develop statewide teaching partnerships. The department shall also expend \$5,000,000 to fund medical education and graduate nursing and health science programs approved jointly by the Presidents of the following institutions: the Medical University of South Carolina, the University of South Carolina, and Francis Marion University.

(2) Rural Healthcare Coverage and Education - The USC School of Medicine, in consultation with statewide rural health stakeholders and partners, shall continue to operate a Center of Excellence to support and develop rural medical education and delivery infrastructure with a statewide focus, through clinical practice, training, and research, as well as collaboration with other state agencies and institutions. The Center

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shall submit to the department an annual spending plan centered on efforts to improve access to care and expand healthcare provider capacity in rural communities. Upon approval of the annual spending plan, the department shall authorize at least \$3,000,000 to support center staffing as well as the programs and collaborations delivering rural health research, the ICARED program, workforce development scholarships and recruitment, rural fellowships, health education development, and/or rural practice support and education. Funding released by the department pursuant to this section must not be used by the recipient(s) to supplant existing resources already used for the same or comparable purposes. No later than February first of the current fiscal year, the USC School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(3) Rural Medicine Workforce Development - The department shall support the development of additional residency and/or fellowship slots or programs in rural medicine, family medicine, and any other appropriate primary care specialties that have been identified by the department as not being adequately served by existing Graduate Medical Education programs. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). As funds are made available, the department may also accept proposals and award grants for programs designed to expose resident physicians to rural practice and enhance the opportunity to recruit these residents for long-term practice in these rural and/or underserved communities.

(4) Statewide Health Innovations - At least \$2,500,000 must be expended by the department to contract with the USC School of Medicine and at least \$1,000,000 to Clemson University to develop and continue innovative healthcare delivery and training opportunities through collaborative community engagement via ICARED, Clemson Rural Health Programming, and other innovative programs that provide clinical services, mental and behavioral health services, children's health, OB/GYN services, and/or chronic disease coverage gaps. In consultation with statewide rural health stakeholders and partners, the department must ensure collaborative efforts with the greatest potential for impact are prioritized.

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(5) Rural Health Network Revitalization Project – For the purpose of establishing self-sustaining rural health networks that will improve care delivery in rural communities, funds appropriated for Rural Health Network Revitalization shall be expended, in consultation with the Director of Department of Health and Human Services, by the South Carolina Center for Rural and Primary Healthcare within the University of South Carolina School of Medicine to provide material support, facilitation, technical assistance, and other resources to rural communities seeking to create or renew their rural health networks. The Center shall submit to the department an annual spending plan. Upon approval of the annual spending plan, the Center shall:

(a) be authorized to provide funding to such communities for a time to establish and support the work;

(b) work with partners across the State to implement evidence-based models of community development and healthcare delivery;

(c) evaluate the implementation and impact of the network development work undertaken; and

(d) facilitate the development, implementation, and evaluation of alternative payment models with payors within the State.

No later than February first of the current fiscal year, the South Carolina Center for Rural and Primary Healthcare within the University of South Carolina School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(B) The department shall continue to investigate the potential use of disproportionate share, directed payment, and/or any other source of funds in order to improve access to medical services in one or more rural or underserved communities identified by the department in which such access has been determined to be unstable or at-risk. As funds are available to the department, it may establish a grant program for providers to implement sustainable delivery models or capital improvements to enhance access to health care services. When the program is in force, the department shall publish grant criteria and guidelines and, at its discretion, may cap or limit the amount of available funds at any time. The department shall require written proposals and may include stipulations it deems necessary and prudent to ensure funds

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are used to improve the sustainability of access to services in rural or other underserved areas. The department shall also ensure that a facility has been properly sized to meet the needs of its service area. By October 1st of each year, the department shall report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee on the status of outstanding grants.

(C) The Revenue and Fiscal Affairs Office and the Area Health Education Consortium's Office of Healthcare Workforce Analysis and Planning shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations. Not later than January 1, of the current fiscal year, the department shall submit to the President of the Senate and Speaker of the House of Representatives an evaluation of the state's safety-net providers that includes, at a minimum, Federally Qualified Health Centers, Rural Health Clinics, and to the extent applicable to funding received by the state, free clinics.

33.22. (DHHS: Family Planning Funds) The State has enacted Section 43-5-1185 of the 1976 Code that prohibits state funds, directly or indirectly, from being utilized by Planned Parenthood for abortions, abortion services or procedures, or administrative functions related to abortions. Having prevented Planned Parenthood from performing abortions with state funds, once the federal injunction is lifted, the Department of Health and Human Services may not direct any federal funds to Planned Parenthood. An otherwise qualified organization may not be disqualified from receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in compliance with Part IB, Proviso 33.12 of this act is excepted from the above restriction on state family planning funds and may receive state family planning funds.

33.23. (DHHS: 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.

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33.24. (DHHS: Optional State Supplement Adjustments) Cost-of-living adjustments in benefit payments made by the federal government will result in adjustments in the Optional State Supplementation (OSS) Program as determined necessary by the Department of Health and Human Services to ensure that payment amounts are not reduced. The department shall adjust the OSS net income limitation, the OSS facility rate, and the personal needs allowance to ensure that payment amounts are not reduced. OSS benefit payment amounts shall be adjusted to reflect the changes in recipients' countable income.

33.25. (DHHS: Broadband and Telehealth Digital Literacy) With funds available to the Department of Health and Human Services, the department shall partner with a member of the South Carolina Telehealth Alliance that has relevant expertise for no less than \$500,000 to establish a pilot program that leverages telehealth capabilities to improve the health status and condition of other social determinants for rural or other underserved segments of the Medicaid beneficiary population to be identified by the department. Implemented through grant or contract at the department's discretion, the pilot program shall:

(1) offer digital devices and digital inclusion training for specific categories of Medicaid beneficiaries in one or more communities to be identified by the department;

(2) make Medicaid beneficiaries aware of the eligibility criteria for the Federal Communications Commission's Lifeline program and of the benefits available to them through this program, and if appropriate, support outreach and enrollment; and

(3) result in the development of a report, which shall be provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee, that uses survey and/or other comparable data to explain why many eligible Medicaid members have not previously enrolled for Lifeline, along with findings or recommendations as to how these obstacles may be overcome in the future.

33.26. (DHHS: Brain Health Initiative) South Carolina has been identified as one of five states with the most significant gap between an available neurology workforce and the health needs of people with Alzheimer's and other dementias. From funds appropriated, the Department of Health and Human Services is authorized to continue, in collaboration with the University of South Carolina, the Medical

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University of South Carolina and Clemson University, advancing the clinical care of dementia, improving cardiovascular and brain health, expanding, and improving the Alzheimer's Disease Registry provided for in Section 44-36-10, and obtaining a better understanding of population risk factors. The universities shall leverage existing programs to meet the unmet dementia care needs for citizens in rural areas throughout South Carolina including, but not limited to, providing informed clinical care, early detection, early diagnosis disclosure, caregiver support, healthy aging, and education of primary care providers. The University also shall utilize and disseminate the brain health resources through the Department of Public Health's "Take Brain Health to Heart" campaign as a tool for community education. The department shall evaluate this initiative annually, including all partnerships and agreements, to assess its effectiveness in achieving expected outcomes.

33.27. (DHHS: Pregnancy Crisis Centers) For the current fiscal year, funding provided to the Department of Health and Human Services for Pregnancy Crisis Centers may only be expended by pregnancy care centers for the purposes of direct care to pregnant women and mothers for related medical care, support, and resources for women and infants.

33.28. (DHHS: Healthcare) From the funds appropriated and authorized to the Department of Health and Human Services, the department shall partner with safety net providers to ensure that high quality reproductive healthcare is incorporated into primary care services and practice and available to all safety net patients. The department shall allocate up to \$7,500,000 to ensure that patients eligible for Medicaid and other safety net patients are served by participating providers. In order to administer the program, the department shall partner with a non-profit to administer the program. The department may leverage any and all available federal funds to implement this program. For the purposes of this section, high quality reproductive healthcare does not include abortion services.

33.29. (DHHS: Biomedical Research Center) From funds appropriated, the department shall contract with South Carolina public entities that include health service districts, health authorities, or agencies to develop a biomedical research center for the purpose of analyzing biological pathways, networks, and molecular systems. The center shall perform an evaluation of gene and protein structures along with their functions, variations in sequences and their significance,

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interactions between genes, proteins, and the environment, and other key discreet elements of the human condition. The purpose of this initiative is the evaluation of genetic profiles and patterns associated with disease risk to establish effective detection and therapeutic responses. The ultimate goal is to transform the orientation of healthcare from current disease treatment to one of wellness and prevention.

The center shall have or source significant relevant experience in the following areas: (1) an established medical data research Institutional Review Board (IRB) to conduct data and human test condition studies; (2) an established record of success recruiting patients to clinical trials particularly from underserved and rural areas of the state; (3) an established model for de-identification of patient data meeting all HIPAA requirements, along with proven information technology infrastructure to gather and successfully incorporate and organize data including System and Organizational Controls 2 (SOC2) to manage information related risk; and (4) robust and documented experience in the realm of molecular medicine insights.

The department is authorized to establish necessary contract conditions, parameters, and targets. For each year that contracts are in place, the department shall provide to the Chairmen of the House Ways and Means Committee, Medical Military Public and Municipal Affairs Committee, State Medical Affairs Committee, and to the Senate Finance Committee a written report by January 1st describing the distribution of funds and progress made in this effort.

33.30. (DHHS: Local Provider Rate Review) The Department of Health and Human Services will conduct an annual rate review of the local health care providers of the Department of Disabilities and Special Needs. The review will include any amount sufficient to provide employee compensation increases and increases in the employer's share in the cost of providing health and dental insurance equivalent to those received by state FTEs.

33.31. (DHHS: Children's Hospital and Healthcare Innovation) From the funds appropriated for South Carolina Children's Hospital and Healthcare Innovation, the department shall establish the South Carolina Children's Hospital and Healthcare Innovation Program. The purpose of the program is to make strategic investments to ensure that children have in-state access to state-of-the-art children's hospitals and pediatric specialty services. The South Carolina Children's Hospital Collaborative, the state children's hospital association, will annually

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submit for approval by the department funding priorities for infrastructure, working in partnership with the department to additionally identify regional or statewide pediatric specialty service priorities. A minimum of 80% of funds shall be utilized for children's hospital infrastructure priorities, being divided equally between the qualifying children's hospitals unless otherwise agreed upon by the South Carolina Children's Hospital Collaborative. Funds not allocated to children's hospital infrastructure priorities will be utilized for pediatric specialty service priorities agreed upon by the department and the South Carolina Children's Hospital Collaborative. Qualifying children's hospitals must be nonprofit systems providing comprehensive pediatric inpatient and outpatient services, serve as the regional perinatal center for their perinatal region, and serve as training sites for the Medical University of South Carolina or the University of South Carolina medical schools. Annually, and no later than December 31st, the department will provide to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee a report on the disposition of the funds and progress made on identified priorities.

33.32. (DHHS: Prohibit Funding to Abortion Providers) The Director shall withhold funding to abortion providers to the fullest extent allowed under the law.

SECTION 35 - J120 - 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.

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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: Crisis Intervention Training) Of the funds appropriated to the department, \$275,000 shall be utilized for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

35.4. (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.

35.5. (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.

35.6. (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 for deferred maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. 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.

35.7. (DMH: Lease Payments to SFAA for SVP Program, Excess Lease Funds) In the current fiscal year, funds appropriated and authorized to the Department of Mental Health for Lease Payments to the State Fiscal Accountability Authority for the Sexually Violent Predator Program are exempt from any across-the-board base reductions. In accordance with the Lease and Use Agreement between the Department of Mental Health and the State Fiscal Accountability Authority, the department is authorized to receive excess lease funds in the amount of \$1,914,471.41 and utilize such funds for the department's deferred maintenance, capital projects, ordinary repairs, and maintenance at the facility used to house the Sexually Violent Predator Program.

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35.8. (DMH: Commitments to Treatment Facilities) The authorization 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 Office of Court Administration, and the Department of Mental Health with the approval of the Attorney General. The Department of Mental Health shall notify the Senate Finance Committee and the House Ways and Means Committee of any fee adjustment or change in schedule before implementation and may enter into an agreement with the Commission on Indigent Defense solely for the purpose of processing vouchers for the payment of above fees and costs.

35.9. (DMH: Judicial Commitment) Except as otherwise provided in Proviso 117.5, no money authorized to be expended for the purposes set forth in Proviso 35.8 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.

35.10. (DMH: Orangeburg Crisis Stabilization Unit Facility) The Department of Mental Health, through its Orangeburg Area Mental Health Center, is authorized to utilize up to two million dollars of its available one-time funds to secure an appropriate site for development, operations, or support of a Crisis Stabilization Unit Facility in Orangeburg County. The department shall provide a report on the status of its efforts to the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the Medical, Military, Public, and Municipal Affairs Committee by January 10, 2026.

35.11. (DMH: 988 Call Centers) In the current fiscal year, from the funds appropriated in this act for 988 Call Centers, the department is authorized to provide grants to call centers under a current network agreement with the 988 Suicide and Crisis Lifeline in this State. Call

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centers qualifying for the grants shall utilize the funds for the costs associated with answering calls, chats, or texts to the 988 line. Grants may be made available for up to one year. By the end of each month, grant recipients shall provide a report on their expenditures of the granted funds to the department. The department shall provide a report on the use of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by June 30 of the current fiscal year. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department.

35.12. (DMH: Agency Lease Payments) Funds appropriated and authorized to the department for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

35.13. (DMH: Out-of-Home Placement) The funds appropriated in Act 84 of 2023, Section 118.19(28)(c) to the Department of Mental Health for State-Operated Intensive Group Homes shall be redirected for the purpose of out-of-home placements. An out-of-home placement refers to a situation where a child or adolescent is removed from their home and is placed in a foster care or treatment setting. This includes therapeutic group homes for youth with severe emotional issues that, because of their family or legal circumstances, cannot be treated on an outpatient basis.

SECTION 36 - J160 - 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

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and may expend these funds as grants to purchase or build community 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 shall only transfer capital to include property and buildings to local DSN providers with written consent of the providers by memorandum of understanding and upon State Fiscal Accountability Authority approval, otherwise, the department shall be responsible for maintenance and improvements.

36.7. (DDSN: Unlicensed Medication Providers) The provision of selected prescribed medications may be performed by designated unlicensed persons in community-based programs sponsored, licensed or certified by the South Carolina Department of Disabilities and Special Needs, provided the unlicensed persons have documented successful completion of medication training and competency evaluation. Licensed nurses, licensed pharmacists and licensed medical doctors may train and supervise designated unlicensed persons to provide medications and, after reviewing competency evaluations, may approve designated unlicensed persons for the provision of medications. The provision of medications by designated unlicensed persons is limited to oral, sublingual, buccal, topical, inhalation and transdermal medications; ear drops, eye drops, nasal sprays, injections of regularly scheduled insulin and injections of prescribed anaphylactic treatments. The provision of medications by designated unlicensed persons does not include rectal and vaginal medications, sliding scale insulin or other injectable

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medications. A written or electronic record regarding each medication provided, including time and amount administered, is required as part of the provision of medication. Provision of medication does not include judgment, evaluation, or assessment by the designated unlicensed persons. The designated unlicensed persons and the nurses, pharmacists, and medical doctors that train, approve, and supervise these staff 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.

36.8. (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.

36.9. (DDSN: Debt Service Account) The department shall utilize the uncommitted dollars in their debt service account, account E164660, 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.

36.10. (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.

36.11. (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

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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.

36.12. (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.

36.13. (DDSN: Agency Lease Payments) Funds appropriated and authorized to the department for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

36.14. (DDSN: Regional Centers Condition Assessments and Renovation Plan) The department is directed to engage the services of one or more professional firms qualified to conduct facility condition assessments at each of the department's regional centers and provide a comprehensive plan with recommendations for their renovation, construction, reconstruction, or demolition. The assessment and recommendations must be made on a building-by-building or facility-by-facility basis and focused particularly on buildings and facilities used in the housing, care, and support of residents of the centers. The assessments and recommendations must include for each building or facility a scope of work, approximate time for completion, an informed estimate of its cost, and the sources of funding proposed to defray costs of the comprehensive plan. The department may utilize any available sources of funding not otherwise committed or obligated, including particularly without limitation funding available pursuant to the Families First Coronavirus Response Act of 2020. Each building or facility included within the comprehensive plan must be prioritized, with a general explanation of the rationale for its priority. The comprehensive

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plan is to be first implemented at the Coastal Regional Facility as a pilot undertaking; thereafter, implementation must be undertaken at each regional center as resources are available. The department may consult with other state agencies whose responsibilities include housing, care, and support of individuals in a medical or residential setting and may leverage any resources of those agencies to facilitate the intent of this proviso. The Facilities Management Division of the South Carolina Department of Administration, and the Office of State Engineer and the Office of Materials Management of the State Fiscal Accountability Authority, must assist the department in procuring the necessary contracts and services to expedite the implementation of this plan. For purposes of Section 11-35-1570, the legislature finds that there is an immediate threat to public health, welfare, and safety. The comprehensive plan must be submitted to the Joint Bond Review Committee for review and comment prior to implementation. Following favorable review of the plan by the committee, all permanent improvements undertaken pursuant to the comprehensive plan are deemed legislatively authorized for purposes of Chapter 47, Title 2 of the South Carolina Code. The department must provide periodic reports to the Joint Bond Review Committee at such times and in such form and substance as may be prescribed by the committee.

**SECTION 37 - J200 – 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

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requirements for the delivery of alcohol and other drug abuse services to the Medicaid beneficiary population.

37.4. (DAODAS: Carry Forward Unexpended Funds) The Department of Alcohol and Other Drug Abuse Services is authorized to carry forward from the prior fiscal year into the current fiscal year unexpended funds in excess of ten percent of the agency's general fund appropriations to continue to fund prevention, treatment and recovery services for opioid addiction services and addiction programs as prioritized by the department.

37.5. (DAODAS: South Carolina Center of Excellence in Addiction) Through the South Carolina Center of Excellence in Addiction, Clemson University, the University of South Carolina, the Medical University of South Carolina, DAODAS, and Department of Public Health will collaborate on research, training, program implementation, and service delivery for preventing and addressing opioid use disorder and other substance use disorders. The Center will offer statewide support for evidence-based practices and strategies to address the opioid crisis.

37.6. (DAODAS: Agency Lease Payments) Funds appropriated and authorized to the department for lease payments for the lease directed by proviso 118.22 of Act 84 of 2023 shall be maintained in a separate and distinct account. These funds shall be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

37.7. (DAODAS: Real Property Sale Approval) Notwithstanding any other provision of law, no county drug and alcohol authority receiving state funds shall sell, transfer, or otherwise dispose of any real property owned by the authority without prior approval from a majority of the local legislative delegation representing the county in which the property is located. The authority shall submit a written request to the delegation, including details of the proposed sale, and receive written approval before proceeding with any transaction as to the real property.

SECTION 38 - L040 – 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

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overpayments shall be recouped in accordance with established collection policy. All funds shall be retained by the department and may be used to fund Self-Sufficiency and Family Preservation and Support initiatives, to make improvements to the security for FTI and PII data, and for child support operations.

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 Tax Refund Offset program offered through the Bureau of the Fiscal Service, the withholding of unemployment insurance benefits through the Department of Employment and Workforce and reimbursement for expenditures related to genetic 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 Services Division. Such funds may not be expended for any other purpose. However, this shall not include Child Support Services Division 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: Burial Expenses) The expenditure of funds allocated for burials of foster children and adults in the custody of the Department of Social Services 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

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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 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

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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.

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. For the purposes of this proviso, COVID-19 vaccinations are not “age appropriate 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,

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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 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 and under kinship care:

ages 0 – 5	\$700	per month
ages 6 - 12	\$818	per month
ages 13+	\$863	per month

These specified amounts are for the basic needs of the foster children to include kinship care assistance. 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.

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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 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 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.

38.18. (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.

38.19. (DSS: Day Care Facilities Supervision Ratios) For the current fiscal year, staff-child ratios contained in Regulations 114-504(B),

SECTION 38 - L040 – DEPARTMENT OF SOCIAL SERVICES

114-504(C), 114-524(B), and 114-524(C) shall remain at the June 24, 2008 levels.

38.20. (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 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.

38.21. (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.

38.22. (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 authorized farmers markets and vendors with SNAP benefits through their EBT cards. Healthy Buck coupons shall allow the beneficiary to increase the amount of produce purchased, up to twenty dollars per month. The agency shall be authorized to retain and carry forward any unexpended funds appropriated for the Healthy Bucks Program. The agency 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.

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38.23. (DSS: Internal Child Fatality Review Committees) In the current fiscal year, the Department of Social Services shall continue the work of the Internal Child Fatality Review Committees (internal committees) pursuant to the authority granted in Sections 43-1-60(3), 43-1-80, and 63-7-910(E) to allow for the rapid and expeditious review of reported child fatalities that are reported to the Department of Social Services on suspicion of abandonment, child abuse, neglect or harm as defined in Section 63-7-20. This review process will enable the department to respond to the safety needs of any surviving siblings and will lead to improvement in the department's efforts to prevent child fatalities caused by abandonment, child abuse, neglect, or harm. Each internal committee shall be composed of a board-certified child abuse pediatrician, an agent from the State Law Enforcement Division, a local law enforcement officer, a representative from the local coroner's office, and representatives from the Department of Social Services. The internal committee may invite other service provider organizations as deemed necessary. The department is authorized to provide reasonable compensation for board-certified child abuse pediatricians serving on an internal committee. Internal 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 internal 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. The meetings, information obtained by, reports prepared by, and statements made before the internal committees are confidential and protected from disclosure pursuant to the Freedom of Information Act, criminal and civil proceedings, and subpoenas as set forth in Sections 63-7-940 and 63-7-1990.

38.24. (DSS: Tuition Reimbursement/Student Loan Repayment) (A) The Department of Social Services is allowed to spend state, federal, and other sources of revenue to provide tuition assistance, tuition reimbursement and/or student loan repayment to aid in retaining caseworkers and critical needs department jobs based on objective guidelines established by the State Director of the Department of Social Services. The department may pay tuition expenses directly to a college or university or to the employee.

SECTION 38 - L040 – DEPARTMENT OF SOCIAL SERVICES

(B) The department may also provide paid educational leave for any employees in an FTE position to attend class while enrolled in programs that are related to the agency's mission. All such leave is at the agency head's discretion.

(C) The department may enter into an agreement with staff employed in critical need departments to repay them for their outstanding student loans and/or reimburse tuition expenses. The employee must be employed in a critical needs area, which would be identified at the agency head's discretion, be in a covered FTE, and not have any significant or performance-based disciplinary actions. Payments cannot exceed the balance of the student loan or the cost of tuition and required books.

38.25. DELETED

38.26. DELETED

38.27. (DSS: SNAP Eligibility) The Department of Social Services shall not seek, apply for, accept, or renew any waiver of the requirements established pursuant to 7 U.S.C. Section 2015(o), relating to the mandatory work requirements of the Supplemental Nutrition Assistance Program.

38.28. (DSS: Pro Bono Program) From the funds appropriated to the Department of Social Services the director shall be authorized to utilize the funds appropriated to the department to establish a pro bono program for private attorneys to represent the department in hearings. Attorneys that volunteer for the program must meet the same qualifications as the attorney's hired by the department. The department shall provide training for the pro bono attorneys.

38.29. (DSS: Economic Services System Application Modernization) The department shall be authorized to retain and carry forward any unexpended funds appropriated for the Economic Services System Application Modernization (ESSAM) Project.

SECTION 39 - L240 - 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.

SECTION 39 - L240 - COMMISSION FOR THE BLIND

39.2. (BLIND: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Commission for the Blind 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 commission 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.

39.3. (BLIND: Remodeling) The Commission for the Blind shall utilize the \$30,000 appropriated in Part IB, Section 118 - X910 - Statewide Revenue in the 2019-20 General Appropriations Act, by proviso 118.16(30), for agency facility remodeling and renovation needs.

39.4. (BLIND: Reallotment Funds) To maximize utilization of federal funding in the Basic Service Program, the Commission for the Blind shall be allowed to reallocate funds received in excess of original projections.

SECTION 40 - L060 - DEPARTMENT ON AGING

40.1. (AGING: 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 40, Aging Assistance, 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.

40.2. (AGING: State Match Funding Formula) Of the state funds appropriated under "Aging Assistance," the first allocation by the Department on Aging shall be for the provision of required State matching funds according to the Department 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.

40.3. (AGING: Registration Fees) The Department on Aging is authorized to receive and expend registration fees for educational, training and certification programs.

SECTION 40 - L060 - DEPARTMENT ON AGING

40.4. (AGING: 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 under the Department on Aging, are suspended for the current fiscal year.

40.5. (AGING: Home and Community-Based Services) State funds appropriated for Home and Community-Based Services shall be used to fund those services that most directly meet the goal of allowing seniors to live safely and independently at home. Allowable services, as defined in the Department on Aging's State Plan, include programs to promote social connection, group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, personal care, homemaker, home chore, home modification, legal assistance, assessments, dental services, and pest control. Area Agencies on Aging (AAAs) may expend no more than ten percent for administrative services and one-quarter of one percent shall be retained by the Department on Aging to provide monitoring and oversight of the program. However, up to three percent of the annual state appropriation for Home and Community-Based Services may be retained at the Department on Aging to be allocated by the department to the affected regions in cases of an emergency and/or natural disaster recognized by the Governor. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs. The Intrastate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community-Based Services. The Department on Aging shall develop and implement a structured methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Department on Aging to provide as many services as possible to the citizens of South Carolina. Each AAA shall submit a budget for approval by the Department on Aging indicating the services to be provided. Any unexpended Home and Community-Base Services funds in this program shall be carried forward by the Department on Aging and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

SECTION 40 - L060 - DEPARTMENT ON AGING

40.6. (AGING: Geriatric Loan Forgiveness Program) In lieu of quarterly payments to a recipient of the Geriatric Physician Loan Program, the Department 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 40, Geriatric Physician Loan Program, shall be carried forward and used for the same purpose as originally appropriated.

40.7. (AGING: Caregivers Carry Forward) Unexpended funds from appropriations to the Department on Aging for caregivers shall be carried forward from the prior fiscal year and used for the same purpose.

40.8. (AGING: Vulnerable Adult Guardian ad Litem Carry Forward) Any unexpended funds from appropriation to the Department on Aging for the Vulnerable Adult Guardian ad Litem Program shall be carried forward from the prior fiscal year and used for the same purpose.

40.9. (AGING: Alzheimer's Respite Program) Funds appropriated to the Department on Aging for Alzheimer's Respite Program must be used to provide respite care and diagnostic services and must be maximized, to the extent feasible, to attain federal matching dollars. On or before September thirtieth of each year, the department must submit to the Governor, Senate Finance Committee, and House Ways and Means Committee an annual financial statement and outcomes measures attained for the fiscal year just ended. 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 program funds greater than such stipulated percentage.

40.10. (AGING: Allocations and Aid Carryforward) Unexpended funds appropriated to the Department on Aging for allocations or aid shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose by the department.

40.11. DELETED

**SECTION 41 - L080 - DEPARTMENT OF CHILDREN'S
ADVOCACY**

41.1. (DCA: Foster Care-Private Foster Care Reviews) The Department of Children's Advocacy, Foster Care Program is authorized to restructure its programs, including but not limited to, suspending

**SECTION 41 - L080 - DEPARTMENT OF CHILDREN'S
ADVOCACY**

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 reductions. These decisions must be based upon the availability of existing funds. This provision supersedes any previous statutory or regulatory mandate.

41.2. (DCA: 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.

41.3. (DCA: Continuum of Care Carry Forward) The Department of Children's Advocacy, Continuum of Care Program may carry forward funds appropriated herein to continue services.

41.4. DELETED

**SECTION 42 - L320 – 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

**SECTION 42 - L320 – HOUSING FINANCE AND
DEVELOPMENT AUTHORITY**

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.

42.5. (HFDA: Housing Trust Fund Disaster Initiative) Funds allocated, granted, or awarded under the Housing Trust Fund's Disaster Initiative shall not be included when calculating the percentage of trust fund expenditures per county.

42.6. (HFDA: Collaboration) In accordance with the South Carolina Housing Trust Fund Act (Section 31-13-450), the South Carolina State Housing Finance and Development Authority may collaborate with Habitat for Humanity South Carolina by providing up to \$5,000,000 in existing funds for the current fiscal year. These funds shall be used to increase and preserve affordable homeownership across the state through a lump-sum block grant allocated to Habitat for Humanity South Carolina. Habitat for Humanity South Carolina shall administer the affordable housing proposal and oversee programmatic obligations to local Habitat for Humanity affiliates. The two entities shall establish a memorandum of understanding no later than July 31 which outlines the distribution and maintenance of funds and eligible project activities, including a program implementation stipend. Of the \$5,000,000, Habitat for Humanity South Carolina shall not allocate more than twenty percent of the total annual funding in any single county during the fiscal year, in accordance with Section 31-13-445. An annual report summarizing the expenditure of funds shall be submitted to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees no later than June 30.

SECTION 43 - P120 - 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.

43.2. (FC: Retention of Emergency Expenditure Refunds) The Forestry Commission is authorized to retain all funds received as

SECTION 43 - P120 - FORESTRY COMMISSION

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.

43.5. (FC: Sale of Promotional Items) The Forestry Commission may sell promotional items that advocate for the forestry and forest culture, including items featuring the South Carolina Forestry Commission Forest Life brand logo, for the purposes of generating funds for the agency operations. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year and used for the same purposes.

43.6. (FC: Firefighting Equipment and Response Carry Forward) The Forestry Commission is authorized to carry forward any unspent funds appropriated for firefighting equipment into the current fiscal year to be expended for the same purpose.

43.7. (FC: Response to Declared Emergencies) In the event of a declared emergency pursuant to Section 25-1-440 requiring the response of the South Carolina Forestry Commission, the State Treasurer and the Comptroller General are hereby authorized and directed to pay from the Disaster Trust Fund of the State such funds as necessary to cover the costs incurred, if available. In the event the Disaster Trust Fund is exhausted or does not have a balance sufficient to cover the incurred costs, the General Fund of the State may be utilized. The total amount transferred to the South Carolina Forestry Commission shall not exceed \$3,000,000. Upon any transfer of funds, the State Treasurer and the Comptroller General shall notify the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. Any funds reimbursed to the State shall be deposited in the respective fund from which it was transferred, up to the amount of funds advanced to the South Carolina Forestry Commission for these activities.

SECTION 44 - P160 - 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 II. Consumer Protection, B. 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 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: 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.

44.7. (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.

SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE

Revenues generated by these fees shall be retained and used by the department to offset expenses incurred in operating the Feed Inspection Program.

44.8. (AGRI: Commodity Boards) In the current fiscal year, the provisions of the Consolidated Procurement Code related to a commodity board's expenditure of assessments collected from producers, as those terms are defined in Section 46-17-40 of the 1976 Code, are suspended.

44.9. (AGRI: Agribusiness Infrastructure Carry Forward) The Department of Agriculture is authorized to carry forward any revenues, accrued interest, and unexpended Agribusiness Infrastructure funds from the prior fiscal year into the current fiscal year to be expended for the same purpose. Any Agribusiness Infrastructure funds carried forward are not considered part of and should not be deducted from the base for purposes of calculating the agency's general fund appropriations ten percent carry forward amount, as provided for in this act.

44.10. (AGRI: South Carolina Tax Exemption Program) The Department of Agriculture is authorized to charge up to \$24 for a three-year registration card for agricultural producers to claim a sales tax exemption on certain qualified purchases. The Department of Agriculture is also authorized to charge \$5 for any replacement cards. The funds collected pursuant to this provision shall be retained by the department to defray any costs associated with the South Carolina Agricultural Tax Exemption Program.

44.11. (AGRI: State Farmers Market Escrow Accounts) The department may retain remaining revenues associated with the State Farmers Market Escrow, Lease Escrow, and the State Farmers Market Sale Proceeds and may expend these funds for the planning, development, construction, improvement, and maintenance of the State Farmers Market including, but not limited to, capital improvements approved by the Joint Bond Review Committee and the State Fiscal Accountability Authority.

44.12. (AGRI: Commodity Boards Interest Retention) Commodity Boards shall be allowed to retain and carry forward any accrued interest generated from the Boards' accounts held by the State, including interest generated from assessments collected from producers, as defined in Section 46-17-40.

44.13. (AGRI: Seed and Plant Certification) For the current fiscal year, certification of seeds and plants in regard to germination and mechanical purity of the seed depends upon the reports of the seed

SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE

laboratory of the State Department of Agriculture or other laboratory providing a scope of testing satisfying the requirements dictated by the Association of Official Seed Certifying Agencies and utilizing rules for testing as defined by the Association of Official Seed Analysts. Seeds may not be certified by Clemson University unless the germination and purity test reports of the seed laboratory of the department or other laboratory as defined above indicate that the seeds comply with the agricultural seed laws of this State.

SECTION 45 - P200 - 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 PSA employee testifying as a fact witness regarding matters related to his or her professional expertise, or the exercise of his or her employment duties, 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.

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

SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA

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 fifty cents 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 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.

45.10. (CU-PSA: Regulatory Services Programs) For the current fiscal year, Clemson University Public Service Activities shall lead state

SECTION 45 - P200 - CLEMSON UNIVERSITY - PSA

and federal eradication efforts of the Asian Longhorned Beetle (*Anoplophora glabripennis*). All revenues and recoveries from USDA Animal and Plant Health Inspection Service (USDA-APHIS) for Clemson University PSA's Regulatory Services Programs and its departments shall be retained by Clemson University-PSA's Regulatory Services Program for purposes of carrying out the operation of its programs.

45.11. RESERVED**SECTION 46 – P210 - SOUTH CAROLINA STATE
UNIVERSITY - PSA**

46.1. (SCSU-PSA: Animal Research and Education) For the current fiscal year, South Carolina State Public Service Activities is directed to coordinate and collaborate with the Harvey S. Peeler Jr. College of Veterinary Medicine for the expenditure of funds appropriated for the Animal Research and Education Center. Any future appropriations for the Center shall require the same coordination and collaboration between the same agencies.

**SECTION 47 - P240 - 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

SECTION 47 - P240 - DEPARTMENT OF NATURAL
RESOURCES

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 \$25,000 per district for general assistance to the district's program. Available funding above \$25,000 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 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: Web Services and Technology Development) The department may carry forward any unexpended general fund balance

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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.

47.9. (DNR: Predator Control Program) Of the funds authorized and appropriated in this act, the Department of Natural Resources is directed to develop and implement a coyote tagging and reward program within this state. The department must tag and release four coyotes in each of the four game zones and apply a reward of three thousand dollars per tagged coyote to the hunter/trapper, or their designee. No hunter/trapper, or their designee, may collect the reward on more than two coyotes per fiscal year. Employees of the Department of Natural Resources, members of the General Assembly, and their immediate families are not eligible to receive a reward.

47.10. (DNR: Triploid Grass Carp) For the current fiscal year, no water recreation funds or any other funding source may be used to fund the stocking of triploid grass carp on Lake Marion and Lake Moultrie.

47.11. (DNR: Compensatory Payment) In the event a State of Emergency is declared by the Governor, exempt employees of the Department of Natural Resources 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.

47.12. (DNR: Exempted Fishing Permits) The Department of Natural Resources shall explore the feasibility of employing exempted fishing permits (EFPs) within the South Atlantic region as a mechanism to allow limited state-level management of the federally managed snapper-grouper complex. The department shall work cooperatively with natural resources management agencies from the states of North Carolina, Georgia and Florida, the South Atlantic Fishery Management Council (SAFMC) and NOAA Fisheries to determine interest in and the possibility of jointly pursuing individual state EFPs as well as an overarching EFP that might allow for a new management approach for the South Atlantic snapper-grouper complex.

47.13. (DNR: Funds Transfer to Forestry Commission) For the current fiscal year, the Department of Natural Resources shall transfer \$100,000 of the funds appropriated for operating expenses of Wildlife and Freshwater Fisheries (Wildlife Management Areas) to the Forestry Commission.

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47.14. (DNR: Waterfowl Impoundments Projects) The Department of Natural Resources, when procuring goods and services for the planning, development, construction, improvement, and/or maintenance of waterfowl impoundments on land owned by the department or owned by the state and managed by the department, may enter into agreements with a qualified, not-for-profit entity that has received North American Wetlands Conservation Act (NAWCA) funds for a project and specializes in waterfowl impoundment development, and that entity is considered a sole source provider under the provisions of Section 11-35-1560 of the 1976 Code. The department shall be required to have a representative of the agency present to view the opening of bids with this provision.

47.15. (DNR: Building Maintenance Carry Forward) At the end of each fiscal year, the department may transfer any unexpended general fund balance remaining on the "Other Operating Expenses" line identified in the "Administration" program to a separate and distinct account to be carried forward by the department. Balances carried forward in this account must only be expended for rent, maintenance, and capital improvement needs in the headquarters building. The department must report to the Chairmen of the Senate Finance Committee and House Ways and Means Committee any amount transferred and expenditures made from the fund by October first.

47.16. (DNR: Matching Grant Programs) Of the funds appropriated and/or authorized to the South Carolina Conservation Bank, \$1,000,000 shall be provided to the Department of Natural Resources as the state match for the North American Wetlands Conservation Act (NAWCA) or similar wetland enhancement and restoration projects that benefit waterfowl subject to the prior consent of the Bank, and \$3,000,000 as the state match for the Wildlife and Sportfish Restoration grant program. The department annually shall report to the Senate Finance Committee, the House Ways and Means Committee, and the South Carolina Conservation Bank regarding utilization of the funds and the impact of the funds on conservation efforts in the State of South Carolina.

47.17. (DNR: Special Carry Forward Delayed Vehicle/Equipment Delivery) The department may carry forward appropriations and authority encumbered by purchase orders issued to procure vehicles, trailers, boats, outboard motors, and other specialized equipment. Each purchase order must meet or exceed \$16,000, and only delivery of items delayed due to manufacturing and material supply chain or

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transportation disruptions qualify for carry forward. The department will provide a report to the Executive Budget Office listing open purchasing documents with encumbered amounts supporting the special carry forward by August 1.

47.18. (DNR: Wildlife Habitat Management) Funds appropriated to the department shall be used to conduct wildlife habitat management activities on the Department of Parks, Recreation, and Tourism property in Georgetown County known as Ramsey Grove. The Department may provide opportunities for limited public waterfowl hunts on the property through the department's Wildlife Management Area program.

47.19. (DNR: Deer Processing Pilot Program) Funds appropriated to the Department of Natural Resources for the Pilot Deer Donation Program shall be used for the creation and implementation of a deer processing pilot program. This program shall be designated to incentivize the harvesting of antlerless deer in areas that are having impacts on the agriculture sector of the State's economy. The grants to processors will allow hunters to deliver antlerless deer to the processors without a processing fee if the deer is to be donated as established by the department in the grant. The department is authorized to create a program and provide grants year-round to deer processors in this state. Grants shall only be provided to deer processors who agree to donate the processed meats to non-profit organizations. The department shall establish a fee structure to be paid to cooperating deer processors before awarding grants. The department may contract with vendors without competition. A report shall be provided by the department to the Chairmen of the Senate Finance and House Ways and Means Committees by June 30, 2026, on the implementation of the pilot program and the grants awarded.

47.20. DELETED

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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.

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48.2. (SGC: Collection of Fees for Consortium Programs and Events) The South Carolina Sea Grant Consortium shall generate funds to support programs and outreach events, including the State's Clean Marina Program, through the collection of registration fees that do not exceed the direct cost of the associated program.

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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 Grand Strand Tourism Region's funds shall be divided, with 22% distributed to the Myrtle Beach Chamber of Commerce, 51.11% distributed to the Georgetown Chamber of Commerce, 13.33% distributed to the City of Georgetown, and 13.33% distributed to the Williamsburg Chamber of Commerce for tourism-related activities. In addition, \$250,000 shall be distributed to the Lake Wylie Chamber of Commerce. 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 private funds have not been previously allocated or designated for tourism-related destination marketing; and (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

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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 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 Marketing Grants, and the agency advertising fund.

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

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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 must be used solely for wage and supplier rebate funds pursuant to the Motion Picture Incentive Act and may not be used for any other 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 as allowed in Section 51-23-30.

For the current fiscal year, funds placed in a County Area account as allowed in Section 51-23-30 may remain unexpended in the account indefinitely, any regulation or provision to the contrary notwithstanding. However, once an application is approved by a county delegation, the

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project must be completed and funds expended within three years of the approved application.

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. (PRT: State Funded Grant Programs) Any unexpended general funds appropriated for the PARD Grants, Undiscovered SC, and Sports Marketing Grants Programs shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose.

49.14. (PRT: SC Film Office Rebate Funds) From the funds authorized pursuant to the Motion Picture Incentive Act, any rebates awarded by the SC Film Office may be paid without distinction of the source of funds.

49.15. (PRT: Compensatory Payment) In the event the Governor declares a State of Emergency, employees of the Department of Parks, Recreation and Tourism 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.

49.16. (PRT: Destination Specific Tourism) In the current fiscal year, non-recurring funds appropriated to the Destination Specific Tourism Marketing grant program shall not be subject to a match requirement.

49.17. (PRT: State Park Employee Housing) The Comptroller General shall, upon request of an employee of the South Carolina Department of Parks, Recreation and Tourism's State Park Service, and with the authorization of the department, make deductions from the employee's compensation for rental payments of an employee's residential housing that is located within a South Carolina State Park. The Comptroller General shall pay over to the Department of Parks,

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Recreation and Tourism all amounts collected by payroll deduction for this purpose for the exclusive use by the department for state park operations.

49.18. (PRT: State Parks Carry Forward) The department may carry forward any prior year unexpended general operating funds allocated to the State Park Service. The funds carried forward must be used for the same purpose.

49.19. DELETED

49.20. RESERVED

49.21. DELETED

49.22. RESERVED

49.23. DELETED

49.24. (PRT: Local Film Carry Forward) (A) Any unexpended funds authorized or appropriated to the Department of Parks, Recreation and Tourism for the South Carolina Film Commission may be carried forward. For Fiscal Year 2025-26, up to two million dollars of these carried forward funds shall be used to create a pilot program whereby:

(B) An entity may apply to receive a state rebate with a project budget of a minimum of \$250,000 and maximum of \$999,999. Organizations certifying the satisfaction of the following requirements may receive a state rebate for 25% of all production costs, including wages and supplies, after a cumulative audit from the South Carolina Department of Revenue and the South Carolina Film Commission. The requirements are as follows:

(1) producer must be registered with both the South Carolina Secretary of State and the South Carolina Department of Revenue;

(2) producer must be a primary resident of South Carolina with a minimum of two years of residency in this State;

(3) all production activity must be physically in South Carolina;

(4) all producers' personal and corporate income taxes must be current;

(5)(i) applicant must disclose the fiduciarily responsible parties with existing production;

(ii) the production funds must be in a separate account and be used exclusively for the production;

(6) production must have full funding prior to producing; and

(7) production must include a five-second long static or animated official FilmSC logo in the end credits before the below-the-line crew

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crawl for the life of the project and a link to filmsc.com on the production's web page.

(C) Upon application approval, production-based activity must begin within 60 calendar days. Once an application is approved by the South Carolina Film Commission, the project must be completed and funds expended within three years of the approval date. The final rebate will be distributed to the production company on record.

49.25. DELETED

49.26. (PRT: Calhoun Falls State Park Marina) Of the funds appropriated or carried forward in prior fiscal years for Calhoun Falls State Park, the Department of Parks, Recreation and Tourism is directed to utilize these funds to initiate construction of the marina during the current fiscal year.

49.27. (PRT: Pine Island State Park Access) *Of the funds appropriated to the Department of Parks, Recreation and Tourism, the department shall restrict public access of Pine Island State Park to scheduled visitors only. All visitors must have confirmed appointments, and such appointments shall be staggered to prevent overcrowding and ensure safety of the surrounding area.*

49.28. (PRT: Sports Marketing – Motorsports Entertainment Complex) For the current fiscal year, of the funds appropriated for Sports Marketing, \$2,000,000 shall be allocated for the marketing and promotion of a motorsports entertainment complex, as defined in Section 12-21-2425, that hosts more than one National Association for Stock Car Auto Racing national touring race in this State.

SECTION 50 - P320 - 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

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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 the Senate, the Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

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

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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 the current fiscal year 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	\$660,000;
(6) Economic Development Partnership	\$450,000;
(7) Southern Carolina Alliance	\$600,000;

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

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proviso may be used for routine operating costs of the organization as defined by the Department of Commerce.

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. Fund recipients shall also provide electronic copies of the annual report to the General Assembly by November first. The Department of Commerce shall post these reports on their website.

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. (CMRC: SC Manufacturing 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.

50.15. (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 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.

50.16. (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

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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.

50.17. (CMRC: Grant Funds Carry Forward) The Department of Commerce may carry forward any unexpended balance on June thirtieth of the prior fiscal year of grant funds appropriated and/or authorized for Innovation, Research/Applied Research Centers, SCOPE, and LocateSC and expend such funds in the current fiscal year for the same purpose.

50.18. (CMRC: Funding for Rail Infrastructure) Of the funds authorized for the Coordinating Council for Economic Development under Section 12-10-85 (B), the Secretary of Commerce may utilize these funds toward state-owned rail infrastructure projects.

50.19. (CMRC: Development - Funding for Rural Infrastructure) There is established within the Department of Commerce the Rural School District and Economic Development Closing Fund.

(A) The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that contain a school district that has been defined by the Department of Education as having a poverty rate greater than or equal to 86%.

(B) The Secretary of Commerce shall use the fund to facilitate economic development and infrastructure improvements in counties that meet each of the following criteria: (1) one of the top twelve counties in South Carolina with the highest population decline (by percentage) since 2010; (2) one of the top twelve counties with the highest average unemployment rate for 2018; and (3) according to the US Census 2017 - a county with a poverty rate in excess of twenty percent. Funds are to be used on, but not limited to, economic development projects, water and sewer infrastructure, and school building infrastructure. Once a project is committed, the funds may be utilized to finish that specified project, even if the county does not remain an eligible county in subsequent years. This plan must be reviewed by the Joint Bond Review Committee before these funds may be expended. Of the funds transferred to the fund, up to \$15,000,000 may be used in any county that is contiguous to an eligible county as long as that contiguous county has one county-wide consolidated public school district. Any unexpended funds at the end of the fiscal year shall be carried forward

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and expended in the current fiscal year by the Department of Commerce for the same purposes.

50.20. (CMRC: Coordinating Council Membership) For the current fiscal year, the Chairman of the Senate Finance Committee, or his designee, and the Chairman of the House Ways and Means Committee, or his designee, shall be included in the membership of the SC Coordinating Council for Economic Development and shall have the same rights and guidelines as pertains to the existing members of the council.

50.21. (CMRC: Strategic Economic Development Fund) In the current fiscal year, there is established, within the Department of Commerce, the Strategic Economic Development Fund for the purpose of funding projects that are essential to the State's ongoing and future economic development success. The Secretary of Commerce shall identify and recommend potential projects for review and comment by the Joint Bond Review Committee before any funds may be awarded or expended. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year by the Department of Commerce for the same purposes.

50.22. (CMRC: Emergency Services Pilot) There is established a pilot program within the Department of Commerce named the Public/Private Partnerships - Emergency Services Fund for the purpose of funding projects that increase a local government's emergency services capacity and capability. Every project must involve investment and participation by both private companies and local governments in order to be eligible for funding. The Department of Commerce will provide an annual update by January 15 of each year to the Chairmen of the Senate Finance Committee and House Ways and Means Committee until all funds are expended. Any unexpended funds at the end of the fiscal year shall be carried forward and expended in the current fiscal year for the same purposes.

50.23. (CMRC: Job Development Tax Credit Program) The state agencies responsible for management, reporting, approving, and auditing the Jobs Development Tax Credit program may increase fees charged to companies within the program as necessary to cover the operation expenses of the program. These fees would be included in each agency's Fines and Fees Annual Report.

50.24. (CMRC: SC Nexus Carry Forward) The Department of Commerce may carry forward unexpended funds from the prior fiscal

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year of allocation/grant funds appropriated and/or authorized for SC Nexus into the current fiscal year for the same purpose.

50.25. (CMRC: Sustainable Aviation Fuel Production) In Fiscal Year 2024-2025, from the funds appropriated to the Department of Commerce, up to \$250,000 shall be expended to partner with a public research institution located in this State to conduct a study to determine the viability of sustainable aviation fuel production (SAF) in South Carolina. The study must include, but is not limited to:

- (1) identification of the leading pathways for supplying SAF at scale and what infrastructure does South Carolina need to put in place to ensure a supply of SAF to both commercial and military facilities;
- (2) identification of the sources of raw materials for biofuel within South Carolina;
- (3) the economic potential for South Carolina to capture some of the production market for SAF, including the potential to create new jobs;
- (4) the range for production costs;
- (5) identification of the current processes currently available to produce biofuel;
- (6) identification of any state led or federal initiatives and how they may apply to the implementation of a similar, scalable program in South Carolina;
- (7) identification of the lifecycle cost of inputs (feedstock, fossil fuel, energy costs of production) for the production of biofuel;
- (8) identification of price points for both the producer and end user defined by current and future markets;
- (9) identification of the current production capacity and any useable facilities that may be re-purposed or scaled to meet potential demand for biofuel;
- (10) identification of air transport industry initiatives for use and demand for biofuel;
- (11) identification of what risk reduction measures or financial support mechanisms that are available from the federal government;
- (12) identification of any barriers to entry, such as policy or regulatory constraints;
- (13) identification of the capability of the fuel handling companies for storage of biofuel and the capacity in the existing transport systems; and
- (14) identification of downside risks.

50.26. DELETED

SECTION 50 - P320 - DEPARTMENT OF COMMERCE**50.27. DELETED****50.28. DELETED****SECTION 52 - P360 – 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 - P400 - S.C. CONSERVATION BANK

53.1. (CB: Trust Program Carry Forward) The Conservation Bank may carry forward any unexpended funds allocated to the Conservation Bank Trust Program from the prior fiscal year into the current fiscal year to be used for the same purpose.

53.2. (CB: General Fund Carry Forward) Of the funds appropriated in the prior fiscal year to the Conservation Bank for administration, unexpended funds may be carried forward to the current fiscal year and expended for the same purposes.

**SECTION 54 - P450 - 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. (RIA: Carry Forward - Local Government Assistance) The Rural Infrastructure Authority may carry forward from prior fiscal years into the current fiscal year funds appropriated for the purpose of providing financial assistance and for matching federal funds for

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INFRASTRUCTURE AUTHORITY

financial assistance to local governments with water, wastewater, and sewer projects.

54.3. (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.

54.4. (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.

54.5. (RIA: Statewide Water and Sewer Fund) The Rural Infrastructure Authority shall use the funds allocated for the Statewide Water and Sewer Fund to assist qualified infrastructure projects not eligible for the Rural Infrastructure Fund. The authority shall utilize the same procedures and guidelines established for the Rural Infrastructure Fund to select qualified projects for the Statewide Water and Sewer Fund. The authority may carry forward from the prior fiscal year into the current fiscal year funds appropriated to the Statewide Water and Sewer Fund.

54.6. (RIA: Carry Forward - Planning and Technical Assistance Funds) The Rural Infrastructure Authority may carry forward unexpended funds appropriated for Planning and Technical Assistance - Small & Rural Utilities from the prior fiscal year into the current fiscal year to be used for the same purpose.

SECTION 55 – P500 - DEPARTMENT OF
ENVIRONMENTAL SERVICES

55.1. (DES: Infectious Waste Contingency Fund) The Department of Environmental Services 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.

55.2. (DES: Spoil Easement Areas Revenue) The department is authorized to collect, retain and expend funds received from the sale of

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ENVIRONMENTAL SERVICES**

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.

55.3. (DES: Permitted Site Fund) The Department of Environmental Services 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.

55.4. (DES: Shift Increased Funds) The director is authorized to shift increased appropriated funds in this act to offset shortfalls in other critical program areas.

55.5. (DES: 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.

55.6. (DES: 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.

55.7. (DES: Storm Water and Ocean Outfalls) In the current fiscal year, funds appropriated to the department for Ocean Outfalls shall be distributed equally to the City of Myrtle Beach and the City of North Myrtle Beach for the purpose of storm water drainage and ocean outfall construction and repair as state matching funds for Horry County Ocean Water Quality Outfall Initiatives. The department shall be authorized to retain and carry forward these funds into the current fiscal year to be used for the same purpose. Any interest generated by the account must be retained and deposited into this account, to be used as state matching funds for either local or federal funding, and utilized for Ocean Water Quality Outfall Initiatives in Horry County.

55.8. (DES: Reimbursement of Expenditures) The Department of Environmental Services is authorized to collect, expend, retain, and carry forward for general operating purposes all funds received in the current fiscal year as reimbursement of expenditures incurred in the current or prior fiscal year.

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ENVIRONMENTAL SERVICES**

55.9. (DES: Organizations Receiving State Appropriations) Notwithstanding any other provisions of this act, the funds appropriated to the Department of Environmental Services for the allocation/contribution of specific amounts of state aid to organizations, programs, special items, or activities shall be distributed as appropriated 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 reduce these items up to the stipulated percentage.

55.10. (DES: Pollutants Remediation Fund) (A) Of the funds appropriated for PFAS Remediation, there is established within the Department of Environmental Services the PFOS, PFOA, and Emerging Pollutants Remediation Fund which shall be held and administered by the department for the purpose of remediating drinking water perfluorooctanesulfonic acid (PFOS) pollution, perfluorooctanoic acid (PFOA) pollution, cyanobacteria (blue-green algae), and pollution from other emerging contaminants of concern to the department, currently identified or later identified at or above the EPA Health Advisory Limit or EPA Maximum Containment Level. Earnings on balances in the fund shall be credited to the fund. Amounts remaining in the fund at the end of the fiscal year accrue only to the credit of the fund, and the fund shall be available in perpetuity for the purpose of remediating PFOS, PFOA, and other emerging contaminants.

(B) At least sixty percent of the funds shall be made available to private well owners and municipal, county, joint, or otherwise small public drinking water systems in the form of forgivable loans or grants. Up to forty percent of the funds shall be made available to municipal, county, joint, or otherwise public drinking water systems serving more than thirty thousand customers, in the form of forgivable loans or grants.

(C) Forgivable loans or grants may be disbursed from the fund for the purposes of:

(1) facilitating drinking water improvements that prevent exposure to PFOA and PFOS through drinking water if the combined concentrations of PFOA and PFOS are at or above the EPA Health Advisory Limit of 70 parts per trillion or an updated health advisory or Maximum Contaminant Level issued by EPA;

(2) facilitating drinking water improvements that prevent exposure to PFOA and PFOS through drinking water if a regulated water utility demonstrates evidence of a known source and the presence of PFOA or PFOS, and a department-approved risk assessment indicating

**SECTION 55 – P500 - DEPARTMENT OF
ENVIRONMENTAL SERVICES**

the potential to adversely affect public health in the future, regardless of if the current combined concentrations are at or above the EPA Health Advisory Limit of 70 parts per trillion;

(3) facilitating drinking water improvements that prevent exposure to Cyanobacteria to include, but not be limited to, Microcystis, Lyngbya, Dolichospermum, and Planktothrix at or above EPA drinking water health advisories;

(4) facilitating drinking water improvements that prevent exposure to other emerging contaminants of concern to the department through drinking water if these concentrations of these contaminants exceed an EPA Health Advisory Limit or an EPA Maximum Contaminant Level; or

(5) facilitating drinking water improvements that prevent exposure to other emerging contaminants of concern to the department through drinking water if a regulated water utility demonstrates evidence of a known source and the presence of the contaminants, and a department-approved risk assessment indicating the potential to adversely affect public health in the future, regardless of if the current concentrations are at or above the EPA Health Advisory Limit or EPA Maximum Contaminant Level.

(D) For purposes of this provision, “facilitate drinking water improvements” means providing for the construction or improvements to drinking water supply, storage, treatment, and distribution facilities and associated costs, as determined in consultation between the department, water provider, and the well owner as the most reasonable, that are necessary to:

(1) change water sources including, but not limited to, connecting a private well to public water system or regionalization efforts that facilitate the merger of one or more drinking water systems to a source with no PFOS and PFOA or with lower combined concentrations of PFOS and PFOA; or

(2) treat drinking water, including the utilization of point-of-use or point-of-entry drinking water treatment or filtration systems that are certified by a third-party certification body as compliant with NSF/ANSI standards to remove or significantly reduce concentrations of perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and other emerging contaminants of concern that meet or exceed the maximum contaminant level (MCL) as set forth by a national primary drinking water regulation proposed by the EPA.

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ENVIRONMENTAL SERVICES**

(E) Additional funds may be deposited into the fund, which may include:

- (1) funds appropriated by the General Assembly;
- (2) private grants, gifts, and bequests;
- (3) contributions to the fund in satisfaction of any public or private obligation for environmental mitigation or remediation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding;
- (4) net proceeds of bonds issued by the department; and
- (5) interest or other income earned on the monies in the fund.

(F) The department may use up to \$2,000,000 from the fund for implementation of its PFAS strategy and for staffing or other costs associated with the administration of the fund.

55.11. (DES: Poultry Manure Application) DES may not expend any funds in the current fiscal year to enforce any portion of a regulation that limits a facility that utilizes poultry manure and other animal by-products and does not allow up to at least seventy-two hours to incorporate the by-product after land application.

55.12. (DES: Deferred Maintenance, Capital Project, Ordinary Repair and Maintenance) The Department Environmental Services is authorized to establish an interest-bearing fund with the State Treasurer to deposit funds for deferred maintenance and other one-time funds from any source. The department is also authorized to retain and deposit into the fund proceeds from the sale of excess real property owned by, under the control of, or assigned to the department. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital project, 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.

55.13. (DES: Radiological Health Monetary Penalties) The department 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 the radiological health programs in DES. These funds shall be separately accounted for in the department's fiscal records.

55.14. (DES: Water Recreational Resources Fund Transfer) For the current fiscal year, notwithstanding the provisions of Section 12-28-2730(D), the Department of Natural Resources shall transfer the amount

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ENVIRONMENTAL SERVICES**

calculated for the Aquatics Nuisance Species Program from the special water recreational resources fund to the Department of Environmental Services to fund the hydrology and aquatics nuisance species programs transferred to and devolved upon the Department of Environmental Services pursuant to Act 60 of 2023.

55.15. (DES: Data Center Migration) Of the funds appropriated to the Department of Environmental Services for Data Center Migration, the department must utilize the Department of Administration, Division of Technology Operations for shared services including, but not limited to, mainframe services, application hosting, servers, managed servers, storage, network services, and disaster recovery services. Unexpended funds appropriated for the data center migration may be carried forward from the prior fiscal year and used for the same purpose.

55.16. (DES: Allocation of Indirect Cost and Recovery) The department shall continue to deposit in the general fund all indirect cost recoveries for the department's portion of the Statewide Central Services Cost Allocation Plan (SWCAP). The department shall retain recoveries in excess of the SWCAP amount to support the remaining administrative costs of the agency.

55.17. (DES: Grant Authority) The department is authorized to make grants to nonprofit organizations and governmental entities to further the objectives of its environmental 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 grants and to assure fairness and accountability in the award and administration of these grants. The department shall be guided by the definitions of "grant" and "procurement" in the South Carolina Procurement Code and the principles of the Federal Grant and Cooperative Agreement Act, 33 U.S.C. 6301-6308, in determining whether an expenditure of funds will be in the form of a grant or a procurement.

55.18. (DES: Revenue Carry Forward Authorization) The Department of Environmental Services is hereby authorized to collect, expend, and carry forward revenues in the following programs: Sale of Goods (confiscated goods, arm patches, sale of minerals, etc.), 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, sale of listings and labels, sale of State Code

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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-DES employees. Any unexpended balance carried forward must be used for the same purpose.

55.19. (DES: Dam Safety Emergency Fund) The Dam Safety Emergency Fund shall be utilized for emergency actions to protect life or property under Section 49-11-190(D). The department shall deposit up to \$250,000 of appropriated funds into the fund at the beginning of each fiscal year. Fund balances shall be carried forward from each prior fiscal year into the current fiscal year and used for the same purpose. Expenses recovered from dam owners under Section 49 -11-190(D) shall be deposited into the fund.

55.20. (DES: Innovative Reusable Byproduct Pilot Program) (A) Of the funds appropriated to the Department of Environmental Service, the department shall create the Innovative Reusable Byproduct Pilot Program. The purpose of the program is to determine whether innovations in manufacturing, food production, timber, and other similar industries regulated by the department can provide new opportunities to use byproduct which would otherwise require management as solid waste. The program shall not apply to: (1) hazardous waste; (2) infectious waste; (3) radioactive waste; or (4) refuse as defined and regulated pursuant to the South Carolina Mining Act.

(B) Interested parties may apply to be considered for participation in the pilot program, but no more than five applicants can be selected for participation at any one time. The terms and conditions for participation by the projects selected by the department shall be set forth in a written agreement which shall provide, at a minimum, that a selected project must cease to operate if it is having a significant adverse impact on the environment.

(C) The department shall submit a report on the program to the General Assembly annually no later than June 30. This report shall include any legislative recommendations to provide for the use of reusable byproducts.

55.21. (DES: Dam Repair Assistance) Of the funds appropriated for system upgrades, there is established within the Department of Environmental Services a Dam Repair Assistance Grant Program. The funds shall be utilized for cost-sharing grants to correct dam deficiencies

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identified by the Department for high and significant hazard dams regulated under the Dams and Reservoir Safety Act. A grant of up to seventy-five percent (75%) of the total cost to correct the dam deficiency identified by the department may be provided. Funds may also be used by the department to administer and manage the grant program. System upgrades funds shall be carried forward and expended for the same purpose. The department shall maintain policies, criteria, and guidance for the grant program on the department's website.

55.22. RESERVED**55.23. RESERVED**

55.24. (DES: York Water Filtration Fund) Funds remaining of the \$700,000 appropriated in Act 239 of 2022, Proviso 118.19 (B)(83)(h) to the Department of Health and Environmental Control for the York Water Filtration Plant shall be transferred and used for the Lincoln Road Sidewalk Project.

55.25. (DES: PFAS Pilot Program) There is established within the Department of Environmental Services the PFAS Removal Evaluation Fund. The Department of Environmental Services shall use the fund to create and implement the PFAS Removal Evaluation Pilot Program. The purpose of the pilot program is to evaluate and facilitate the implementation of emerging technologies to remove PFAS compounds from industrial wastewater. The department will establish the selection criteria, terms, and conditions for participation in the pilot program. A progress report on the viability of the piloted technologies and their effectiveness in PFAS removal shall be submitted to the General Assembly no later than June 30, 2026.

55.26. (DES: Permitting Timeframes) Except for Energy Infrastructure Projects, which are defined as the construction, placement, authorization, or removal of energy infrastructure including, but not limited to, electric transmission and generation assets, natural gas transmission assets, and all associated or appurtenant infrastructure and activities, including communications and distribution infrastructure, the Department of Environmental Services will issue a decision on a completed application for a permit no later than ninety days after the date the application is received by the department. The department may require a preapplication meeting with the applicant to establish milestones within the review period prior to commencing the ninety-day review period. The department and applicant may mutually agree in writing to extend the ninety-day review period. Such agreement shall be

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in writing and state a specific date on when the extension will end. The department shall not stop, stay, or otherwise alter the review period without such written agreement with the applicant.

SECTION 57 - B040 - JUDICIAL DEPARTMENT

57.1. (JUD: Prohibit County Salary Supplements) County salary supplements of Judicial Department personnel shall be prohibited.

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: 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 one thousand five hundred dollars per month as expense allowance.

57.4. (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.

57.5. (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.

57.6. (JUD: Supreme Court Bar Admissions) Any funds collected from the Supreme Court Bar Admissions Office 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.

57.7. (JUD: Travel Reimbursement) State employees of the Judicial Department traveling on official state business must be reimbursed in accordance with Proviso 117.20(J) of this act.

57.8. (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

SECTION 57 - B040 - JUDICIAL DEPARTMENT

shall be determined under such guidelines as may be established by the Chief Justice of the Supreme Court.

57.9. (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.

57.10. (JUD: Surplus Property Disposal) Technology equipment that has been declared surplus may be donated directly to counties for use in court-related activities.

57.11. (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.

57.12. (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.

57.13. (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; and
- (8) procedures and other matters relating to issuing orders of protection from domestic violence.

57.14. (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.

SECTION 57 - B040 - JUDICIAL DEPARTMENT

57.15. (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.

57.16. (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.

57.17. (JUD: Appellate Court Fee) The Judicial Department shall retain the funds collected as required by the SC Appellate Court Rules. The department is authorized to receive, expend, retain, and carry forward these funds which shall be used by the department.

57.18. (JUD: Interpreter Training and Certification) The Judicial Department shall collect and retain funds received from applicants for interpreter training and certification tests. These funds shall be used to offset expenses incurred for the SC Court Interpreter Certification Program. The department is authorized to receive, expend, retain, and carry forward these funds.

57.19. DELETED

57.20. (JUD: Travel Court) Upon approval of the Chief Justice, Supreme Court Justices and Judges of the Court of Appeals or any acting Justice on the Supreme Court or acting Judge of the Court of Appeals may be reimbursed for actual expenses incurred for a traveling term of court held outside of Richland County.

57.21. (JUD: Calhoun and Supreme Court Building Office Space Renovations) Funds appropriated in Act 239 of 2022, Section 118.19(48) to the Judicial Department for the Court of Appeals New Courtroom and Office Space shall be redirected to be used to renovate office space located in the Calhoun Building and Supreme Court Building.

57.22. DELETED

SECTION 57 - B040 - JUDICIAL DEPARTMENT

57.23. (JUD: Administrative Expense for Retired Judges) Upon approval of the Chief Justice, a retired judge or justice appointed by the Chief Justice to perform judicial duties shall receive \$400 per day.

57.24. (JUD: Chief Administrative Judge Allowance) Each Chief Administrative Judge assigned to Circuit and Family Courts shall receive one thousand dollars per month as an administrative allowance.

57.25. DELETED

SECTION 58 - C050 - 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.

58.4. (ALC: Office Space for Hearing Officers) Every county and municipality shall provide a space to conduct administrative hearings for the Office of Motor Vehicle Hearings upon request by the Chief Judge of the ALC. This space shall be within their existing physical facilities and include all utilities.

SECTION 59 - E200 - OFFICE OF ATTORNEY GENERAL

59.1. (AG: Prior Year Expenditures) The Office of 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 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) Funds collected by the Office of the Attorney General pursuant to Section 35-1-702(b) may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose. All funds collected pursuant to Section 35-1-702 and not specifically directed in statute 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, the State, or other state agency during the current fiscal year for any proposed or existing federal project on the Savannah River related to construction in navigable waters or water quality. 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 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

SECTION 59 - E200 - OFFICE OF ATTORNEY GENERAL

“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 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.

59.10. (AG: Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims’ Compensation Fund exceed the amount required to operate the State Crime Victim Compensation Department 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 Proviso 60.8.

59.11. (AG: Physical Abuse Examinations) Of the funds appropriated in this section for Victims’ Rights, up to \$120,000 may be expended for physical abuse examinations.

59.12. (AG: 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 Crime Victim Compensation Department 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 Attorney General’s Office 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

SECTION 59 - E200 - OFFICE OF ATTORNEY GENERAL

funds from Victim's Assistance to pay for any contracts or services procured.

59.13. (AG: State Crime Victim Compensation Department) For the current fiscal year, The State Crime Victim Compensation Department 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 Crime Victim Compensation Department shall report to the Governor, the Chairman of the 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.

59.14. (AG: State Crime Victim Compensation) A county or municipality may retain carry forward funds that were collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) of the 1976 Code, but no more than \$25,000 or ten percent of funds collected in the prior fiscal year, whichever is higher. If a county or municipality does not spend at least ninety percent of the funds collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) on Article 16, Chapter 3, Title 16 first priority and/or second priority programs during the fiscal year that the funds are received then the county or municipality shall remit any unspent funds that are greater than the allowed carried forward funds, regardless of the year collected, to the State Victim Assistance Program (SVAP) with the Office of the Attorney General within 120 days after the end of the fiscal year. All funds must be accounted for in the annual audit for each county or municipality.

The State Crime Victim Compensation Department shall offer training and technical assistance to each municipality and county annually on acceptable use of both priority one and priority two funds and funds available for competitive bid.

The State Crime Victim Compensation Department is authorized to transfer to the State Victim Assistance Program any state funds deemed available under Crime Victims Compensation authority to the State Victim Assistance Programs be placed in the competitive bid process.

The State Victim Assistance Program shall offer any funds remitted to it to non-profit organizations that provide direct victim services on a

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competitive bid process. These funds may be used by the non-profit for administrative costs and victim services.

A county or municipality may be exempt from the remittance requirements of this proviso upon submission of a plan to the State Crime Victim Compensation Department that meets the statutory requirements for the use of funds. A county or municipality must submit the report within 60 days after the end of the fiscal year. The State Crime Victim Compensation Department shall review the submitted plan and advise the county or municipality of plan compliance with statutory requirements.

59.15. (AG: Crime Victim Services Funeral and Burial Compensation) The Department of Crime Victim Compensation shall set a funeral and burial compensation maximum of \$6,500.

59.16. (AG: Attorney General Representation) In the current fiscal year, when the Attorney General institutes or defends an action on behalf of the State of South Carolina pursuant to any power granted by the common law, the Constitution of South Carolina, 1895, or the South Carolina Code of Laws, he acts in the public interest of the State of South Carolina and not as the legal representative or attorney of any department or agency of state government, including the executive, legislative, or judicial branches, or boards. Departments, agencies, or boards are not parties to these actions, and the documents or electronically-stored information of such departments, agencies, or boards are not in the possession, custody, or control of the Attorney General. This provision does not affect the ability of the Attorney General to institute or defend an action in a proprietary capacity on behalf of or representing any department, agency, or board. Unless the Attorney General institutes actions for damages in the name of and on behalf of a department, state agency, or board, the Attorney General acts in the public interest of South Carolina as provided in this provision.

59.17. (AG: ICAC Affiliate Counseling and Spousal Support Group) From funds appropriated, the South Carolina Attorney General's Office (SCAGO) is authorized to provide private monthly counseling sessions with a clinically licensed mental health professional for the law enforcement and prosecution staff trained by the SCAGO and affiliated with the SC Internet Crimes Against Children (ICAC) Task Force, and to provide four annual group counseling sessions for the spouses of the ICAC Task Force members.

**SECTION 60 - E210 – COMMISSION ON PROSECUTION
COORDINATION**

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 one thousand dollars (\$1,000.00) 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 \$7,632,961 shall be distributed on a per capita basis based upon the current official census. The next \$2,919,041 shall be distributed on a pro-rata basis. Payment shall be made as soon after the beginning of each quarter as practical.

60.4.(PCC: Carry Forward) Any unexpended balance on June thirtieth of the prior fiscal year may be carried forward into the current fiscal year and expended for the operation of the Commission on Prosecution Coordination or the Offices of the Solicitor 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 Commission on Prosecution Coordination shall collect and retain information and data regarding Criminal

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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.

(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

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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 Commission on Prosecution Coordination 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 apportioned pro rata among the circuits. Payment shall be made as soon after the beginning of each quarter as practical.

60.11. (PCC: Caseload Equalization Funding) The amount appropriated in this act and authorized for Caseload Equalization will have the first \$10,350,000 distributed at an amount of \$225,000 per county. The remaining \$12,006,872 shall be distributed based upon the average incoming caseload for each county as reported by the Judicial Department for the prior three fiscal years.

60.12. (PCC: Summary Court Domestic Violence Fund Distribution) The Summary Court Domestic Violence Prosecution funding shall be distributed based on the average incoming caseload for each county as reported by the South Carolina Judicial Department for the prior three fiscal years.

60.13. (PCC: Drug Court Funding) The funds appropriated to the Commission on Prosecution Coordination for drug court funding and distributed to the Offices of Solicitor shall be used for the purpose of operating drug courts and other diversion programs.

SECTION 61 - E230 – COMMISSION ON INDIGENT DEFENSE

61.1. (INDEF: Defense of Indigents Formula) The amount appropriated in this act for “Defense of Indigents” shall have the first \$3,600,000 distributed as follows: \$1,200,000 shall be distributed in the amount of \$75,000 per circuit for 1.00 Public Defender and \$2,400,000 shall be distributed in the amount of \$150,000 per circuit for 2.00

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investigators; the remaining amount appropriated 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, 2020. 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 authorize the Commission on Indigent Defense to receive up to or spend no more than \$3,000,000 for the Death Penalty Trial Fund annually for use of the defense in capital cases pursuant to Section 16-3-26 of the 1976 Code, for juveniles facing the possibility of a sentence of life without parole, 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 authorize the Commission on Indigent Defense to receive up to or spend no more than \$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), 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 thirty-five percent 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 for the same purposes. 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 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

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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 Proviso 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 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

SECTION 61 - E230 – COMMISSION ON INDIGENT DEFENSE

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 Sections 63-7-1620 et seq., 63-7-2560 et seq., 63-9-320(A)(2) et seq., 63-19-810 et seq., and 63-19-2210 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 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

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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 on 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.

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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 and other professionals to assist court appointed attorneys to provide quality and effective representation. 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.

61.5. (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 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

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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 State Treasurer's Office on a monthly basis separate from the application fee collected pursuant to Section 17-3-30(B). 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 Corporation in accordance with Section 14-1-204 of the 1976 Code shall

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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: 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. The commission may use these funds to retain, on a contractual basis, the services of other professionals to assist court appointed attorneys to provide quality and effective representation in the above capital proceedings.

61.11. (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.

61.12. (INDEF: Indigent Sex Offender Registry Removal Cases) The funding appropriated under SC Appellate Court Rule 608 Appointments shall be used for Sex Offender Registry Removal actions to include court ordered investigative, expert, or other services necessary for representation by public defenders or other private appointed counsel.

Any private 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

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determined by the Commission on Indigent Defense. Attorney fees shall not exceed three thousand five hundred dollars.

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.

The Commission on Indigent Defense may retain, on a contractual basis, the services of attorneys and other professionals to assist court appointed attorneys to provide quality and effective representation in these cases.

61.13. (INDEF: Assistant Public Defender Personnel and Retention Funding) The \$11,200,733 appropriated shall be distributed as follows: \$5,746,944 shall be distributed in the amount of \$359,184 per circuit for 3.00 Public Defenders; and the remaining amount of \$5,453,789 shall be apportioned on a per capita basis and based upon the most current official decennial census of the United States.

SECTION 62 - D100 - 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

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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, Section 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 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

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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 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

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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 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

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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 agency law enforcement operations 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 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

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Safety Coordinating Council pursuant to Section 23-6-520(2) of the 1976 Code.

62.23. (SLED: Human Trafficking) The State Law Enforcement Division is authorized to receive grant funding for the purposes of hiring human trafficking agents.

62.24. (SLED: CWP Program Carry Forward) The department shall carry forward any unexpended funds that were appropriated or authorized for the purpose of the statewide concealed weapon permit program into the current fiscal year to be expended for the same purposes.

62.25. (SLED: PTSD Treatment Program) Coroners and deputy coroners, as defined in Section 17-5-5, shall be eligible for the PTSD treatment program administered through the State Law Enforcement Division and the South Carolina Law Enforcement Assistant Program.

62.26. (SLED: Executive Protection Unit) (A) Of the funds appropriated in Part 1A, Section 63, State Law Enforcement Division (SLED), for Counter-Terrorism, SLED is authorized to maintain an Executive Protection Unit and shall employ personnel to provide protective services and security to the Governor, the Governor's immediate family, the Lieutenant Governor, the Governor-elect, the Governor-elect's immediate family, and the Lieutenant Governor-elect.

(B) Upon request and subject to the approval of the Chief of SLED, based on a demonstrable need or a specifically identified threat to the individual to be protected, SLED is further authorized to utilize the funds appropriated to provide protective services for, or to support existing security details assigned to, current or former public officials or employees of this State or of the United States, visiting Governors from other states and their immediate families, visiting legislative leadership from other states, and officials or dignitaries of the governments of foreign countries who are visiting this State.

(C) The Department of Public Safety and the Department of Natural Resources are authorized to designate or assign appropriate personnel, equipment, funds, or other resources to support the provision of protective services authorized herein as requested by and in consultation with the Chief of SLED. If SLED requests the assistance of other law enforcement agencies in the State of South Carolina, those officers are authorized to provide such assistance as may be requested by the Chief of SLED.

(D) Law enforcement officers assigned to any security detail or who provide the protective services authorized herein shall only perform

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services related to the provision of security to the executives and shall not provide any unrelated law enforcement action during the assignment absent specific directive from the Chief of SLED to address an identified threat to the public, which shall only be considered after all executives have been safeguarded.

SECTION 63 - K050 – 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: 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.

63.4. (DPS: SC Law Enforcement Officers Hall of Fame Scholarships/Donations) 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

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expended for the same purpose. Funds received and designated for scholarships shall not be used for any other purpose.

The department shall also be authorized to receive and expend funds including any donations, contributions, grants, or gifts from private individuals, foundations, agencies, corporations, or the state or federal government, for the purpose of carrying out the programs and objectives of the South Carolina Law Enforcement Officers Hall of Fame. The department shall be authorized to retain, expend, and carry forward unexpended funds received for the South Carolina Law Enforcement Officers Hall of Fame and utilize those funds for the same purposes in the current fiscal year.

63.5. (DPS: Body Cameras) The Department of Public Safety is authorized to retain and carry forward unexpended funds associated with body cameras from the prior fiscal year into the current fiscal year and expend those funds for the same purpose.

63.6. (DPS: Overtime Pay) For the current fiscal year, the department is authorized and required to pay current non-exempt law enforcement officers by October 1st for any compensatory time earned and not used in the prior fiscal year. The funds for this compensation must be provided from available personal services, appropriated overtime funding, and/or employer contributions funds carried forward from the prior fiscal year. If the amount of carried forward funds is not sufficient to pay all the non-exempt law enforcement officers accrued compensatory time, the department shall pay the officers on a percentage distribution based on the hours owed per officer up to the total amount that the department has carried forward.

63.7. (DPS: In-Car Camera Funding) For the current fiscal year, from funds appropriated to and/or authorized for the Department of Public Safety, there is maintained within the department an “In-Car Video Camera Fund” for the purpose of assisting law enforcement agencies in purchasing and maintaining in-car video cameras and ongoing costs related to the maintenance and storage of data recorded by in-car video cameras.

The Public Safety Coordinating Council shall oversee the fund and establish a process for the application for and disbursement of monies to law enforcement agencies. The council shall disburse the funds in a fair and equitable manner, taking into consideration the DUI enforcement activity of the law enforcement agencies, with priority given to those law enforcement agencies who prioritize DUI enforcement activity.

SECTION 63 - K050 – DEPARTMENT OF PUBLIC SAFETY

63.8. (DPS: School Safety Program) (A) Funds appropriated for the School Safety Program and School Resource Officers in this act shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts, including the South Carolina Public Charter School District and schools authorized by an institution of higher learning, that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility, the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay with districts of the lowest index of taxpaying ability receiving priority consideration. Districts, in collaboration with a local law enforcement agency of its choosing, must apply for funding through the department. In making awards the department shall provide funding directly to the local law enforcement agency, or private companies, as authorized, to pay for the cost of the law enforcement officer that shall serve as a full time school resource officer. Unexpended funds may be carried forward and expended for salaries, equipment, and training. School district superintendents shall provide to the department at the end of each quarter the number of full and part-time school resource officers that currently serve schools in their respective districts, regardless of the fund sources supporting those officers.

(B) Only school districts in Tier IV counties may be authorized by the department to use private companies to hire certified Class I law enforcement officers to serve as school resource officers.

(C) The Department of Education shall transfer any fund balance to the Department of Public Safety by August 15.

63.9. (DPS: Governor's Law Enforcement Officer of the Year Award) The Department of Public Safety shall establish an advisory committee to create an award nomination and recipient selection process for the Governor's Law Enforcement Officer of the Year Award. The advisory committee annually shall select a state law enforcement officer of the year, a county law enforcement officer of the year, and a municipal law enforcement officer of the year. Each winner shall be recognized by the Office of the Governor and also shall receive an award of \$10,000 to be distributed by the department. These awards shall not be subject to South Carolina income taxes.

**SECTION 64 -N200 - 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.

64.3. (LETC: CJA-Academy Store Revenue) The South Carolina Criminal Justice Academy revenues earned by retail operations shall be retained by the SCCJA to support operational costs. These funds may be carried forward from the prior fiscal year and must be used for the same purpose.

SECTION 65 - N040 - 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.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

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 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.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

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.

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

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

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 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 and is as determined by the Director of the Department of Corrections at Level II and Level III institutions:

- (1) Cadets;
- (2) Correctional Officers, including Class Code JD-30 (Officer I and II positions);
- (3) Corporals I and II;
- (4) Sergeants and Lieutenants;
- (5) Captains and Majors;
- (6) Nursing Staff;
- (7) Food Services Staff; and
- (8) Warden.

65.19. (CORR: Quota Elimination) Pursuant to Section 24-3-60, 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 Thursday, excluding holidays, and at the Camille Graham Correctional Institution to the hours of 8:00 a.m. to 1:00 p.m. on Thursdays and Fridays, excluding holidays.

By mutual agreement between the Department of Corrections and a local jail or detention center, the department may establish an alternate

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

admissions schedule for receiving inmates at the Reception and Evaluation Center.

At least one day prior to the date for transfer of the inmate to the department, the county shall provide the sentencing order, and copies of all available medical history and screening records, booking reports, and other documents required to assist the department in its intake processing. Counties that have not completed additional medical screenings at the time of transfer shall not be required to do so. Counties shall not be allowed to have an inmate admitted to the department until after the sentencing order and medical history and screening records in their possession are transferred to the department.

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.

65.22. (CORR: Executed Inmate Autopsy) For the current fiscal year, the autopsy requirements of Section 17-7-10 are suspended when an inmate is executed by the Department of Corrections pursuant to a valid order of the Supreme Court of South Carolina.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

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 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. 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) An inmate under the jurisdiction of the Department of Corrections is not permitted to possess a telecommunications device unless authorized by the Director. Therefore, 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 or for critical security needs. 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 or for critical security needs.

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

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 facilities. The provisions of Section 40-11-360(A)(9) 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.

65.29. (CORR: Video Bond Conferencing) In the current fiscal year, and from the funds appropriated to the Department of Corrections, the video conferencing bond system shall be used for all bond hearings for inmates incarcerated at facilities with video conferencing capabilities that are compatible with county video conferencing equipment, network, firewalls, etc. and charged with criminal offenses that require a bond hearing. The Department of Corrections shall not be responsible for recording any of these proceedings or for providing the counties with any equipment.

65.30. (CORR: Safety & Security) The Department of Corrections shall be authorized to carry forward into the current fiscal year the funds reimbursed to the agency pursuant to Section 3 of Act 154 of 2020. The amount shall not be included or part of any other authorized carry forward amount. Funds carried forward pursuant to this provision, in

SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS

addition to funds appropriated under the nonrecurring provision for security and maintenance funds to the Department of Corrections, shall be deposited into a separate and distinct fund known as the "Department of Corrections Security and Maintenance Reserve Fund." The department may expend these funds to meet the maintenance and security needs of the agency for critical repairs, deferred maintenance, renovations, security upgrades, and equipment which are directly related to the safety and security of the public, officers, employees, and inmates. Prior to the expenditure of these funds, the department shall develop a comprehensive security and maintenance plan which shall itemize the permanent improvement projects and equipment purchases needed to maintain the safety and security of the state's prison system. This plan shall be presented by September 30th of the current fiscal year to the Governor and the Joint Bond Review Committee for its favorable review and comment. Subsequent to the committee's review, the department shall be authorized to initiate the permanent improvement projects and equipment purchases included in the plan upon submitting the necessary documentation to the Executive Budget Office without further review by the committee. Any deviations from the plan shall be subject to further review and comment by the committee. The department shall provide a report to the Governor and Joint Bond Review Committee on its implementation of the comprehensive security and maintenance plan and its expenditures from the fund by September 30 of each fiscal year.

**SECTION 66 - N080 - 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

**SECTION 66 - N080 - DEPARTMENT OF PROBATION,
PAROLE AND PARDON SERVICES**

Compact Act. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

66.3. (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.

66.4. (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.

66.5. (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.

66.6. (DPPP: Reentry Transition Services) For Fiscal Year 2025-26, the Department of Probation, Parole and Pardon Services shall allocate up to \$500,000 of any fund balances, if available, for reentry transition services.

SECTION 67 - N120 - 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 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

SECTION 67 - N120 - DEPARTMENT OF JUVENILE JUSTICE

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 \$350,000 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, 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

SECTION 67 - N120 - DEPARTMENT OF JUVENILE JUSTICE

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.

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

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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: Raise the Age) The department must use carry forward funds to implement Act 268 of 2016 by contracting in the current fiscal year with local child-serving non-profit organizations and Judicial Circuit Solicitor's offices for community-based diversion and intervention services. The department shall give preference to multi-agency and organizational collaborations that include stakeholders from the Family Court, Department of Education, Public Defenders' Offices, the Department of Mental Health, the Department of Social Services, and community based non-profits that utilize best practices.

67.14. DELETED

67.15. (DJJ: Broad River Road Complex) Funds remaining of the \$4,000,000 appropriated in Act 102 of 2023, Item 118.19(51)(f) to the Department of Juvenile Justice for Project Management shall be redirected to be used for the Broad River Road Complex renovations.

67.16. (DJJ: Operations of Facilities) Of the funds appropriated in Part 1A, Section 67.II.C. Facilities Management, Other Operating Expenses, the Department of Juvenile Justice may contract for the

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operations of facilities. The department shall review and approve training programs required by service providers contracted to operate facilities.

67.17. (DJJ: Capital Expenditure Charge) Local governments utilizing the juvenile detention services provided by the Department of Juvenile Justice shall pay a capital expenditure charge of \$125 per day per child not to exceed 25 days to the department for new admissions after July 1, 2025, to cover capital expenditures and investments in the facilities that house such juveniles. This capital expenditure charge is in addition to the per diem charge of \$50 that offsets operating expenses. If full funding is not received from the local governments, then the remainder of the funds due shall be transferred to the department from the local government fund on behalf of such local governments. The transfer to the department on behalf of the local government shall be deemed to have been distributed to the local government.

SECTION 70 - L360 - 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 - L460 - 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.

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.

71.6. *(CMA: Division of Small and Minority Business Contracting and Certification) For the current fiscal year, the Division of Small and Minority Business Contracting and Certification (the Division) and the funds appropriated to the Division pursuant to Part 1A of this Act are transferred to the Commission for Minority Affairs. The Division shall continue to perform its duties and responsibilities required in Article 21, Chapter 35, Title 11 including, but not limited to, assisting the Department of Revenue in providing income tax credits for firms with state contracts that subcontract with minority firms pursuant to Section 11-35-5230(B). In addition to the authorized appropriations for the Division, the employees and the assets and liabilities of the Division are also transferred to and become part of the Commission for Minority Affairs for the current fiscal year. All classified or unclassified personnel transferred by this provision are to become employees of the Commission for Minority Affairs with the same compensation, classification, and grade level, as applicable, for*

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the duration that this provision remains in effect. Applicable regulations promulgated by or related to the Division are continued and are considered to be promulgated by the Commission for Minority Affairs. Applicable contracts entered into by or on behalf of the Division are continued and are considered to be devolved upon the Commission for Minority Affairs at the time of the transfer.

71.7. (CMA: Carry Forward of Small and Minority Business Contracting and Certification Budget) The Commission for Minority Affairs may carry forward any unexpended general fund balance or other funds from the prior fiscal year and expend those funds in the current fiscal year for expenditures related to the transfer of the Division of Small and Minority Business Contracting and Certification to it from the Department of Administration.

SECTION 72 - R040 - PUBLIC SERVICE COMMISSION

72.1. (PSC: Santee Cooper Funds Held by Public Service Commission) The balance of the funds transferred to the Public Service Commission by the Department of Administration, for the purpose of reforming Santee Cooper, shall remain available to the Public Service Commission for its continued reformation of Santee Cooper. The Public Service Commission is authorized to employ, through contract or otherwise, third-party consultants and experts in carrying out its duties for purposes of reforming Santee Cooper. The Public Service Commission is exempt from complying with the State Procurement Code in the selection and hiring of third-party consultants or experts authorized by this provision.

72.2. (PSC: South Carolina Integration Study) The Public Service Commission is authorized to initiate an independent study to evaluate the integration of renewable energy and emerging energy technology into the electric grid for the public interest pursuant to Section 58-37-60 of the 1976 Code. Prior to expending funds related to consultant engagement, the Public Service Commission will provide the Public Utilities Review Committee with justification for approval of expenditure. The results of the independent study shall be reported to Governor and the General Assembly.

72.3. (PSC: Santee Cooper Billing) The Public Service Commission is authorized, subject to the Public Utilities Review

SECTION 72 - R040 - PUBLIC SERVICE COMMISSION

Committee's approval of the commission's annual budget, to bill Santee Cooper for costs associated with its oversight of Santee Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision; provided such costs do not exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of revenues to the State by the amount paid to the commission for oversight costs under this provision. This reduction shall be made in Santee Cooper's second semi-annual remittance to the State.

72.4. (PSC: Avoided Cost Experts) The Public Service Commission is authorized to use and expend funds appropriated in Act 84 of 2023, Proviso 118.19(52) for the South Carolina Integration Study, for expenses incurred for third-party avoided cost consultants and experts employed through contract or otherwise and retained pursuant to Section 58-41-20(I). The appropriation is redirected for the Public Service Commission to utilize these funds to pay for the third-party avoided cost consultants and experts employed through contract or otherwise.

SECTION 73 - R060 - 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

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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 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.

73.4. (ORS: SSEB Annual Dues) The annual dues of the Southern States Energy Board shall be paid from the Radioactive Waste Operating Fund.

73.5. (ORS: Santee Cooper Billing) The Office of Regulatory Staff is authorized, subject to the Public Utilities Review Committee's approval of the Office of Regulatory Staff's annual budget, to bill Santee Cooper for costs associated with its oversight of Santee Cooper performed pursuant to Act 90 of 2021 and any other relevant legislation, statute, or provision, provided such costs do not exceed the amounts authorized for the oversight of Santee Cooper in this act. Santee Cooper may reduce their remittance of revenues to the State by the amount paid to the Office of Regulatory Staff for oversight costs under this provision. This reduction shall be made in Santee Cooper's second semiannual remittance to the State.

73.6. (ORS: Rural Telephone Companies) From funds appropriated for Public Safety Infrastructure Management, the Office of Regulatory Staff may provide funds to South Carolina rural telephone companies and their affiliates for actual costs incurred and associated with 911 infrastructure and connections as part of the State's transition to next

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generation 911 services pursuant to the State's contract with NextGen Communications, Inc.

73.7. (ORS: Energy Office) (A) The Office of Regulatory Staff Energy Office, or its subrecipient, may use assistance from state and federal agencies or from private organizations, nonprofits, and the industry to accomplish the purposes of efficiently leveraging resources to successfully administer any programs established by the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). Unexpended funds from the prior fiscal year shall be carried forward and expended in the current fiscal year by the Energy Office for the same purposes in compliance with federal funding requirements.

(B) In order to comply with federal deadlines for funds commitment and completion, the Executive Director of the Office of Regulatory Staff shall, in accordance with Section 11-35-1570, procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority (SFAA) shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. SFAA shall assign such personnel as necessary to assist the Office of Regulatory Staff and the Energy Office in carrying out its duties under this provision,

(C) The Office of Regulatory Staff and the Energy Office may procure professional grant management services for oversight and compliance of funds received through the IIJA and IRA, among others, on behalf of the Energy Office. The Energy Office is authorized to fulfill this requirement from federal funds and from existing fund resources as appropriate.

73.8. (ORS: SC Broadband Office and SC Digital Opportunity) (A) From funds appropriated for this purpose, there is established the SC Broadband Office within the Office of Regulatory Staff to serve as the central broadband planning body for the State and to coordinate with federal, state, regional, local, and private entities for the continued development of access to broadband in the State.

(B) The SC Broadband Office shall create a collaborative stakeholder process to identify challenges to expediting broadband access and shall provide a report to the General Assembly with recommendations for which legislative, regulatory, or other governmental actions are appropriate to promote broadband access throughout the State.

(C) Funds appropriated to the SC Broadband Office for broadband infrastructure shall be used to continue to fund the Broadband

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Infrastructure Program, broadband-related workforce development, and any other federally-approved, non-deployment programs so as to maximize available federal funding under the American Rescue Plan Act (ARPA) and Infrastructure Investment and Jobs Act (IIJA) for the benefit of the State. Grant funds provided by the SC Broadband Office under ARPA and the IIJA will be treated as contributions of capital of the recipients for South Carolina tax purposes. Expansion of broadband infrastructure shall emphasize services to rural communities and communities with a lack of access to broadband. The SC Broadband Office shall prioritize infrastructure expansion that will make high-speed broadband available to homes, businesses, schools, health care facilities, and other community anchor institutions in underserved areas across South Carolina.

(D) The SC Broadband Office shall serve as a central resource to collect and publish information regarding federal and state programs to fund broadband expansion and maximize resources.

(E) From funds appropriated for this purpose, there is established a SC Digital Opportunity department within the Office of Regulatory Staff to serve as the digital equity planning body for the State and to coordinate with federal, state, regional, local, and private entities to address the digital divide. In the case any personally identifiable information or health related information is collected or shared by state agencies with this department, such information shall have confidential treatment.

(F) This procurement shall be done pursuant to the provisions of Section 11-35-1570. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to procure the services needed and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority (SFAA) shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. SFAA shall assign such personnel as necessary to assist the Office of Regulatory Staff and the SC Broadband Office in carrying out its duties under this act.

(G) The Office of Regulatory Staff may procure professional grant management services for oversight and compliance of funds received through the IIJA, among others, on behalf of the South Carolina Broadband and Digital Opportunity Offices. ORS is authorized to fulfill this requirement using federal funds as allowed for administration and from existing fund resources as appropriate.

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(H) The SC Broadband Office and the SC Digital Opportunity Department may use assistance from state and federal agencies or from private organizations, nonprofits, and industry to accomplish the purposes of this provision. Unexpended funds at the end of the prior fiscal year may be carried forward and expended in the current fiscal year by the Office of Regulatory Staff for the same purposes.

73.9. (ORS: SC Broadband Map and Internet Service Provider Data) (A)(1) From funds appropriated, the SC Broadband Office shall contact the appropriate entities to provide information necessary to compile the county-by-county broadband mapping plan showing the location and capability of broadband facilities throughout the State. To meet federal mandates, the SC Broadband Office may be required to collect confidential financial data to confirm and verify compliance with the various grant programs. In order to facilitate the provision of information necessary to these tasks, financial data, including any planned construction timelines and related data provided by a broadband service provider or other entity providing information, shall be maintained by the SC Broadband Office and any other agency as confidential, proprietary, and a trade secret as defined in Section 30-4-40, and subject to exemption from disclosure under state law. Data may be made publicly available in an aggregated, nonprovider specific format or in the form of a map, where information that could be used to determine provider-specific information about the network of the broadband service provider or other providing entity is not disclosed.

(2) Except as otherwise provided in this provision, such broadband provider-specific information shall not be released to any person other than to the broadband service provider or other entity providing information, employees of the SC Broadband Office, agents designated to assist in developing the South Carolina broadband map, entities contracting with the SC Broadband Office, and other state or federal agencies administering funds for broadband deployment without express permission of the submitting broadband service provider or other entity providing information. Such information shall be used solely for the purposes stated under this provision. The SC Broadband Office shall ensure that any such agents, entities, or agencies with whom the information is shared are aware of the confidential nature and restricted purposes for which the information may be used and that any such agents or entities that are not state agencies execute an appropriate nondisclosure agreement protecting the information from public disclosure before receiving the information.

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(3) Notwithstanding the above, if required by federal law, ORS may report broadband service provider costs for external reporting.

(B) Entities providing broadband service or middle-mile infrastructure in South Carolina shall, on a bi-annual basis, provide to the South Carolina Broadband Office deployment data in a format specified by the office to provide the most accurate and granular representation of currently available broadband infrastructure. These same entities, when they serve residential or business customers, shall also provide the type of technology deployed together with the sustainable download and upload speeds available at each serviceable location. Entities failing to provide such data on an annual basis may be disqualified from state funding opportunities for the current fiscal year. At least annually, the office shall compile this information, analyze, and update statewide broadband deployment information.

73.10. DELETED

73.11. DELETED

**SECTION 74 - R080 - WORKERS' COMPENSATION
COMMISSION**

74.1. (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.

74.2. (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues received as a result of a \$50.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is indigent, this filing fee must be waived.

74.3. (WCC: Workers' Compensation Hearings) Every county shall provide a space to conduct hearings for the Workers' Compensation Commission upon request of the Chairman of the Workers' Compensation Commission. This space shall be in a secure existing facility and include all utilities.

SECTION 75 - R120 - 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 agency and used for supplies, materials, and other expenses relating to the seminars.

75.2. (SAF: Adjuster License Fees) The State Accident Fund is authorized to use other appropriated funds to pay the costs of adjuster license fee dues owed to the Department of Insurance for any licensed adjusters employed as working adjusters with the State Accident Fund, where such license is an agency requirement for their position.

SECTION 78 - R200 - 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.

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.

78.4. DELETED

78.5. DELETED

SECTION 79 - R230 - 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: Database Funding) The Consumer Finance Division of the Board of Financial Institutions shall use carried forward dollars to fund the deferred presentment transaction database and shall promulgate regulations regarding the fee to fund the system, and, if necessary, the cost of any fee increase must be divided equally between the lender and the borrower.

**SECTION 80 - R280 – DEPARTMENT OF
CONSUMER AFFAIRS**

80.1. (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in resolution 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: Expert Witness/Assistance Carry Forward) Unexpended appropriated funds for the Consumer Advocacy expert witness/assistance program (under Section 37-6-603) may be carried forward into the current fiscal year and expended for the same purpose.

80.3. (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all filing fees collected under Chapters 2, 3 and 6, Title 37. These fees shall be used to offset the cost of administering and enforcing Title 37 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.

80.4. (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. The funds retained shall be utilized to implement the requirements of the programs mandated by those sections of the code.

**SECTION 81 - R360 - 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 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 II.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. Professional and Occupational Offices with an overall negative ending cash balance for the current and prior completed fiscal years will be exempt from these requirements.

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

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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 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 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 for 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

**SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING
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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 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. (LLR: First Responder PTSD Treatment) Of the funds appropriated to the Department of Labor, Licensing and Regulation - State Fire Marshal's Office for first responder PTSD treatment, the department shall distribute funds to the South Carolina Firefighter Assistance Support Team (FAST) to reimburse firefighters and emergency medical technicians who incur mental injury as a result of a critical incident during the scope of employment for actual out-of-pocket expenses not covered through workers compensation claims and/or other insurance. These funds may also be utilized to provide services through the South Carolina Firefighter Assistance Support Team. The department shall promulgate any administrative regulations necessary to carry out these provisions.

**SECTION 81 - R360 - DEPARTMENT OF LABOR, LICENSING
AND REGULATION**

81.14. (LLR: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of mutual assistance under Section 25-1-450, exempt employees of the Department of Labor, Licensing and Regulation's Office of State Fire Marshal and Fire Academy 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.

81.15. (LLR: Indirect Cost Waiver OSHA) The Department of Labor, Licensing and Regulation shall retain indirect cost recoveries relating to federal OSHA grants in this act. Recoveries retained by the agency will be used for operations of the agency. All other federal grants within the agency will remit indirect cost recoveries pursuant to Section 2-65-70.

81.16. (LLR: Meals in Emergency Operations) The cost of meals, or the advanced purchase of food products to be stored and prepared for meals, may be provided to state employees and volunteers who are not permitted to leave assigned duty stations during actual emergencies and emergency simulation exercises.

81.17. DELETED

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

82.1. (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.

82.2. (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 department may collect and retain fees to defray the cost associated with fulfilling a Freedom of Information Act (FOIA) request. 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. With the exception of the cost associated with fulfilling a FOIA request, revenue generated

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

by each fee collected up to the fee amounts charged pursuant to this provision on February 1, 2001, must be placed into the State Highway Fund as established by Section 57-11-20 and be distributed as provided in Section 11-43-167. The balance of the revenue from each fee collected must be retained by the Department of Motor Vehicles.

82.3. (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.

82.4. (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.

82.5. (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.

82.6. (DMV: Fund Balance Carry Forward) The Department of Motor Vehicles may carry forward any unexpended general fund balance or other funds from the prior fiscal year and expend those funds in the current fiscal year for expenditures as needed.

82.7. (DMV: Electronic Verification Processing Fees) In the current fiscal year, the Department of Motor Vehicles is exempt from paying fees to the Department of Public Health associated with the use of the Electronic Verification of Vital Events (EVVE) system to verify or

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

certify birth certificates during the driver's license or identification card issuance process.

82.8. (DMV: Identification Card Fees) In the current fiscal year, the Department of Motor Vehicles may waive the fee associated with issuing an identification card if the card issuance is through an established partnership with a state or federal agency.

82.9. (DMV: Provide Data to DOT) 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 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.

82.10. (DMV: Commercial Driver's License Skills Test Fee) In the current fiscal year, the Department of Motor Vehicles may charge twenty-five dollars for all commercial driver's license (CDL) applicants who schedule a skills test with the agency. Applicants who schedule a CDL skills test with the department, but cancel at least two business days before the appointment, shall be refunded this fee from the department. Monies from first-time skills test attempts where the applicant does not appear for the skills test shall be retained by the department and used for advancement of the CDL and commercial motor vehicle programs of the State. All other monies for CDL skills test shall be distributed in accordance with Section 56-1-2080(A)(1) of the 1976 Code. In instances where the applicant appears for the scheduled appointment and passes the skills test, the department shall credit this fee towards the applicant's CDL and CDL application. In instances where the applicant appears for the scheduled appointment but does not pass the skills test on the first attempt, the department shall credit this fee towards the applicant's subsequent skills test attempts in accordance with Section 56-1-2080(A)(1).

82.11. (DMV: Fees for Qualified Service Members) In the current fiscal year, the Department of Motor Vehicles must waive the application, learner's permit, and driver's license fee, and, when applicable, the knowledge test fee for any applicant who qualifies for commercial learner's permits or commercial driver's licenses under the provisions of 49 CFR Section 383.77.

82.12. (DMV: Authorized to Charge a Witness Fee) In the current fiscal year, the Department of Motor Vehicles is authorized to charge a witness fee of \$100 an hour, up to \$1,000 a day, for each employee testifying in matters which do not involve the department as a party. This

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

fee shall be charged in addition to any court prescribed payment due as compensation or reimbursement for judicial appearances and depositing into a designated revenue account. The department is authorized to receive, expend, retain, and carry forward these funds.

82.13. (DMV: Emergency Powers of the SCDMV) In the current fiscal year, in the event of a State of Emergency declared by the Governor or during extenuating circumstances outside of the Department of Motor Vehicle's control, the agency may:

(1) temporarily extend expiration dates for any products issued by the department; provided that extensions are only granted for citizens with items due for expiration during the State of Emergency;

(2) temporarily waive delinquent fees and penalties of any type; provided that waivers are only granted for citizens with items that fall under the provisions of item (1);

(3) provide meals to employees who are working in support of the State of Emergency; or

(4) implement any waivers issued by the Federal Motor Carrier Safety Administration, International Fuel Tax Agreement, International Registration Plan, or other federal entities and programs issued during the State of Emergency as deemed necessary by the Executive Director or his or her designee.

82.14. (DMV: Electronic Titling) *Of the funds appropriated to the Department of Motor Vehicles for IT System Modernization, up to \$1,000,000 shall be utilized for the creation of an Electronic Titling Program to provide electronic vehicle title processing services to include the transfer of vehicle ownership and the placement and release of liens for automotive dealers, lenders, and auctioneers, and comparable electronic titling services for vehicle owners and other customers. The department shall select and contract with a third-party vendor to create and implement the program. Electronic titling services for automotive dealers, lenders, and auctioneers must operational no later than June 30, 2026.*

82.15. (DMV: E-Titling) (A) Of the funds appropriated in Part IA, Section 82, Department of Motor Vehicles, for Administration – Classified Positions, the department must complete the procurement process as established in the South Carolina Procurement Code to award a contract for and establish a timeline to implement an electronic/digital titling program. The electronic/digital title program must provide electronic vehicle title processing services to include the transfer of

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vehicle ownership and the placement and release of liens for business customers including automotive dealers, lenders, and auctioneers.

(B) The department shall select and contract with a third-party vendor to create the program with a clear timeline of implementation established and approved by the applicable stakeholders by June 30, 2026. The department must provide the timeline of implementation to the Committees of Senate Finance, Senate Transportation, House Ways and Means, and House Education and Public Works by June 30, 2026.

**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND
WORKFORCE**

83.1. (DEW: Business Intelligence Division Program Contracts) All earmarked funds collected for the Business Intelligence Division 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.

83.2. (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.

83.3. (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.

**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND
WORKFORCE**

Funds appropriated to and/or authorized for use by the department shall be used to accomplish this directive.

83.4. (DEW: Negotiation of Interest) 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 interest assessment funds received by the Department of Employment and Workforce Interest Assessment Fund pursuant to Section 41-33-810 of the 1976 Code shall be transferred to the Unemployment Compensation Fund.

83.5. (DEW: REED Act Spending Authority) The Department of Employment and Workforce is authorized to expend up to \$2,375,072 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 funding Unemployment Insurance, Workforce Innovation and Opportunity Act, and Employment Services Programs. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, 2025. 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 as required by law to be charged against the amounts transferred to the account of this State.

83.6. (DEW: Employment Training Outcomes Data Sharing) The Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), requires integration of training and employment data for the purposes of improving assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this act.

(A) The department must enter into a data-sharing agreement with eligible training providers (ETPs) prior to the ETP entering student data into the Palmetto Academic Training Hub (PATH). ETPs will submit data related to the types of training programs offered, individual student coursework, including personal identifying information (PII) to match training, employment data and performance outcomes, program completion and time to complete, and program costs, as outlined in federal guidance.

**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND
WORKFORCE**

(B) State agencies needing data from the Department of Employment and Workforce must meet an exception permitting disclosure, pursuant to 20 C.F.R. Part 603. Prior to providing data to a state agency, the department must enter into a data sharing agreement with the requesting agency, as described in 20 C.F.R. Part 603. Requesting state agencies must identify a need in the administration of the official duties for department data, as required by 20 C.F.R. Part 603. The department shall charge state agencies, excluding the Department of Commerce, for costs, as described in federal and state law, for the data sharing requests.

The Department of Commerce shall not be charged for costs associated with this provision.

83.7. DELETED**SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION**

84.1. (DOT: Expenditure Authority Limitation) The Department of Transportation is hereby authorized to expend all cash balances, unexpended general funds, and unexpended proceeds from bond sales or loans accruing to the department brought forward from the previous year. The department is also authorized to expend for activities and projects to be reimbursed in part or whole from federal funds from the United States Department of Transportation or other agencies that were obligated, but not expended in a prior fiscal year; and all income for funding for contracted activities and projects funded by another entity not expended in a previous fiscal year. The Department of Transportation shall provide the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Executive Budget Office a listing of cash balances; unexpended general funds; unexpended proceeds from bond sales or loans accruing to the department; activities and projects funded from previously obligated federal funds not expended in the previous fiscal year; income from contracted activities and projects not expended in the prior fiscal year; and federal funds or other sources approved during the current fiscal year. The Executive Budget Office shall establish expenditure authorization adjustments, pursuant to the South Carolina Federal and Other Funds Oversight Act, upon review of the listing provided by the department.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

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) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of the Secretary of Transportation's authorities under Section 57-5-1620 of the 1976 Code, the Department of Transportation may provide meals to employees who are not permitted to leave assigned duty stations to include deployment and emergency simulation exercises.

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.

84.8. (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 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.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

84.9. (DOT: General Fund Balance Carry Forward) The Department of Transportation may carry forward any unexpended general fund balance from the prior fiscal year and expend those funds in the current fiscal year.

84.10. (DOT: Reimbursement for Vehicle Damage) Of the funds appropriated to the Department of Transportation, the department must develop direct internet access from the department's home page to any document or claim form that may be used by the public to seek reimbursement for vehicle damages caused by poor road conditions. The department must post a link to the documents or claim forms on the department's home page in a prominent, easily viewed location.

84.11. DELETED

84.12. (DOT: Emergency Meetings) The Department of Transportation Commission is authorized to use funds under this act in order to convene a meeting in cases of emergency as determined by the Secretary of Transportation when a natural disaster or other dire situation requires immediate action. Notice shall be given to the press and the public as soon as a decision is made to convene an emergency meeting. Only emergency matters may be considered in such a meeting. The meeting shall be open to the public, and may be conducted over a conference call if necessary.

84.13. (DOT: CTC Donor Bonus) The Department of Transportation is authorized, in order to meet the requirements of Act 40 of 2017, to transfer a portion of the proceeds of the motor fuel user fee received from Section 12-28-310(D) to satisfy the donor bonus for County Transportation Committees in Section 12-28-2740(H).

84.14. (DOT: Compensatory Payment) In the event a State of Emergency is declared by the Governor or in the event of a situation requiring the use of the Secretary of Transportation's authorities under Section 57-5-1620, exempt employees of the Department of Transportation may be paid for actual hours worked in lieu of accruing compensatory time, at the discretion of the Secretary of Transportation, and providing funds are available.

84.15. (DOT: Non-Federal Aid Highway Fund) Funds deposited in the Non-Federal Aid Highway Fund established in Act 176 of 2005 may be used for repairs, maintenance, and improvements to the existing transportation system.

84.16. (DOT: Programmed Project Viewer Dashboard) (A) The department is directed to research information technology improvements needed to enhance the quality of information offered on the Programmed

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

Project Viewer dashboard. The research on improvements shall include consideration of the following:

(1) an updated project list that includes the project's status, location by county, city, and road system, description, contract type (maintenance, repair, design, construction, emergency, etc.), and the type of work being completed (bridge, culvert, guard rail, maintenance repair, roadwork and paving, sidewalk, signals/signs, etc.);

(2) forecasted cost of the project;

(3) actual amount of funds spent on the project to date compared to the forecasted cost;

(4) projected completion date;

(5) a list of projects that are on-time and on-budget; and

(6) a summary that provides the amount of money that has been spent to improve, maintain, and construct roads and the highway system.

(B) The department shall provide a quarterly report on the status of the research and improvements made to the dashboard to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means.

(C) The department is directed to implement the improvements to the dashboard as soon as possible in order to provide accessibility and accurate project details to the general public.

84.17. DELETED

84.18. (DOT: Indirect Cost Waiver Federally Funded Projects) The Department of Transportation shall retain indirect cost recoveries relating to federally funded projects. Indirect cost recoveries shall be retained by the department in accordance with Section 2-65-70(B) and shall be deposited in the State Highway Fund and used by the agency for repairs, maintenance, and improvements to the existing transportation system.

84.19. (DOT: Waiver Valuations) For federal funds appropriated to the department, cost estimates of twenty thousand dollars or less for uncomplicated acquisitions of real property, defined as those involving unimproved strips of land with no damages, no changes in highest and best use, or no significant costs to cure, are considered waiver valuations as defined by the Federal Highway Administration. Licensed or certified appraisers, licensed pursuant to S.C. Code Title 40, Chapter 60, preparing or reviewing a waiver valuation are precluded from complying with Standards Rules 1, 2, 3, and 4 of the "Uniform Standards of Professional Appraisal Practice," as promulgated by the Appraisals Standards Board of the Appraisal Foundation. The department shall

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

submit a detailed report on the waiver valuations to the Senate Transportation Committee and the House Education and Public Works Committee by June 30, 2026.

SECTION 85 - U150 - INFRASTRUCTURE BANK BOARD

85.1. (IBB: Board Meeting Coverage) Of the funds authorized for the State Transportation Infrastructure Bank Board, the bank must provide live-streamed coverage of all board meetings to ensure transparency and access for the public. The board meetings shall be recorded and archived and made available on the South Carolina Transportation Infrastructure Bank's website.

SECTION 86 - U200 - COUNTY TRANSPORTATION FUNDS

86.1. (CTC: Increased Funding) The requirement of Section 13 of Act 40 of 2017 for increased funding to the County Transportation Committees shall come from the proceeds of Section 12-28-310(D), and shall be used exclusively for repairs, maintenance, and improvements to the state highway system.

86.2. (CTC: Expenditure Authority Limitation) County Transportation Funds are authorized to expend all cash balances brought forward from the previous fiscal year. A listing of cash balances shall be provided to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office. The Executive Budget Office shall establish expenditure authorization adjustments, pursuant to the South Carolina Federal and Other Funds Oversight Act, upon review of the listing provided.

SECTION 87 - U300 - 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.

SECTION 87 - U300 - DIVISION OF AERONAUTICS

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 six air carrier airports (i.e. Columbia, Charleston, Florence, Hilton Head Island, Greenville-Spartanburg, and Myrtle Beach International) as these qualify for special funding under the DOT/FAA appropriations based on enplanements in South Carolina.

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 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
- (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

SECTION 87 - U300 - DIVISION OF AERONAUTICS

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. (AERO: Asset Procurement Flexibility) The Division of Aeronautics is authorized, upon approval by the Aeronautics Commission, to acquire aircraft and assets for state service through purchase projects including, but not limited to, the Department of Defense Surplus

Equipment Programs and the Federal Asset Transfer Program as long as the assets can be used to meet the typical mission requirements of the Division's operations. Aeronautics may participate in the Federal Asset Transfer program to secure aircraft for use in official state business by utilizing appropriated general funds, not to exceed \$50,000, and after the South Carolina Aeronautics Commission has provided the approval.

87.7 (AERO: Hold-Over Limit) *The requirement of Section 13-1-1050(A) pertaining to the hold-over capacity period limits shall be suspended for the current fiscal year.*

SECTION 88 - Y140 - 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, 2025, pay to the State Transportation Infrastructure Bank one million dollars before June 30, 2026, to continue the Charleston Cooper River Bridge Project.

88.2. (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

SECTION 88 - Y140 - STATE PORTS AUTHORITY

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.

88.3. (SPA: Jasper Ocean Terminal) There is created within the State Ports Authority the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund. The State Ports Authority shall maintain the Jasper Ocean Terminal Port Facility Permitting and Infrastructure Fund and the \$3,125,000 in state funds previously appropriated to the State Ports Authority for use in connection with the proposed Jasper Ocean Terminal Port shall be deposited into this account. 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 State Ports Authority for permitting and capital infrastructure expenditures supporting the development of the Jasper Ocean Terminal Port facility including, but not limited to, any and all permits and matters associated therewith that are required by the United States Army Corps of Engineers in order to develop the Jasper Ocean Terminal Port, roads, utilities, dredge disposal areas, and acquisition of property and property rights (such as easements, rights-of-way, and licenses) and any other matter reasonably related to the authorization and development of the Jasper Ocean Terminal Port. In regard to the permits and other activities associated with the Corps of Engineers, the State Ports Authority must ensure that the legal posture of the permitting is at all times such that the Jasper Ocean Terminal Port is qualified to be considered an alternative by the Corps of Engineers in connection with its consideration of any other permits for ports-related activity in the Savannah River including, without limitation, any attempt to permit the development of port-related facilities on Hutchinson Island. These funds must be expended by the State Ports Authority for the stated purpose within the current fiscal year. The State Ports Authority is directed to take action against the Georgia Ports Authority in accordance with the Joint Venture Agreement between the parties dated December 2015, in the event the Georgia Ports Authority fails to expend funds in furtherance of that joint venture that are equal to the funds expended by the State Ports Authority, such action to include, without limitation, invocation of the mediation provisions of the Joint Venture Agreement. In the event of an assignment by the State Ports Authority of its interest in the Jasper Ocean Terminal Project to Jasper County that is consented to by the Georgia Ports Authority, the funds appropriated pursuant to this provision shall be transferred by the State Ports Authority to the Department of Administration, for

SECTION 88 - Y140 - STATE PORTS AUTHORITY

subsequent disbursement by the department for the purposes set forth herein, upon applications for such made by Jasper County, and Jasper County shall assume all of the State Ports Authority's obligations hereunder.

88.4. (SPA: Road Closures Related to Navy Base Intermodal Facility) The State Ports Authority is authorized to close any street or road on or in the vicinity of the former Charleston Navy Base to the extent necessary to implement the Navy Base Intermodal Facility. Such closure shall not deny access to any property owners abutting the closed section of the street or road, or in the event access is denied, alternate access shall be provided.

88.5. (SPA: Distribution Facility) The Navy Base Intermodal Facility owned by the State Ports Authority shall be considered a distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.

88.6. DELETED

88.7. (SPA: Term Limits) The requirements of Section 54-3-30 of the 1976 Code pertaining to the term limits shall be suspended for the current fiscal year.

SECTION 91 - A990 - 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 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

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

Representatives. From the funds appropriated for Employee Pay Increases, the Speaker of the House and the President 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 of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President 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

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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 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 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

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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 of the Senate, 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.

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

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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 \$2,500 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 \$1,200 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 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: DMV Audit Review) For the current fiscal year, the provisions of Section 56-1-5(F) are suspended. Any savings generated

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by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

91.21. (LEG: Electronic Correspondence) For the current fiscal year, 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.

91.22. (LEG: Technology Panel) Of the funds appropriated in the Department of Education's program VIII.D. 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 first of the current fiscal year.

91.23. (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 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.

91.24. (LEG: Requested Information) The departments, bureaus, officers, commissions, institutions, and other agencies or undertakings of the State, upon request, shall immediately furnish to President 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.

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91.25. (LEG: Lawsuit Intervention by Legislature) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives have an unconditional right to intervene on behalf of their respective bodies in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges:

- (a) the constitutionality of a state statute;
- (b) the validity of legislation; or
- (c) any action of the Legislature.

In a federal court action that challenges the constitutionality of a state statute, the validity of legislation, or any action of the Legislature, the Legislature may seek to intervene, to file an amicus brief, or to present argument in accordance with federal rules of procedure.

Intervention by the Legislature pursuant to this provision does not limit the duty of the Attorney General to appear and prosecute legal actions or defend state agencies, officers or employees as otherwise provided.

In any action in which the Legislature intervenes or participates, the Senate and the House of Representatives shall function independently from each other in the representation of their respective clients.

The Attorney General shall notify the President of the Senate and the Speaker of the House of Representatives of a claim that challenges the constitutionality of a state statute, the validity of legislation, or any action of the Legislature.

91.26. (LEG: Education Lawsuit Fund) Funds remaining in the Education Lawsuit Fund may be reallocated by the Senate to pay any other litigation related expenses.

91.27. (LEG: LAC Third-Party Agency Operational Review) *(A) The following applies to the funds appropriated in Proviso 118.22(66) of this Act for Government Efficiency RFP Review:*

- (1) "Council" means the Legislative Audit Council.*
- (2) "Independent third-party" means a person or entity that has no personal, familial, or business relationship, and no economic interest, that is distinct from that of the general public, in connection with the agency under review.*

(i) To be qualified, a person or entity must not be affiliated with, or act on behalf of, any entity that appears before, is regulated by, or conducts business directly or indirectly with an agency selected for review.

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(ii) A person or entity is disqualified from serving as the independent third party if they are regulated by the agency, conduct business with the agency, or are associated with a regulated entity in a way that creates a continuing or frequent conflict with the duties imposed by this provision.

(3) "Economic interest" shall have the same meaning as provided in Section 8-13-100(11) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act

(4) "Agency means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive or judicial departments of state government, including administrative bodies. "Agency" includes a body corporate and politic established as an instrumentality of the State.

(B) From the funds appropriated to the council, or from funds otherwise authorized by the General Assembly for this purpose, the council shall issue a Request For Procurement to engage an independent third-party to conduct operational and expenditure reviews of no fewer than two agencies to be selected at the discretion of the council.

(1) In making its determination, the council may consider relevant factors including, but not limited to, the total amount of funds appropriated to the agency, number of full-time employees or the equivalent thereof, breadth of regulatory or service responsibilities, within the State.

(2) This provision shall not be construed to allow the inclusion of entities with narrowly defined missions, limited regulatory impact, or minimal administrative infrastructure.

(C) The scope of each third-party review shall include, but not be limited to:

(1) identifying opportunities to streamline agency operations, improve internal efficiencies, reduce procurement and operational expenses, eliminate wasteful government spending, evaluate existing agency contracts for potential cost savings or restructuring, modernize government operations and reduce unnecessary bureaucracy, and achieve overall spending reductions;

(2) identifying duplicative or inefficient functions that may be consolidated within an agency, across departments of the same agency;

(3) reviewing for the adequacy and continuing relevance of regulations promulgated by the agency and identifying regulations

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that are inconsistent with the statute, obsolete, or expand their meaning beyond the intent of the statute;

(4) ensuring effective use of taxpayer dollars; and

(5) leveraging innovative practices that focus on transparency, accountability, and fiscal responsibility.

(D) To carry out the provisions of this item, the council is authorized to enter into Memorandums of Understanding with the selected agencies to access and share relevant data, documents, and records with the independent third-party reviewer. The agency under review shall cooperate in good faith with requests for information made by the council, subject to applicable state and federal confidentiality and privacy laws.

(E) The council shall serve as the gatekeeper of agency data, documents, and records and is responsible for ensuring that all data, documents, and records shared with the independent third party has been reviewed and, where required by law, appropriately redacted or anonymized by the selected agencies. In facilitating access to such data, the council shall take reasonable measures to ensure the nondisclosure of any personal identifiable information, protected health information, or other confidential information, in accordance with the Family Privacy Protection Act (Section 30-2-10, et seq.), the Freedom of Information Act (Section 30-4-10, et seq.), Health Insurance Portability and Accountability Act (42 U.S.C. Section 1320, et seq.), and other applicable provisions of state and federal law.

(F) The independent third-party must enter into a data-sharing and confidentiality agreement with the council and shall not retain or disclose any confidential information obtained in the course of the review. The third party shall take reasonable security measures to prevent unauthorized access to or disclosure of data and shall return or destroy all agency information at the conclusion of the review, as required by the terms of the agreement or applicable law.

(G) The third party shall not use or disclose any confidential or internal information obtained through the agency review in a manner that would affect an economic interest held by the independent third party, a member of its personnel or executive leadership, a member of their immediate families, or any individual or business with which the independent third party is associated.

(H) The provisions of Sections 8-13-700, 8-13-705, 8-13-710, 8-13-725, and 8-13-730 shall apply to the conduct of the independent third-party as if the third party were a public official or employee.

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(I) Unless otherwise authorized by law, the third party shall not willfully examine, nor aid or abet the examination of, any individual tax return, workers' compensation record, health or medical record, or social services record in the possession or control of the agency if the purpose of such examination is improper or otherwise unrelated to the scope of the review.

(J) By January 1, 2026, the independent third party shall submit a written report to the Council, General Assembly and the Governor detailing all findings, recommendations, and actions taken pursuant to this provision.

SECTION 92 - D210 - OFFICE OF 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.

SECTION 92 - D210 - OFFICE OF GOVERNOR

The report must be submitted as soon after the end of each quarter as practicable.

SECTION 92D - D300 - OFFICE OF RESILIENCE

92D.1. (SCOR: Catastrophic Weather Event) (A) Any improvements made to real property or personal property used as a residence, such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015, Hurricane Matthew of 2016, Hurricane Florence of 2018, or Hurricane Helene of 2024, after the event and before June 30, 2026, is not considered an improvement and may not be reassessed at a higher rate as a result of the assistance provided. This provision only applies if, as a result of the catastrophic weather event, the improvements made to the property were funded by the United States Department of Housing and Urban Development Block Grant - Disaster Recovery Program implemented by the Office of Resilience, or its predecessor, the Disaster Recovery Office, or the Office of Resilience's Rapid Rebuild Program funded by the Disaster Relief and Resilience Reserve Fund. This provision also applies if, at the discretion of the county and using qualifications determined by the county, the improvements were made with the assistance of a volunteer organization active in disaster, or a similar volunteer organization.

(B) During the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

92D.2. (SCOR: Leave Balances) Any temporary grant employees (TGEs) transferred from the former South Carolina Disaster Recovery Office to the Office of Resilience, or who are TGEs with SCOR who become full time equivalent (FTE) employees with SCOR, shall retain any leave accrued prior to the transfer.

92D.3. (SCOR: Carry Forward) The Office of Resilience shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year and expend the funds for the same purposes.

92D.4. (SCOR: Hurricane Helene Habitat for Humanity Collaboration) (A) Of the funds appropriated to the South Carolina Office of Resilience (SCOR) for Fiscal Year 2025–26, \$2,000,000 shall be allocated for the Hurricane Helene Home Repair Program in partnership with Habitat for Humanity South Carolina. This program

SECTION 92D - D300 - OFFICE OF RESILIENCE

shall expand the Common Housing Operating Picture (CHOP) to repair owner-occupied residential homes for low- to moderate-income households located in FEMA Individual Assistance (IA)–designated counties.

(B) Grant funds shall be awarded to Habitat for Humanity South Carolina and distributed by county based on criteria established by SCOR, including demonstrated need, program capacity, local unmet needs, and alignment with the South Carolina Hurricane Helene Housing Strategy.

(C) SCOR shall develop program guidelines, including subaward procedures, reporting requirements, and accountability measures. Habitat for Humanity South Carolina shall coordinate with SCOR to manage program obligations and oversee local Habitat affiliates responsible for conducting repairs.

(D) Homeowner eligibility shall be determined by SCOR via CHOP, unless otherwise authorized by SCOR. Grant funds may be used for home repairs. A minimum of 55 homes damaged by Hurricane Helene shall be repaired across no fewer than 10 FEMA IA–designated counties. Habitat for Humanity South Carolina shall submit quarterly outcome and budget reports to SCOR.

(E) By June 30 of the fiscal year, SCOR shall submit a report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees detailing grant allocations, participating affiliates, homes repaired, and the program’s impact on post-disaster housing recovery. Unexpended funds shall be carried forward and used for the same purpose in the following fiscal year.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.1. (DOA: Developmental Disabilities Council) 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: Capital Complex & Mansion) Funds appropriated to the Department of Administration - for Capital Complex & Mansion must be set aside in a separate account for the operation and maintenance

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of the Capital Complex & Mansion. The department shall report annually to the State House Committee on the amount expended from this fund for the operation and maintenance of the State House.

93.3. (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 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.

93.4. (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.

93.5. (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.

93.6. (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.

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93.7. (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 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

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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.

93.8. (DOA: Sale of Surplus Real Property) (A) 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 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.

(B) 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.

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(C) 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.

(D) 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 or acquisition of such lands, in the judgment of the commission, that are desirable for State forests.

(E) 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.

(F) The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, and the Forestry Commission 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.

(G) 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.

(H) Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

93.9. (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

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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.

93.10. (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 acceptance or payment on the secular or business day succeeding the holiday.

93.11. (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.

93.12. (DOA: QECB Allocation) From the funds appropriated to the department, the director of the Department of Administration shall develop and implement a plan to utilize the state's remaining Qualified Energy Conservation Bond allocation to fund energy conservation projects on state-owned buildings and other eligible capital expenditures that benefit state agencies.

93.13. (DOA: Federal/Other Fund Authorization Adjustments) The Executive Budget Office (EBO) is authorized to approve agency requests for federal and other fund authorization adjustments. Requests will be approved and reported by the Executive Budget Office pursuant to Chapter 65, Title 2, the "South Carolina Federal and Other Funds Oversight Act". For the current fiscal year, EBO shall provide a quarterly report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of all interim

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authorization of funds adjustments granted to state agencies or institutions of higher education during the current fiscal year. Any interim authorization adjustments requested by any state agency or institution of higher education may only be granted by EBO if meeting every applicable criterion delineated in the South Carolina Federal and Other Funds Oversight Act. EBO shall further provide a report to the Chairman of the Senate Finance Committee and the Chairman of the Ways and Means Committee by February 1st of the current fiscal year identifying, by agency, the amount of unused federal and other funds authorization for the most recently completed fiscal year.

93.14. (DOA: SCEIS Carry Forward Authorization) Notwithstanding any provision of state law, for Fiscal Year 2025-26, unexpended funds appropriated for the SC Enterprise Information System may be carried forward from the prior fiscal year and used for the same purpose.

93.15. (DOA: Health Agencies Complex) Funds appropriated to the Department of Administration for the Health Agencies Complex must be set aside in a separate account for the operation and maintenance of the facilities leased pursuant to proviso 118.22 of Act 84 of 2023. Any unexpended portion of these funds may be carried forward into the succeeding fiscal year and used for the same purpose. Funds appropriated for this purpose are exempt from any across-the-board base reductions mandated by the Executive Budget Office.

93.16. DELETED

93.17. DELETED

93.18. DELETED

93.19. DELETED

93.20. (DOA: Colleton County) The funds remaining of the \$1,387,932 appropriated in Act 239 of 2022, Section 118.19(B)(72)(hh) to the Department of Administration for the Colleton County industrial shell building and road engineering shall be redirected by Colleton County for the purchase of additional land at the Colleton Mega Site.

93.21. (DOA: Carry Forward Forensic Accounting Review Audit) The Department of Administration is authorized to carry forward any remaining funds appropriated pursuant to Proviso 117.186 of Act 226 of 2024 and to expend them in the current fiscal year to fund activities related to oversight of the implementation of the recommendations in the AlixPartners report, including the hiring of an independent compliance consultant pursuant to S.253 (R.1) of 2025.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.22. (DOA: Centralized Software Pilot) From the funds appropriated, the Department of Administration shall implement a pilot program in the sixteen technical colleges to utilize a single, third-party centralized software system that operates above existing accounting or enterprise resource planning (ERP) software without requiring major workflow changes, automatically standardizes naming conventions across all colleges to enable direct comparisons of key financial measures, employs AI-driven analytics to detect anomalies, outliers, or compliance flags while providing plain-language summaries of trends and findings, supports multi-campus, multi-fiscal-year data with secure role-based access, and grants the department top-level oversight to view aggregated data in real time, compare performance across colleges, and identify compliance concerns or best practices that could enhance statewide financial oversight. The State Board for Technical and Comprehensive Education and the sixteen technical schools must assist the department as directed with the coordination and technical facilitation of data collection, the implementation of the software, and any additional assistance as requested. The department shall provide an assessment report on the pilot's impact, cost savings, and improved financial transparency to the Chairmen of Senate Finance and the House Ways and Means Committees no later than June 30, 2026.

93.23. (DOA: Health Agencies Analysis) From funds appropriated, the Department of Administration shall conduct an analysis of the Department of Alcohol and other Drug Abuse Services (DAODAS), the Department of Disabilities and Special Needs (DDSN), and the Department of Mental Health (DMH) or their successor agencies that includes, but is not limited to, the current organizational structures, management and supervision of full-time employees, duplication of administrative efforts, suitability for shared services, and opportunities for collaboration between the agencies. DAODAS, DDSN, and DMH must provide their full cooperation, and make available any staff, books, records, statements, and other information needed by the Department of Administration to complete the analysis. The department is authorized to effectuate structural reorganization, including any reduction in force needed based upon the findings in their analysis. The department shall provide a detailed report on structural reorganization and the Executive Budget Office shall report the number of FTEs deleted by agency, program, and funding source to the Senate Finance Committee and the House Ways and Means Committee no later than June 30, 2026.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.24. (DOA: Battelle Alliance Reporting) The Department of Administration, Executive Budget Office shall report quarterly to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, the Chairman of the House Education and Public Works Committee, and the Chairman of the Aiken County Legislative Delegation as to the expenditures, outcomes, progress, and any other information deemed relevant by the office as it relates to funds appropriated in this act, or any other act, for the Battelle Alliance. The Commission on Higher Education and any entity that has received or will receive funding for this purpose shall supply the office with all information requested to satisfy these reporting requirements.

SECTION 94 - D250 - OFFICE OF INSPECTOR GENERAL

94.1. (OIG: 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.

94.2. (OIG: Carry Forward) The funds appropriated to the Office of Inspector General may be carried forward from the prior fiscal year and expended in the current fiscal year to secure legal services, forensic auditing, staff training, and other services to ensure the office can conduct investigations as needed.

SECTION 96 - E080 - 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.

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.

SECTION 96 - E080 - OFFICE OF SECRETARY OF STATE

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.

96.4. (SS: Cable and Video Service Certificates) For the current fiscal year, the Secretary of State shall not automatically deny the application or amended application for a cable or video service certificate pursuant to Section 58-12-310 if a community does not timely indicate its unconditional consent to the state-issued certificate of franchise authority within sixty-five days of receipt of a request from the Secretary of State pursuant to Section 58-12-310(C). Any application granted shall be subject to the foregoing provisions of Section 58-12-310(D).

96.5. (SS: Charitable Funds Administration) In addition to the first \$200,000 in administrative fines currently retained to administer the enforcement of the Solicitation of the Charitable Funds Act, the Secretary of State may retain up to an additional \$150,000 of fine revenue collected for the same purpose.

96.6. DELETED

SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL

97.1. (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to approve, in his stead, disbursement documents authorizing payment, and the State Treasurer is hereby authorized to accept such approved disbursement documents 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

SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL

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-five 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. Vendors and other third parties receiving payroll deductions shall bear the entire cost of this fee, at no cost to state employees. The revenues generated 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) \$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.

97.6. (CG: Carry Forward Authority) The Office of Comptroller General is authorized to carry forward all funds from the prior fiscal year and expend in the current fiscal year to fund agency operations and to secure accounting, auditing, and legal services.

SECTION 98 - E160 - OFFICE OF STATE TREASURER

98.1. (TREAS: National 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.

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.

SECTION 98 - E160 - OFFICE OF STATE TREASURER

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 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) (A) If a municipality fails to submit the audited financial statements required under Section 14-1-208 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.

(B) 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 117.48 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.

(C) If a county or municipality is more than ninety days delinquent in remitting a monthly court fines report, the State Treasurer shall

SECTION 98 - E160 - OFFICE OF STATE TREASURER

withhold twenty-five percent of state funding for that county or municipality until all monthly reports are current.

(D) 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 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: Municipality Accommodations Tax Withholdings) If the State Treasurer is withholding accommodations tax revenue distributions to a municipality due to an expenditure the Tourism 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

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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.

98.13. (TREAS: Investment Earnings and Interest) In accordance with the requirements of Section 11-13-125 of the 1976 Code, the State Treasurer shall remit earnings and interest from investments of general deposit funds into the General Fund of the State. Nothing in this provision shall be construed to limit the State Treasurer from incurring and paying fees, expenses, losses, statutory commitments, salaries, and other costs associated with the routine investment of funds pursuant to Section 11-9-660 of the 1976 Code.

98.14. (TREAS: Fund Balances & Closing Packages) For the current fiscal year, the Office of the State Treasurer shall provide the Office of the Comptroller General all cash and investment fund balances by aggregation of funds by unique disclosure entity for the purposes of cash reconciliation and annual comprehensive financial report compilation. Further, the Office of the State Treasurer shall fully comply with information requested in the form of closing packages from the Office of the Comptroller General for the same purposes.

**SECTION 99 – E190 – RETIREMENT SYSTEM INVESTMENT
COMMISSION**

99.1. (RSIC: Fiduciary Audit) For Fiscal Year 2025-26, Section 9-16-380, relating to the solicitation and the bid for a fiduciary audit, is suspended.

99.2. DELETED

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.1 (ADJ: Use of Agency Property and Revenue Collections) The Adjutant General is authorized to rent, lease, or sub-lease any area under his ownership or control including facilities, unimproved real-estate, and parking areas. The Adjutant General is authorized to collect funds received from any sources including, but not limited to, county and city appropriations, short or long-term lease or rental payments, revenues from vending machines, military justice fines or other monetary

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

penalties, federal reimbursements under cooperative agreements, and gifts to the agency. These revenues shall be retained and expended as authorized by the Adjutant General.

100.2. (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.

100.3. (ADJ: Event Parking Contracts) Notwithstanding other provisions of this act, the Adjutant General may execute agreements addressing event-parking related services, sub-leases or licenses, or other appropriate subject in order to generate revenue from parking areas under his ownership or control near the University of South Carolina's Williams-Brice Stadium. The Adjutant General's authority to enter such agreements applies to the headquarters building parking facilities currently owned by the Department of Administration, whether or not those are subject of a current lease to the Adjutant General. The agreements may relate to parking for specific events, a series of events (USC home football games), or for all events. The Adjutant General may enter agreements with a state chartered and federally recognized tax exempt 501(c)(4) agency employees' association which may then sub-lease or sub-license individual parking spaces for use during an event, or a series of events (USC home football games). The agreements must require the employees association to obtain either event coverage, general liability coverage against wrongful death or injury, or similar coverage that is suitable to the Adjutant General. All agreements must obligate the employees association to hold harmless, indemnify, and defend the Office of the Adjutant General, the Department of Administration, the State of South Carolina, and their respective officers and employees from any liability resulting from parking patrons or their guests activities or presence during these events. The agreements must specify that the Office of the Adjutant General shall receive no less than thirty-three percent of the gross profits from sub-leasing, licensing, or other grants of use for parking. The agreements must also allow the State to audit the employees association's funds.

100.4. (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.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.5. (ADJ: Billeting Operations) All revenues collected by the Billeting operations at the R.L. McCrady Training Center shall be retained and expended in its budgeted operations. Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations. Funds remaining in the Billeting Operation account may be retained, carried forward, and expended for the same purpose in the current fiscal year.

100.6. (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.

100.7. (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.

100.8. (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.

100.9. (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

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

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.

100.10. (ADJ: National or State Guard State Active Duty) In the event of the activation of the South Carolina National Guard or State Guard to State Active Duty in response to a declared emergency or in response to an imminent or anticipated emergency, including support provided under Section 25-9-420 of the 1976 Code, the Emergency Management Assistance Compact, 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 \$1,500,000, to cover the actual costs incurred. Any funds reimbursed to the state shall be deposited in the state general fund, up to the amount of funds advanced to the Office of Adjutant General for these activities.

100.11. (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 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.

100.12. (ADJ: State Guard Training and Activation) The Office of the Adjutant General shall compensate State Guard personnel at a rate of \$150 per day during State Guard training. State Guard members will not be covered by the South Carolina Retirement System. State Guard mandated training is not to exceed 12 training periods per year for each member. In the event of activation of the State Guard to State Active Duty by the Governor or the Adjutant General, the Office of the Adjutant General shall compensate activated State Guard personnel at a rate of \$150 per day.

100.13. (ADJ: Disasters Expenditure Status Report) The Emergency Management Division of the Office of the Adjutant General shall prepare a quarterly report on the status of the expenditure of the funds appropriated in the current fiscal year or in a previous fiscal year for FEMA Match for all open federally declared disasters. The quarterly

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

report must include, but is not limited to, expenditure by category of work by state/local and by county and shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee beginning September 30, 2018.

100.14. (ADJ: Armory Revitalizations Carry Forward) The funds appropriated for Armory Revitalizations may be carried forward from the prior fiscal year and expended for the same purpose in the current fiscal year.

100.15. (ADJ: Use of Capital Funds-McEntire) For the current fiscal year, the Adjutant General may exercise the condemnation authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint National Guard Base and utilize funding for the “McEntire Joint National Guard Base - Land” received in Act 91 of 2019 for this and related purposes.

100.16. (ADJ: Use of Capital Funds-Joint Base Charleston) For the current fiscal year, the Adjutant General may accept a license on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use the funds received for “Armory Construction and Revitalizations” in Act 91 of 2019 for the state’s share for construction and related costs.

100.17. (ADJ: PPE Stockpile) The Emergency Management Division shall be permitted to rotate and replace the State’s personal protection equipment stockpile, housed pursuant to a state contract. This may include the rotation of like-kind stock owned by participating entities, both public and private, in order to minimize the cost of maintaining a personal protective equipment stockpile for the State and to ensure the useful life of the State’s personal protective equipment stockpile. In the event excess or expired PPE cannot be sold and meets the definition of SC Code of Regulations 19-445.2150(H), SCEMD may donate the material for nonmedical use to nonprofit organizations that are tax-exempt under Section 501(c)(3) of the Internal Revenue Code and that are properly registered as charitable organizations with the South Carolina Secretary of State.

100.18. (ADJ: Dining Operations) All revenues collected by the Dining Facility operations at the R.L. McCrady Training Center shall be retained and expended in its budget operations. Funds remaining in the Dining Facility accounts may be retained, carried forward, and expended for the same purpose in the current fiscal year.

100.19. (ADJ: Facility Insurance Coverage) For the current fiscal year, the Adjutant General is authorized to work with the South Carolina

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

State Fiscal Accountability Authority, Insurance Reserve Fund (IRF) to ensure state-owned or state-leased properties are properly insured. Consideration must be given to facilities which are eligible for federal and state cost-sharing agreements, which use federal funding to cover, either in whole or in part, costs of renovation, repair, or replacement in determining insurance coverage. The Adjutant General may utilize funds available from the federal government to pay for renovation, repair, or replacement following damage to the agency's state-owned or state-leased National Guard facilities. The Adjutant General also may utilize any federal funding which may be available for the procurement of building coverage insurance. This provision does not obligate the Insurance Reserve Fund to provide reimbursement or payments relating to any uninsured properties.

100.20. (ADJ: South Carolina Military History Foundation Support) From the funds authorized or appropriated for State Military Department operations, the Adjutant General may authorize Agency personnel to support and assist the South Carolina Military History Foundation, a state chartered and federally recognized tax exempt 501(c)(3) association, in its missions to support the South Carolina Military Museum and to promote the education of the citizens and visitors of the State of South Carolina.

100.21. (ADJ: SC Military History Foundation Cooperation) The Office of the Adjutant General and the South Carolina Military Museum Board may enter into agreements with the South Carolina Military History Foundation, a tax exempt 501(c)(3) nonprofit entity organized under the laws of this State, to utilize Agency resources to generate revenue from activities at the South Carolina Military Museum or elsewhere including, but not limited to, program fees, professional services, donations, food service, exhibits, and exhibit components. The agreements must specify that the Foundation may not charge program fees to students of any South Carolina public or private elementary school, middle school, high school, home school, alternative home school, or an association for home schools who are touring the museum or accessing the Museum's programs as part of a school function. The agreements must also specify that these revenues will be segregated from the other income or revenues of the Foundation and that those revenues will be used solely to support the Museum.

100.22. (ADJ: STORM Act Grant Authorization) Upon award of a federal "Safeguarding Tomorrow through Ongoing Risk Mitigation Act" capitalization grant, the South Carolina Emergency Management

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

Division (SCEMD) is authorized to accept the grant and to establish and manage the South Carolina Safeguarding Tomorrow Revolving Loan Fund in accordance with the provisions of the Federal Act and applicable state laws, regulations, and policies.

100.23. (ADJ: State Matching Funds Carry Forward) The funds appropriated for Armory Operations: Other Operating Expenses may be carried forward from the prior fiscal year and expended for the same purpose in the current fiscal year.

100.24. (ADJ: SC Public Assistance Program) The South Carolina Emergency Management Division (SCEMD) is authorized to establish the South Carolina Public Assistance (PA) Program to support disaster recovery for localized hazard events that cause severe damage but do not meet thresholds/criteria for a federal disaster declaration. State agencies and non-profit organizations will not be eligible to receive reimbursement under this program. SCEMD will utilize the PA Program funds to reimburse eligible entities for unbudgeted response and infrastructure repair costs. SCEMD will follow the guidelines and process utilized for the administration of the Federal Public Assistance program. Cost reimbursement will be 75% of eligible costs. SCEMD will provide quarterly reports to the Legislature on the status of the PA Program funds including disbursements. SCEMD will coordinate with the Office of Resilience on an ongoing basis to ensure recovery assistance funds are implemented to avoid duplication and maximize positive impacts for South Carolina communities.

**SECTION 101 - E260 - DEPARTMENT OF VETERANS'
AFFAIRS**

101.1. (VET: M.J. "Dolly" Cooper Veterans Cemetery Carry Forward) The Department of Veterans' Affairs may carry forward unexpended funds appropriated and/or authorized for the M.J. "Dolly" Cooper Veterans Cemetery from the prior fiscal year and shall use such funds for the same purpose. In addition, any unexpended funds in the Department of Veterans' Affairs, including Special Line Items, may be carried forward from the prior fiscal year into the current fiscal year. Funds carried forward in excess of the amount needed for the operation of the Cemetery may be used for other expenses of the Department of Veterans' Affairs.

**SECTION 101 - E260 - DEPARTMENT OF VETERANS'
AFFAIRS**

101.2. (VET: Budget Reduction Exemption) Funds appropriated for the Department of Veterans' Affairs shall be excluded from any across-the-board agency base reductions mandated by the Executive Budget Office or General Assembly.

101.3. (VET: Military Enhancement Fund Allocation) Funds appropriated to the department for the Military Enhancement Fund may be allocated to items including, but not limited to, land acquisition, recreational purposes, educational purposes, and facilities for military personnel. Eligible recipients are counties and municipalities with federal military installations.

101.4. (VET: Veterans' Home Fund) The Department of Veterans' Affairs is authorized to establish an interest-bearing fund in the State Treasury for funds appropriated or authorized for the operation of State Veterans Homes. The fund shall be used for operations, deferred maintenance, capital projects, ordinary repair, and maintenance of the State Veterans Homes and may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

101.5. (VET: Resident Fee Account) The Department of Veterans' Affairs is hereby authorized to retain and expend its Resident Fee Account funds. In addition to funds collected for the maintenance and medical care for patients, Medicare funds collected by the department from residents' Medicare benefits and funds collected by the department from its veteran facilities shall be considered as resident fees. The department is authorized to expend these funds for departmental operations, capital improvements, and debt service under the provisions of Act 1276 of 1970, and for the cost of patients' Medicare Part B premiums.

SECTION 102 - E280 - ELECTION COMMISSION

102.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for "County Boards of Voter Registration and Elections Board Members," shall be disbursed annually to the County Treasurer at the rate of \$2,500 for each member, not to exceed \$22,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are

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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 Board Members shall be excluded from the agency's base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections.

102.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$75.00 for the day of work and \$60.00 for training and paperwork. 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 \$75.00 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 \$75.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

102.3. (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 required for hearings held by the members of the Board of State Canvassers.

102.4. (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

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carried forward and expended for the same purposes during the current fiscal year.

102.5. (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.

102.6. (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.

102.7. (ELECT: Training & Certification Program) (A) 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 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.

(B) 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 member completes the training and certification program, but fails to complete at least one training course per year. The board member and members of that county's legislative delegation will be notified of the withholding of the stipend and the

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requirements needed to bring the member into compliance with the law. If a board member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board 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 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.

(C) If a stipend is being withheld on the effective date of this act for the failure of a member to attend a required training course, then the stipend must be paid if the member signed up for a course that was later cancelled.

102.8. (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.

102.9. (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.

102.10. (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. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections. These funds may also be used to reimburse local governmental entities for expenses incurred in the prior fiscal year associated with special primaries, runoffs, and general elections.

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102.11. (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.

102.12. (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system refurbishment to provide a match for the federal funds.

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103.1. (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.

103.2. (RFAO: Election File Merge) In order to assist the County Registration and Election Commissions to ensure that registered voters 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

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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.

103.3. (RFAO: SC Health & Human Services Data Warehouse) (A) 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

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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) Public Health;
 - (3) Mental Health;
 - (4) Alcohol and Other Drug Abuse Services;
 - (5) Disabilities and Special Needs;
 - (6) Social Services;
 - (7) Vocational Rehabilitation;
 - (8) Education;
 - (9) Juvenile Justice;
 - (10) Corrections;
 - (11) Probation, Parole and Pardon Services;
- Department of Children's Advocacy:
 - (1) Children's Foster Care Review Board;
 - (2) Continuum of Care;
- Department 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.

(B) 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.

(C) 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

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deemed necessary by the Office, an integrated data system that includes client data from all participating agencies.

(D) 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 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.

(E) 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.

(F) 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 Public Health 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 or other electronic health record system and their South Carolina Community Assessment

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Network, but shall provide the Warehouse with client data from the system and network.

(G) No state agency shall duplicate any of the responsibilities of this provision.

(H) For purposes of this provision, 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 this provision is hereby declared inapplicable to this provision.

103.4. (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 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.

103.5. (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.

103.6. (RFAO: Revenue Forecast) For the current fiscal year, Section 11-9-1130(A) shall be suspended.

**SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY
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104.1. (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

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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.

104.2. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for the current fiscal year, 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.

104.3. (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 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.

104.4. (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.

104.5. (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.

104.6. (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

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Reserve Fund shall continue to approve the attorneys-at-law retained to defend those it insures. In addition, the authority of the former Budget and Control Board under Section 1-7-170(A) is devolved upon the State Fiscal Accountability Authority.

104.7. (SFAA: 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 State Fiscal Accountability Authority shall contract every four years for a study of agency head, technical college president, and constitutional officer compensation, as required under Sections 8-11-160 and 8-11-165. The cost of the study must be shared by the participating agencies, technical colleges, and constitutional offices. 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 of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range.

104.8. (SFAA: Continuation of Authority) The respective divisions of the State Fiscal Accountability Authority are authorized to provide to and receive from other governmental entities, including other divisions and state and local agencies and departments, goods and services, as will in its opinion promote efficient and economical operations. The

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divisions 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 expended for the same purposes.

104.9. (SFAA: Revenue Bonding Authority Study) The Executive Director of the State Fiscal Accountability Authority shall undertake a one-time study of revenue bonding authority by quasi-state agencies. The study must result in a report that: (a) identifies every source of authority for such entities to undertake revenue bonds; and (b) summarizes all outstanding revenue bonds. The report shall be submitted to the Joint Bond Review Committee, the State Fiscal Accountability Authority, and any relevant legislative committee. Quasi-state agencies shall provide any assistance requested by the authority's executive director.

104.10. (SFAA: P-Card Oversight) Using funds appropriated, no later than October 1, 2025, the State Fiscal Accountability Authority, Division of Procurement Services (Division) shall publish and maintain a South Carolina Purchasing Card Policy and Procedures Manual (Manual) to establish sound practices for the use of purchasing cards (P-Cards) and for management oversight of such use to reduce the State's risk of P-Card misuse and fraud. The Division shall develop and provide training and testing on the requirements of the Manual and begin offering such training no later than October 15, 2025. The director of each governmental body as defined in Section 11-35-310 employing P-card holders shall ensure the governmental body develops an agency-specific P-card use manual no later than April 1, 2026. The director of each governmental body employing P-card holders shall ensure that every P-card holder and those with responsibility for implementation and oversight of its P-card program have completed the Division P-card training and successfully passed the Division P-card testing no later than April 15, 2026. The director of each governmental body employing P-card holders shall ensure that no supervisory or oversight of a P-card role shall be assigned nor new P-cards issued before such employees shall complete Division P-card training and successfully pass Division P-card testing. The director of each governmental body employing P-card holders shall ensure the governmental body develops, implements, and provides the Division with documentation of an internal P-card annual training program for employees with supervisory or oversight of P-card

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programs and for all P-card holders. The director of each governmental body employing P-card holders shall obtain an annual compliance audit of the governmental body's P-card program conducted by an independent third-party entity qualified to conduct such an audit and shall provide audit report results and corrective action plans, if any, to the Division no later than October 1, 2025. The Division shall compile all such audit report results into a single report and provide the report to the State Fiscal Accountability Authority (Authority) at its first regularly scheduled meeting of each calendar year. In each audit of the procurement system of a governmental body pursuant to Section 11-35-1230, the Division shall also audit the governmental body's P-card program to determine whether internal controls of the governmental body's P-Card program are adequate to ensure compliance, in all material respects, with the Manual, applicable laws and regulations, and internal policies. The Division shall include its findings and recommendations in the audit report submitted to the Authority. The Authority shall impose administrative penalties for repeat or egregious violations of the Manual, including but not limited to, reduction or suspension of the governmental body's P-Card program, reduction in procurement certification granted pursuant to Section 11-35-1210, removal of authority to conduct sole source procurements, or directing that all or a portion of any P-Card rebates due the governmental body be deposited in the General Fund. The Authority is authorized to request in-person reports from governmental body leadership on corrective actions being taken to rectify such repeat or egregious violations of the Manual and may exempt any governmental body from any requirement of this proviso.

SECTION 105 - F270 - SFAA, OFFICE OF STATE AUDITOR

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 Title 2 U.S. Code of Federal Regulations (C.F.R) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) shall remit to the State Auditor an amount representing an equitable portion of the expense of conducting the audit of the State's federal financial assistance.

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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 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.

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 Section 14-1-240; however, the State Auditor shall not be required to spend more than the annual amount of \$350,000, 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

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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.

105.5. (SFAA-AUD: Special Study of Long-Term Obligations) (A) The State Auditor shall identify certain long-term obligations by state institutions of higher learning, as defined by Section 59-107-10 of the 1976 Code, and report his findings to the General Assembly. The intent is to identify those obligations which are long-term debt or tantamount to long-term debt,

or those which, if not honored, might result in a negative rating action on the institution's or the State's credit rating. Such obligations would not include either general obligation debt or bonded indebtedness issued directly by an institution.

(B) "Long-term obligation" means:

(1) an arrangement to acquire an interest in or a right to use, or have others use, any type of property if all or a portion of the money required to pay for the acquisition is secured through fare, toll, or user charges;

(2) an arrangement to acquire an interest in or a right to use, or have others use, any type of property if (a) the arrangement is financed, directly or indirectly, with indebtedness undertaken by another for that purpose; (b) the state institution knows or should know the acquisition is financed by indebtedness; and, (c) the state institution is obligated to make, or undertakes to have others make, recurring payments on, or that another will use to make payments on, the indebtedness; or

(3) any of the following arrangements: (a) lease-purchase agreement; (b) leaseback agreement; (c) installment purchase agreement; (d) lease with an option to purchase for other than the then-current fair market value; (e) lease with option to renew for nominal or no additional consideration; (f) an agreement involving collateral, such as a mortgage or security interest; (g) a public private partnership; (h) an agreement structured as either design-build-operate-maintain or design-build-finance-operate-maintain, as defined in Section 11-35-2910; (i) a finance lease, as defined in Section 36-2A-103(1)(g); (j) a transaction in the form of a lease that creates a security interest, as addressed in Section 36-1-203(b); or (k) a guaranteed energy, water, or wastewater savings contract, as authorized by Section 48-52-670(A).

(C) The report should include long-term obligations irrespective of the source of funds involved, if any, and whether or not the obligation is

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subject to the availability or appropriation of funds. The report should exclude the following: (1) general obligation debt authorized under Section 13, Article X of the Constitution of South Carolina, 1895, and debt issued by the state institution under Section 13, Article X of the Constitution of South Carolina, 1895, but not debt issued under Section 13 or 14 of Article X on its behalf or for its benefit; and (2) an institution's obligation to make payments when the total amount of money needed for the obligation is committed for that purpose, authorized for expenditure, and in hand.

(D) The report should be adequate to catalog the type, extent, and prevalence of long-term obligations by state institutions. Without limitation, the report should include the following information for each obligation identified, if applicable: (1) the interest or right acquired; (2) the initial, maximum, and then outstanding amount of indebtedness involved; (3) whether a credit rating was obtained for such indebtedness; (4) the amount and frequency of payments involved, and who makes the payments; (5) the total amount of payments remaining to be made; (6) the initial and remaining duration of the obligation; (7) the source of funds used to make payments; (8) the parties to the arrangement and any associated borrowing, including without limitation, the entity lending the funds or assets associated with the financed acquisition; and (9) any counterparty or intermediary involved.

(E) The State Auditor shall conduct the study and issue a final report no later than one hundred and twenty days after the beginning of the current fiscal year. State institutions must fully respond within forty-five days to any formal request for information from the State Auditor. If, in the State Auditor's judgment, a state institution does not timely submit a complete and accurate report, he may obtain the service of independent professionals to audit the institution's records and charge the institution for the associated cost. Sections 11-7-30, 11-7-35, and 11-7-45 of the 1976 Code shall apply to this special study as though it were an audit.

105.6. (SFAA - AUD: Internal Audit Services) The State Auditor's Office is authorized to offer internal audit services to state agencies under a cost reimbursement, shared services model. Any state agency that does not have an internal audit function may opt to use the services to conduct such audit. The audit plan will be agreed upon between the State Auditor's Office and the state agency, and cost will be determined by nature, timing, and extent of the audit work.

105.7. (SFAA - AUD: Auditing Moratorium) For Fiscal Year 2025-26, if a minimum of one year has passed, the State Auditor or a member

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of his staff may conduct an audit of a program, activity, or agency for which he had management responsibility or by which he was employed.

105.8. (SFAA - AUD: Carry Forward) For Fiscal Year 2025-26, the Office of the State Auditor is authorized to carry forward all funds from the prior fiscal year to ensure that the office can perform operations and conduct audits as needed.

SECTION 106 - F300 – STATEWIDE EMPLOYEE BENEFITS

106.1. (SEB: SCRS & PORS Allocation) The funds appropriated in the current fiscal year for SCRS Employer Contributions and PORS Employer Contributions shall be allocated to state agencies and school districts by the Department of Administration, Executive Budget Office for SCRS and PORS rate increases.

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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

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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 or e-cigarette users and nonusers regarding rates charged to enrollees in its health plans by imposing a surcharge on enrollee rates based upon tobacco or e-cigarette use. The surcharge for tobacco or e-cigarette use may not exceed \$40 per month per subscriber or \$60 per month per subscriber and dependent(s).

108.4. DELETED

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: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2), an employer premium increase of 4.6 percent and a subscriber premium increase of zero percent will result for the standard State Health Plan for Plan Year 2026. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health Plan during Plan Year 2026 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

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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. (PEBA: Former Spouses on the State Health Plan) For the Plan Year beginning in January of the current fiscal year, the State Health Plan shall cover a subscriber's former spouse, who is eligible to be covered pursuant to a court order, on the former spouse's own individual policy and at the full amount of the premium for the coverage elected, with such rates, billing, and other administrative policies to be determined by the Public Employee Benefit Authority. The former spouses may only elect such health, dental, and vision coverage as required by the court order. The former spouse's individual coverage may continue under the State Health Plan as long as authorized under the court order and the subscriber remains a participant in the State Health Plan. This proviso does not affect a subscriber's ability to cover a current spouse on an employee/retiree and spouse or full family policy when the subscriber's former spouse is covered on a separate policy.

108.11. (PEBA: Non-State Agency Furloughs) For the current fiscal year, a participating employer in the South Carolina Retirement System or Police Officers Retirement System that is not a state agency or institution of higher learning may make employee and employer contributions for a period of not more than ninety working days during a furlough program that was implemented as a result of and took place during the COVID-19 Public Health Emergency and if the terms of the furlough program are consistent with the requirements for an approved mandatory furlough program established by a state agency or institution of higher learning under state law. The participating employer shall make such contributions in order to ensure that a furloughed employee's retirement benefits are not interrupted as a result of the furlough, and the period for which such contributions are made will not be considered a break in consecutive employment.

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108.12. (PEBA: South Carolina Retiree Health Insurance Trust Fund) The provisions of Section 1-11-705(I)(2) are suspended for Fiscal Year 2025-26, and, notwithstanding any other provision of law, during Fiscal Year 2025-26, funds that would otherwise have been transferred to the South Carolina Retiree Health Insurance Trust Fund from the operating account for the State's employee health insurance program pursuant to Section 1-11-705(I)(2) may remain in the operating account for the State's employee health insurance program.

108.13. (PEBA: Fiduciary Audit) For Fiscal Year 2025-26, Section 9-4-40, relating to solicitation of the bid for the fiduciary audit, is suspended.

108.14. (PEBA: PORS and SCRS Return to Work) (A) For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the Police Officer Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided in Title 9 for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.

(B) For compensation earnings during the current fiscal year, the earnings limitation does not apply if a member of the South Carolina Retirement System has not been engaged to perform services for a participating employer in the system or any other system provided in Title 9 for compensation in any capacity, whether as an employee, independent contractor, leased employee, joint employee, or other classification of worker, for a period of at least twelve consecutive months subsequent to retirement. The exemption provided under this provision does not apply unless the member first certifies to the system that he satisfies the requirements for the exemption. If a member inaccurately certifies that he satisfies the requirements for the exemption provided in this provision, the member is responsible for reimbursing the system for any benefits wrongly paid to the member.

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108.15. (PEBA: PORS Return to Work) If a member of the Police Officer Retirement System chooses to engage in the Return to Work program, their twelve month period spent not engaging in officer duties shall not cause a member to lose their license or be unable to perform the duties of a police officer. Officers participating in the Return to Work program shall be required to meet continuous training and education requirements of the South Carolina Law Enforcement Academy.

108.16. (PEBA: Employer Contribution Requirement) A retired member who has been restored to active employment by appointment of the Governor and whose compensation in that employment is subject to Section 8-11-160 shall be considered eligible for the provisions of Section 9-1-1590 if the member continues in such service for a period of at least thirty-six consecutive months at an annual compensation equal to or greater than seventy-five percent of his average final compensation at retirement.

SECTION 109 - R440 - 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 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.

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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 candidate's 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 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

SECTION 109 - R440 - DEPARTMENT OF REVENUE

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: 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.

109.8. (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.

109.9. (DOR: Public Safety Events) Of the accommodation tax returned to Horry County or the municipalities therein, excluding municipalities that have enacted a Tourism Development Fee, up to one third of the total allocation may be set aside and used for direct policing activities, fire safety, and emergency medical services during events held in May and December, or other dates if rescheduled due to emergency conditions within Horry County that significantly increase the burden of law enforcement and other first responders and require additional resources to ensure public safety during those events. 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, which will be dedicated to direct policing activities, fire safety, and emergency medical services. 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 the Senate Finance Committee, and the Chairman of the House Ways and Means Committee

SECTION 109 - R440 - DEPARTMENT OF REVENUE

no later than ninety days after the end of the fiscal year in which these funds are expended.

109.10. (DOR: Tourist Safety) Of the accommodation tax returned to any municipality in Horry County that has a Tourism Development Fee, up to fifty percent of the allocation designated under Section 6-4-10(3) of the 1976 Code may be set aside and used for direct policing purposes related to tourism. Direct policing purposes include temporary personnel, equipment, and the installation and maintenance of infrastructure related thereto. These funds may not exceed sixty-five percent of the total new funds dedicated to the additional policing purposes implemented. Each municipality utilizing this provision shall include expenditures and revenue sources in its annual report to the Tourism Expenditure Review Committee and shall submit copies of the report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee.

109.11. (DOR: Notification of Protest) In the current fiscal year and from the funds appropriated, if a taxpayer, other than an individual, files a written protest pursuant to Section 12-60-2120 of the 1976 Code, the department shall notify any affected county and school district of the written protest.

109.12. (DOR: Electronic Filing) In the current fiscal year, in order to allow certain applications for licenses or permits to be filed electronically, the Department of Revenue may require a statement subject to penalties of perjury instead of a statement under oath.

109.13. (DOR: Referendum Notification) A county or municipal election commission must notify the Department of Revenue sixty days prior to a referendum on the imposition of a local sales tax or local option permit.

109.14. (DOR: Manufacturing Property Tax Reduction) In the current fiscal year, property owned by or leased to any utility, including solar farms, is not allowed the property tax reduction percentage for manufacturing property.

109.15. (DOR: Income Tax Withholding) For the current fiscal year and from funds available, the Department of Revenue shall clarify that any income tax withholding provision that requires withholding at the rate of seven percent means withholding at the maximum individual income tax rate.

109.16. (DOR: Farm Fuels) For the current fiscal year, chemicals and oils including, but not limited to, greases, lubricants, and coolants used in an exempt farm machine that are essential to the functioning of

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the exempt machine are exempt fuels used in farm machinery and farm tractors.

109.17. (DOR: Emergency Commodity Assistance Program) For Fiscal Year 2025-26, federally-earned emergency commodity assistance program funds from the United States Department of Agriculture are exempt from state income taxes.

SECTION 110 - R520 - 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 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.*

110.2. (ETHICS: Commission Meeting) The Ethics Commission must meet at least one time each month and post notice of meeting at least twenty-four hours in advance on the agency website.

SECTION 111 - S600 - 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

SECTION 111 - S600 - PROCUREMENT REVIEW PANEL

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 - V040 - DEBT SERVICE

112.1. (DS: Excess Debt Service) Excess debt service funds available in Fiscal Year 2025-26 may be expended in the fiscal year 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. Prior to the use of these funds, the Office of the State Treasurer shall notify the Chairman and Vice Chairman of the Joint Bond Review Committee.

112.2. DELETED

**SECTION 113 - X220 - 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. 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 the current fiscal year, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after

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the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year 2025-26 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 the salary and other benefits 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, any reduction in these officials' budgets must be made in consultation with the affected official.

Of the amount appropriated in Part IA, Section 113 for Aid Cnty-Magistrates, a salary supplement of ten thousand dollars per full-time magistrate and two thousand five hundred dollars per part-time magistrate shall be provided. These amounts shall be distributed quarterly, and the amount appropriated by the county as salaries for these

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positions shall not be reduced as a result of the appropriation. The salary supplement shall not disqualify each magistrate for salary increases that they might otherwise receive from county funds in the future.

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: 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 without posting the following on the political subdivision's website for ten days:

**SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE
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(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.

113.6. (AS-TREAS: Agricultural Use Exemption) A county shall have its portion of the Aid to Subdivisions, Local Government Fund withheld if the county imposes any additional requirements for an agricultural use exemption for a landowner's timberland beyond what is required by Section 12-43-230(a) and Section 12-43-232 of the 1976 Code.

113.7. (AS-TREAS: Excess Sales Tax Collections) In the current fiscal year, if a county has capital projects sales tax collections in excess of the amount necessary to complete all projects for which the tax was imposed and the tax has not yet expired, the county may pledge and use the excess collections to fund road improvements, intersection improvements, and pedestrian transportation. However, prior to the expiration of the tax, an eligible county must adopt an ordinance specifying the purposes for which the excess funds will be used. A county may expend distributions received pursuant to the Aid to Subdivisions, State Treasurer section to meet the requirements of this provision.

113.8. (AS-TREAS: Rural County Stabilization Fund) There is created in Aid to Subdivisions-State Treasurer the Rural County Stabilization Fund. Any county that has population growth, as determined by the 2020 Census, of less than 5.35% since the 2010 census shall be eligible to receive monies from the fund as follows:

- (1) a baseline of \$300,000 to each eligible county;
- (2) an additional \$100,000 to eligible counties with a population between 50,000 and 99,999; and

**SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE
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(3) an additional \$200,000 to eligible counties with a population of more than 100,000. After disbursal of funds, any monies remaining shall be distributed to each eligible county on a pro rata basis.

In the event the amount of funds in the Rural County Stabilization Fund is not sufficient to provide monies to counties according to the above formula, the amounts distributed to counties shall be reduced on a pro rata basis.

113.9. (AS-TREAS: E-Filing System) The governing body of any county that has at least three municipalities within the county, in whole or in part, with a population of fifty thousand or more shall utilize sufficient funds received from the local government fund to implement an electronic or e-filing system in the county's Register of Deeds Office to be utilized for the recording of documents and for payment of associated fees. The Register of Deeds shall assist with the implementation and shall monitor, utilize, and maintain the system.

113.10. (AS-TREAS: Disgorging of Funds) (A) In the current fiscal year, if a municipality receives funds from the Local Government Fund and, by ordinance, prohibits medical and mental health professionals from providing conversion therapy or reparative therapy to minors at any time during the current fiscal year, then the Treasurer must claw back all such funds of the municipality to the Local Government Fund. Conversion therapy or reparative therapy means any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender.

(B) Nothing in this proviso prohibits a medical or mental health professional from offering assistance to a minor struggling with gender identity so long as the assistance does not encourage gender transition.

SECTION 117 - X900 - 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

SECTION 117 - X900 - GENERAL PROVISIONS

departmental or institutional source of activity, must be remitted to the State Treasurer at least once each week, when practical, and must be 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 the Statement of Revenues 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;
- Governor's School for Agriculture at John de la Howe;
- 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 2025-26, and for other purposes specifically designated.

SECTION 117 - X900 - GENERAL PROVISIONS

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, 2025 , and ending June 30, 2026 , and “prior fiscal year” means the fiscal year beginning July 1, 2024 , and ending June 30, 2025.

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

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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;
- (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; or
- (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 Proviso 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

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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 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-DPH, DES, DSS, DHHS - Disallowances) Amounts appropriated to the Department of Public Health, Department of Environmental Services, 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:

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(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 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

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Human Affairs Commission by February fifteenth, explaining why goals were not achieved.

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: FTE Management) (A) 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. Each agency is responsible for ensuring that the number of filled and vacant FTEs does not exceed the number of authorized FTEs in the South Carolina Enterprise Information System (SCEIS).

(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 sixty days of the passage of the Appropriation Act or by September first, whichever comes later, each agency of the State must have established in SCEIS all new positions authorized in the Act. After that date, the Executive Budget Office in consultation with the Division of State Human Resources shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established as filled or vacant by state agencies in excess of the total number of authorized full-time

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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 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 FTEs between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the office shall prepare a FTE analysis, by agency, which shows the number of authorized, filled, and vacant positions by source of funds for the current and two previously completed fiscal years. The office shall provide a copy of each agency's FTE analysis to the Senate Finance and House Ways and Means Committees.

(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 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.

(6) 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.

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(B) 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) (A) 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 the Governor's School for Agriculture at John de la Howe, 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. 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.

(B) 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.

(C) 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

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operators, forestry aides, and caretaker at central headquarters; the Department of Natural Resources' Wildlife Management Area Personnel, Fish Hatchery Personnel, and Heritage Trust Personnel; 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 Public Health personnel at the State Park Health Facility and Camp Burnt Gin; South Carolina Department of Environmental Services personnel at the State Park Health Facility; Residence Life Coordinators at Lander University; Residence Life Directors, temporary and transition employees, student interns, and emergency personnel at Winthrop University and Francis Marion 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.

(D) 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 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

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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.

(E) 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.

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

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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 \$50 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.

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

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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 \$35 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$50. 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 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 \$42 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses

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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 \$42 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 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 \$42 per day plus such mileage allowance for travel as is

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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 \$42 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 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

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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 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

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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 state agency receiving funds that are a direct appropriation to a non-profit organization, prior to disbursing the funds, shall require from each recipient organization a plan of how the state funds will be spent and how the expenditures will provide a public benefit. The Executive Budget Office, Department of Administration shall provide each state agency with a standard form for collecting the information required. After receiving the funds, non-profit organizations shall provide quarterly spending updates to the respective state agency. After all state funds have been expended, each organization shall provide an accounting of how the funds were spent, including an accounting of funds provided to subgrantees and affiliated non-profits. State agencies receiving funds pursuant to this provision shall report the information collected to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by June 30th. 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.

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 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

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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 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

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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.

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 Public Health, 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 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

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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 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

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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 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.

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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 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: 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.

117.34. (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

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this reduction must be distributed among other libraries that are in compliance with subsection (A).

117.35. (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.

117.36. (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 refund is due any taxpayer of use tax paid on sales exempted by this paragraph.

117.37. (GP: Personal Property Tax Relief Fund) 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.

117.38. (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.

117.39. (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 iron and steel unless the item cannot be acquired competitively at a reasonable price.

117.40. (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

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what is specified in Part IA of this act is waived for the current fiscal year.

117.41. (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.

117.42. (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.

117.43. (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 the Governor's School for Agriculture at John de la Howe are authorized to charge, collect, expend and carry forward fees charged for facility and equipment rental and registration.

117.44. (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.

117.45. (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.

117.46. (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,

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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.

117.47. (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.

117.48. (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) and (D), 14-1-207(B) and (D), 14-1-208(B) and (D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Department of Crime Victim Compensation. The State Department of Crime Victim Compensation 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 Department of Crime Victim Compensation 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,

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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 Department of Crime Victim Compensation 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 Department of Crime Victim Compensation to initiate a programmatic review and a financial audit of the entity's or nonprofit organization's expenditures of victim assistance funds. Additionally, the Department of Crime Victim Compensation 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 Department of Crime Victim Compensation. If the State Department of Crime Victim Compensation 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 Department of Crime Victim Compensation. 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 Department of Crime Victim Compensation shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$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 Department of Crime Victim Compensation to the entity or nonprofit organization that they are in noncompliance with the provisions of this proviso. All penalties received by the State Department of Crime Victim Compensation shall be credited to the General Fund of the State. If the penalty is not received by the State Department of Crime Victim Compensation 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.

117.49. (GP: H.L. Hunley Museum Location) The General Assembly approves the Patriots Point Development Authority 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 Patriots Point Development Authority.

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The Hunley Commission is directed to expend funds from its account to negotiate and execute contracts on behalf of the State of South Carolina.

117.50. (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.

117.51. (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.

117.52. (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. 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

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to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, upon request.

117.53. (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.

117.54. (GP: Respiratory Syncytial Virus Prescription Sales and Use Tax Exemption) The effective date of the exemption from sales and use 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.

117.55. (GP: Year-End Financial Statements - Penalties) Agencies, institutions, and other reporting entities required to submit annual audited financial statements for inclusion in the State's Annual Comprehensive Financial Report must submit final audited financial statements to the Comptroller General not later than October first for those with fiscal year-end June thirtieth. The South Carolina Retirement Systems, Insurance Benefits, and Other Post-Employment Benefits Trust Funds administered by the South Carolina Public Employee Benefit Authority must submit their final audited financial statements no later than October fifteenth. For institutions and reporting entities with fiscal year-ends other than June thirtieth, final audited financial statements must be submitted to the Comptroller General within 120 days of that fiscal year-end. The Comptroller General shall provide a

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written report of each agency, institution, or other reporting entity not in compliance with this provision to the State Fiscal Accountability Authority by November thirtieth.

117.56. (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.

117.57. (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.

117.58. (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.

117.59. (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission on Indigent Defense and the Commission on Prosecution Coordination shall be subject to all provisions related to agency heads covered by the Agency Head Salary Commission.

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117.60. (GP: Prosecutors and Defenders Public Service Incentive Program) The Office of Attorney General, the Commission on Prosecution Coordination, and the Commission on Indigent Defense shall develop and implement a Prosecutors and Defenders Public Service Incentive Program for attorneys employed by the Office of Attorney General, the Commission on Prosecution Coordination, the Commission on Indigent Defense, a Circuit Solicitor's Office or a Circuit 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 Commission on Prosecution Coordination, which shall pay for the cost of administration within the funds appropriated.

The Office of Attorney General, the Commission on Prosecution Coordination, 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 attorneys. The Commission on Prosecution Coordination shall also 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 April first.

Unexpended program funds from the prior fiscal year may be carried forward into the current fiscal year to be used for the same purpose.

117.61. (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

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funds, to pay the costs of mandatory dues owed to the South Carolina Bar Association.

117.62. (GP: Critical Employee Recruitment and Retention) State agencies are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining workers in critical needs jobs which provide services that directly impact the health, safety, and welfare of the public. The employee bonus amount shall be approved by the State Human Resources Director based on State Human Resources guidelines, 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 bonuses shall, however, be considered earnings for determining if an employee who has returned to work after retirement is subject to the earning limitation imposed in either Section 9-1-1790(A)(1) or Section 9-11-(4)(a)(i).

These agencies may also provide paid educational leave for any employee in a FTE position deemed critical by the Department of Administration to attend class while enrolled in 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 individuals employed in critical needs positions to repay them for their outstanding student loans associated with completion of a relevant degree. 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 of employment. The agency will be responsible for verifying the principal balance of the employee's student loan prior to issuing payments.

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.

The Department of Administration shall approve of the designation of critical needs positions applicable to this provision using guidelines that include, but are not limited to: (1) the difficulty recruiting for the

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positions as reflected by data such as the vacancy rate maintained, the average time to fill, the lack of sufficient qualified applicants, and other objective factors; (2) the difficulty retaining employees in the positions as shown by turnover data; (3) justification by the state agency that the position is critical to the core mission of the agency and directly impacts the health, safety and welfare of the public; and (4) assurances from the state agency that there are sufficient existing funds available to pay for items under this provision.

Healthcare employees in approved critical needs positions 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.

State agencies must report to the Department of Administration by August 31st of each year any expenditure under this provision. The Department of Administration shall compile a report of the responses and submit them to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October 1st of each year.

117.63. (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.

117.64. (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 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.

117.65. (GP: Governor's Security Detail) *The State Law Enforcement Division, the Department of Public Safety, and the*

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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.

117.66. (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.

117.67. (GP: Printed Report Requirements) (A) For the current fiscal year, 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 the current fiscal year, 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 the current fiscal year, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

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(D) For the current fiscal year, 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.

117.68. (GP: IMD Operations) The Department of Health and Human Services shall produce an annual report on Medicaid-funded out-of-home placements and associated expenditures which 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.

117.69. (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. 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.

117.70. (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

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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.

117.71. (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.

117.72. (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 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.

117.73. (GP: Information Technology for Health Care) From the funds appropriated and authorized to the Department of Health and Human Services, the department shall advance the use of health information technology and health information exchange to improve quality and efficiency of health care by creating the capability of moving clinical information among different health care information systems.

The department shall procure, contract, and/or otherwise enter into agreements that it deems to be in furtherance of the recommendations of the Health Information Exchange Strategy Development Committee

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established pursuant to Act 94 of 2021 or other initiative it deems appropriate to facilitate the useful exchange of health information. Such initiatives may include allowing health care providers to appropriately access and securely share patient medical information, collecting statewide data on critical assets and workforce capacities, and implementing a Medicaid encounter notification system. Any systems should focus on providing connectivity to health care providers while minimizing administrative burden and allowing health care providers to maintain existing electronic health systems. The department shall incorporate measures to ensure that the confidentiality, integrity, and availability of patient data is always safeguarded and protected in accordance with state and federal laws. The department shall coordinate its efforts with the Department of Public Health and other stakeholders the department deems appropriate.

117.74. (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 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.

117.75. (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.

117.76. (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

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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 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.

117.77. (GP: Commuting Costs) State government employees who use a permanently assigned agency or state-owned vehicle to commute

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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.

117.78. (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 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

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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.

117.79. (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.

117.80. (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 proposes the regulation must indicate that a fee, fine, or revenue source is being proposed.

117.81. (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, \$475,000 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

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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 41.2.

117.82. (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, the employee must be provided legal counsel by the governmental entity and/or their insurer upon the submission of an affidavit executed by the agency head or his designee that the employee was acting within the scope of employment or in good faith. No insurer that provides insurance for any governmental entity may exclude coverage for civil conspiracy as provided for in this provision. Prior to trial, the court must 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 or in good faith. If the court finds that the government employee was acting outside the scope of the employee’s official duties or not in good faith, the government or their insurer shall not thereafter expend any funds to pay or defend the claim including funds for the employee’s legal counsel. 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 or in good faith. 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.

117.83. (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.

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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.

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

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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.

117.84. (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 first.

117.85. (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.

117.86. (GP: WIOA Service Advertising) For the current fiscal year, the Workforce Development Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce development areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce development boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Innovation and Opportunity Act.

117.87. (GP: WIOA Training Marketability Evaluation) (A) For the current fiscal year, 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

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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 House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before December 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.

117.88. (GP: Victims Assistance Transfer) The Department of Corrections shall transfer \$20,500 each month to the Office of Attorney General for distribution through the State Victims Assistance Program.

117.89. (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.

117.90. DELETED

117.91. (GP: BabyNet Quarterly Reports) The School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, and the Department of Mental Health shall each provide on a common template, 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.

117.92. (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.

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117.93. (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.

117.94. (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 official state business, the State Law Enforcement Division, the Department of Commerce, the Office of the Governor, the House of Representatives, and the Senate shall have first right of refusal in the event of scheduling conflicts with athletic recruiting flights.

117.95. (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.

117.96. (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. Funds appropriated for Enterprise Technology and Remediation shall be excluded from the Department of Administration's base budget calculation of any across-the-board agency base reduction mandated by the Executive Budget Office or the General Assembly. Unexpended Enterprise Technology and Remediation funds may be carried forward from the prior fiscal year and used for the same purpose.

117.97. (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,

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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.

(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 proviso:

(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

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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 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

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electronic records and signatures set forth in Section 7001 of Title 15 U.S.C. 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.

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 U.S.C. Section 1681a(p), of the timing, distribution, and content of the notice.

117.98. (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),

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14-1-207(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.

117.99. (GP: Detailed Expenditure/Revenue Reports PCC/CID) The Commission on Prosecution Coordination 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.

117.100. (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 \$5,140,727, and any additional state funds appropriated by the General Assembly for the same purpose shall be considered supplemental to this amount. These funds must be increased by an amount commensurate with any statewide state employee salary increases or statewide state employee bonuses, including employee fringes, provided by this General Appropriations Act. 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

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the prior fiscal year into the current fiscal year and be expended for the same purposes.

117.101. (GP: Continuation of Teen Pregnancy Prevention Project Accountability) (A) Qualifying organizations applying for General Funds 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; and

(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; and

(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.

(B) 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.

(C) Unexpended funds for Continuation of Teen Pregnancy Prevention projects under the Department of Social Services, the Department of Education, or under the Department of Public Health shall

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be carried forward for the purpose of fulfilling the department's contractual agreement.

117.102. (GP: Information Technology and Information Security Plans) (A) By August first of the current fiscal year, all state agencies must submit an information technology plan and an information security plan 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 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

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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.

117.103. (GP: SCOIS Transfer) For the current fiscal year, the South Carolina Occupational Information System, its authority and responsibilities, to include the collections of user fees that must be used to operate the program, shall continue to be transferred from the Department of Employment and Workforce to the Department of Education.

117.104. (GP: Child Fatality Review) (A) The agencies specified shall implement the following recommendations contained in the Legislative 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 Public Health.

(4) The State Law Enforcement Division and the Department of Public Health shall establish a system for cross checking child fatalities

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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.

(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, 2016.

(B) Pursuant to Section 63-11-1930(E), 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.

117.105. (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.

117.106. (GP: Family Planning Funds) (A) Notwithstanding any other law, federal family planning funds and state family planning funds shall be awarded to eligible individuals, organizations, or entities applying to be family planning contractors in the following order of descending priority:

(1) public entities that provide family planning services, including state, county, and local community health clinics and federally qualified health centers;

(2) nonpublic entities that provide comprehensive primary and preventive health services, as described in 42 U.S.C. 254b(b)(1)(A), in addition to family planning services; and

(3) nonpublic entities that provide family planning services but do not provide comprehensive primary and preventive health services.

(B) Family planning funds must be distributed in compliance with federal law to ensure distribution in a manner that does not severely limit or eliminate access to family planning services in any region of the State.

(C) Any department, agency, board, commission, office, or other instrumentality of the State that distributes family planning funds shall

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submit an annual report to the General Assembly listing any family planning contractors that fall under item (A)(3), and the amount of federal or state family planning funds they received. The report shall provide a detailed explanation of how it was determined that there were an insufficient number of eligible individuals, organizations, or entities in items (A)(1) and (A)(2) to prevent a significant reduction in family planning services in each region of the State where (A)(3) contractors are located.

117.107. (GP: Statewide Strategic Information Technology Plan Implementation) To ensure the uniform implementation of the Statewide Strategic Information Technology Plan developed pursuant to the Restructuring Act of 2014 and designed to improve the State's ability to provide reliable, secure, cost-efficient, and innovative information technology services and infrastructure, state agencies are directed as follows:

(1) Agencies shall use the shared services from the Department of Administration, Division of Technology Operations as those services become available and in a sequence to be determined by the division. Agencies shall coordinate with the division to accomplish a strategic transition to the shared services environment. Shared services include, but are not limited to, mainframe services, application hosting, servers, storage, network services, desktop services, and disaster recovery services. The State Chief Information Officer may grant an exception, to be revisited on a periodic basis, if the division determines that it cannot immediately satisfy the technical or security capabilities required to support the agency in question.

(2) With regard to information technology governance, standards, and enterprise architecture, agencies shall comply with the rules, standards, plans, policies, and directives of the Division of Technology Operations.

(3) With regard to information technology governance, standards, and enterprise architecture, agencies shall participate and comply with decisions determined by the information technology governance advisory groups.

(4) With regard to the annual Appropriations Act budget submission, agencies shall submit all information technology budget requests to the Executive Budget Office and the Division of Technology Operations. The Executive Budget Office and the Division of Technology Operations shall jointly review the budget requests and recommend for

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funding consideration only those proposals that fit into the overall Statewide Strategic Information Technology Plan.

(5) With the consultation and approval of the Division of Technology Operations, agencies must create an information technology plan for purchases that exceed \$50,000 to ensure compliance with the Statewide Strategic Information Technology Plan and the standards defined by the division.

(6) Agencies shall develop a three-year strategic plan for information technology, updated annually, for the Division of Technology Operations, that shall be approved by the Chief Information Officer, that sets forth: (a) operational and project priorities; (b) budget summaries; (c) planned projects and procurements; (d) staffing plans; (e) security initiatives; and (f) risks, issues, and concerns with the agency's information technology.

(7) Agencies shall enter information technology costs into the South Carolina Enterprise Information System (SCEIS) as directed by the Division of Technology Operations and SCEIS.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency compliance no later than December thirty-first of each calendar year.

The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this provision.

117.108. (GP: Sentencing Reform Oversight Committee Reauthorization) There is established for the current fiscal year the South Carolina Sentencing Reform Oversight Committee. The oversight committee shall be composed of eleven members, two of whom shall be members of the Senate, both appointed by the Chair of the Senate Judiciary Committee and one being the Chair of the Senate Judiciary Committee or his designee; two of whom shall be members of the Senate, one appointed by the President of the Senate and one appointed by the Chairman of the Senate Finance Committee; two of whom shall be members of the House of Representatives, both appointed by the Chair of the House Judiciary Committee and one being the Chair of the House Judiciary Committee or his designee; two of whom shall be members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Chairman of the House Ways and Means Committee; one of whom shall be appointed by the Chair of the

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Senate Judiciary Committee from the general public at large; one of whom shall be appointed by the Chair of the House Judiciary Committee from the general public at large; and one of whom shall be appointed by the Governor. Provided, however, that in making appointments to the oversight committee, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent of all segments of the population of the State. The members of the general public appointed by the chairs of the House and Senate Judiciary Committees must be representative of all citizens of this State and must not be members of the General Assembly.

The oversight committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chair and such other officers as the oversight committee may consider necessary. Thereafter, the oversight committee must meet at the call of the chair or by a majority of the members. A quorum consists of seven members.

The oversight committee shall have the following powers and duties:

(1) to review the implementation of the recommendations made in the Sentencing Reform Commission report of February 2010, including, but not limited to:

(a) the plan required from the Department of Probation, Parole and Pardon Services on the parole board training and other goals identified in Section 24-21-10;

(b) the report from the Department of Probation, Parole and Pardon Services on its goals and the development of assessment tools consistent with evidence-based practices;

(c) the report from the Office of Pretrial Intervention Coordinator in the Commission on Prosecution Coordination on diversion programs required by the provisions of Article 11, Chapter 22, Title 17; and

(d) the report from the Department of Probation, Parole and Pardon Services on:

(i) the number and percentage of individuals placed on administrative sanctions and the number and percentage of individuals who have earned compliance credits; and

(ii) the number and percentage of probationers and parolees whose supervision has been revoked for violations of conditions or for convictions of new offenses;

(2) to request data similar to the information contained in the report required by Section 17-22-1120 from private organizations for which programs are operated through a court and that divert individuals from

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prosecution, incarceration, or confinement, such as diversion from incarceration for failure to pay child support, and for which programs are sanctioned by, coordinated with, or funded by federal, state, or local governmental agencies;

(3)(a) to calculate:

(i) any state expenditures that have been avoided by reductions in the revocation rate as calculated by the Department of Probation, Parole and Pardon Services and reported under Sections 24-21-450 and 24-21-680; and

(ii) any state expenditures that have been avoided by reductions in the new felony offense conviction rate as calculated by the Department of Probation, Parole and Pardon Services and reported under Sections 24-21-450 and 24-21-680;

(b) to develop rules and regulations for calculating the savings in item (3)(a), which shall account at a minimum for the variable costs averted, such as food and medical expenses, and also to consider fixed expenditures that are avoided if larger numbers of potential inmates are avoided;

(c) on or before December first, to report the calculations made pursuant to item (3)(a) to the President of the Senate, the Speaker of the House of Representatives, the Chief Justice of the South Carolina Supreme Court, and the Governor. The report also shall recommend whether or not to appropriate up to thirty-five percent of any state expenditures that are avoided as calculated in item (3)(a) to the Department of Probation, Parole and Pardon Services. With respect to the recommended appropriations in this item (c), none of the calculated savings shall be recommended for appropriation for that fiscal year if there is an increase in the percentage of individuals supervised by the Department of Probation, Parole and Pardon Services who are convicted of a new felony offense as calculated in subitem (3)(a)(ii);

(d) any funds appropriated during this fiscal year pursuant to the recommendations in item (c) shall be used to supplement, not replace, any other state appropriations to the Department of Probation, Parole and Pardon Services;

(e) funds received through appropriations pursuant to this item shall be used by the Department of Probation, Parole and Pardon Services for the following purposes:

(i) implementation of evidence-based practices;

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(ii) increasing the availability of risk reduction programs and interventions, including substance abuse treatment programs, for supervised individuals; or

(iii) grants to nonprofit victim services organizations to partner with the Department of Probation, Parole and Pardon Services and courts to assist victims and increase the amount of restitution collected from offenders;

(4) to submit to the General Assembly, on an annual basis, the oversight committee's evaluation of the implementation of the recommendations of the Sentencing Reform Commission report of February 2010;

(5) to make reports and recommendations to the General Assembly on matters relating to the powers and duties set forth in this section, including recommendations on transfers of funding based on the success or failure of implementation of the recommendations; and

(6) to undertake such additional studies or evaluations as the oversight committee considers necessary to provide sentencing reform information and analysis.

The oversight committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid from the general fund of the State on warrants duly signed by the chair of the oversight committee and payable by the authorities from which a member is appointed.

The oversight committee is encouraged to apply for and may expend grants, gifts, or federal funds it receives from other sources to carry out its duties and responsibilities.

The oversight committee must use clerical and professional employees of the General Assembly for its staff, who must be made available to the oversight committee.

The oversight committee may employ or retain other professional staff, upon the determination of the necessity for other staff by the oversight committee.

The oversight committee may employ consultants to assist in the evaluations and, when necessary, the implementation of the recommendations of the Sentencing Reform Commission report of February 2010.

117.109. (GP: State Employee Leave Donation) In the event of a medical emergency, a state employee may make a written request to the employing agency that a specified number of hours of his accrued annual

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and/or sick leave be transferred from his annual and/or sick leave account to a specific leave recipient rather than to a leave pool account, subject to the approval of the agency director. An employee with less than fifteen days in his sick leave account may not transfer any sick leave to the recipient, and an employee with more than fifteen days in his sick leave account may transfer sick leave to the recipient if he retains a minimum of fifteen days in his own sick leave account. Once leave of an employee has been transferred to the recipient, it may not be restored or returned to the leave donor. For purposes of this provision, a medical emergency is defined under IRS Revenue Ruling 90-29 as a medical condition of the employee or a family member that will require the prolonged absence of the employee from duty and will result in a substantial loss of income to the employee because the employee will have exhausted all paid leave available apart from the leave-sharing plan.

117.110. (GP: State Engineer) The State Engineer is an office located within the State Fiscal Accountability Authority, all references to the contrary notwithstanding.

117.111. (GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34, Title 6 of the 1976 Code as specified in Act 285 of 2006 as to sites for which written notification of election of mode of credit has been provided to the Department of Revenue prior to July 1, 2016 and for which a building permit has been issued prior to July 1, 2016, is suspended for Fiscal Year 2025-26.

117.112. (GP: Funds Exempt from Budget Reduction Calculations) The funds designated in F310, Section 107, Capital Reserve Fund, funds designated in V040, Section 112, Debt service, funds designated in X220, Section 113, Aid to Subdivisions - State Treasurer for the Local Government Fund, and funds designated in X500, Section 115, Tax Relief Trust Fund shall be excluded from the calculation of any across-the-board base reduction mandated by the Department of Administration, Executive Budget Office or the General Assembly and shall not be subject to any such reduction.

117.113. (GP: South Carolina Telemedicine Network) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority for Telemedicine and the funds appropriated and authorized for the Department of Health and Human Services, the agencies must continue the development of the South Carolina Statewide Telemedicine Network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority and the Department

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of Health and Human Services to determine which hospitals, clinics, schools or other entities are best suited for Telemedicine partnerships.

(A) The Department of Health and Human Services shall develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding the use of Telemedicine, to include new applications such as School Based Telehealth, and Tele-ICU. The department shall also amend its policy related to reimbursement for telemedicine to add Act 301 Behavioral Health Centers as a referring site for covered telemedicine services.

(B) During the current fiscal year the Department of Health and Human Services shall contract with the MUSC Hospital Authority in the amount of \$5,000,000 to lead the development and operation of a statewide, open access South Carolina Telemedicine Network. At the request of the department, MUSC shall provide the department with all information and materials necessary to seek federal medical assistance for this contract. The MUSC Hospital Authority shall contract with each Regional Support Hub to ensure funding and support of strategic plans submitted by the Regional Support Hubs and approved by both the MUSC Hospital Authority and the Department of Health and Human Services. Institutions and other entities participating in the network must be afforded the opportunity to meaningfully participate in the development of any annual refining to the initiative's strategic plan. Working with the department, the MUSC Hospital Authority shall collaborate with Palmetto Care 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. The MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. These reports must include an itemization of the ultimate recipients of these funds, whether vendors, grantees, specific participating institutions, or the Medical University of South Carolina, and must distinguish between funds allocation to the university as a participating institution as opposed to those retained and used by the university in its capacity as the administering entity for the network.

(C) The Department of Health and Human Services shall continue to identify and implement telehealth benefits and policies that are evidence-based, cost efficient, and aligned with the needs of the Medicaid population. The department must also continue to review the temporary telephonic and telehealth flexibilities it has adopted to address

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the COVID-19 public health emergency and make permanent those that are suitable for inclusion in the Medicaid benefit. No later than October 1, the department shall submit a report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on policy and benefit changes it has introduced in the furtherance of this goal and as part of its ongoing effort to improve the sustainability of telehealth services.

117.114. (GP: Prohibited Funding for Aborted Fetus Research) Notwithstanding any other provision of this act, general funds appropriated in this act may not be used to purchase fetal tissue obtained from an abortion to perform scientific or laboratory research or other kinds of investigation conducted on fetal tissue.

117.115. (GP: SCRS & PORS Trust Fund) Unless otherwise provided in Paragraphs A through D of this provision, the funds appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police Officers' Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from participating employers in SCRS and PORS for Fiscal Year 2025-26. Each employer's credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. A participating employer shall not receive a credit that exceeds the employer contributions due from the employer.

(A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special purpose districts, joint authorities, or non-profit corporations; however, this provision does not apply to the South Carolina State Ports Authority and the South Carolina Public Service Authority.

(B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of hospitals; however this provision does not apply to the Medical University Hospital Authority.

(C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

(D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration, Executive Budget Office and the

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Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded employees of state agencies.

117.116. (GP: Retirement System Assets and Custodial Banking Relationship Transfer) In order to facilitate the transfer of custodianship of the assets of the Retirement System to the Public Employee Benefit Authority and governance of the custodial banking relationship to the Retirement System Investment Commission, all portions of contracts, agreements, and exemptions from the Consolidated Procurement Code providing for and relating to custodial banking, general banking, accounting, or any other ancillary services are transferred to, and devolved upon, the Public Employee Benefit Authority and the Retirement System Investment Commission in accordance with the authority transferred to the respective agency.

117.117. (GP: Opioid Abuse Prevention and Treatment Plan) (A) From the funds appropriated and authorized to the Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services in the current fiscal year, the agencies shall establish a coalition of state agencies, providers and other related entities to combat the opioid epidemic in a collaborative manner and ensure that appropriate services and treatments are made available statewide. This initiative should include efforts to coordinate funding for the provision of treatment with an assessment of current programs and funding levels, to enhance available prevention, treatment and recovery services; expand provider capacity; and enable workforce development for substance use disorder services. General Funds appropriated to any state agency for Opioid Abuse Prevention and Treatment may be carried forward and expended for the same purpose.

(B) The Department of Alcohol and Other Drug Abuse Services, the State Law Enforcement Division, and the Department of Health and Human Services shall establish an advisory board with representation from both agencies, to provide both oversight and administrative direction to the coalition. The advisory board may also include representation from the Department of Public Health, the Department of Mental Health, the Medical University of South Carolina, the University of South Carolina's School of Medicine, the Department of Labor Licensing and Regulation, the Department of Corrections, state and local law enforcement agencies, the judicial branch, the South Carolina Hospital Association, the South Carolina Medical Association, the South Carolina Primary Health Care Association, Behavioral Health Centers and other related entities. The advisory board must consider

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recommendations made in the 2018 report by the South Carolina House of Representatives Opioid Abuse Prevention Study Committee, as well as any recommendations made by the South Carolina Behavioral Health Coalition related to substance use disorders and create a plan to ensure implementation of appropriate recommendations.

(C) The Department of Health and Human Services may leverage any and all available federal funds to implement enhanced treatment services and resources for this coalition.

(D) In consultation with the Department of Alcohol and Other Drug Abuse Services and the Medical University of South Carolina Hospital Authority, the Department of Health and Human Services shall review and evaluate outcomes data from the program for MAT services for prescription opioid dependency and addiction established by Act 97 of 2017 and expanded by Act 264 of 2018. Based on the success rate and ability to continue expansion of this model, the department may provide funding not to exceed \$2,500,000 to continue and expand the program to additional providers that are necessary to ensure greater impact in geographical areas of critical need. All medications proven to be effective in treating opioid addiction shall be considered as viable options on a case by case basis to ensure the greatest level of success for individuals in the program.

(E) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall assist the Department of Public Health with any funding required to implement necessary programmatic enhancements to the Prescription Monitoring Program. The departments must consider changes to strengthen risk assessments and patient support tools, as well as the potential integration of Electronic Health Record systems. To the extent possible, the program must be expanded to include the administration of naloxone and other opioid overdose antidotes.

(F) In order to provide comprehensive treatment, from the point of incarceration, to individuals charged with criminal offenses who suffer from any substance use disorder that is treatable with medication, the Department of Alcohol and Other Drug Abuse Services must solicit potential cooperation from law enforcement, the state's solicitors, Magistrate Courts and Circuit Courts, to establish a diversion program in at least one judicial circuit. This program shall provide both behavioral and medical treatment, consultations with peer support specialists, and continued supervision of participants who are released, which may include electronic monitoring.

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(G) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall also coordinate with at least one four-year college or university and one two-year technical college with on-campus dormitories to establish pilot programs for Collegiate Recovery Programs to target intervention and the retention of students. These programs must offer academic support in designated spaces that provide for group meetings, clinical support, technology access, and academic advising, to assist students in recovery.

117.118. (GP: SCEIS Data Entry Compliance) The Department of Administration shall develop and issue written SCEIS data entry standards and guidelines for agency compliance. To ensure uniform compliance with these standards and guidelines, state agencies shall comply with all SCEIS data entry rules, standards, plans, policies, directives, and guidelines established by the Department of Administration.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency compliance no later than December thirty-first of each calendar year.

117.119. (GP: Statewide Real Estate Plan Implementation) Pursuant to legislative intent expressed in Proviso 118.2 (Titling of Real Property) of this act to establish a comprehensive central real property and office facility management process to plan for the needs of state government agencies; and to achieve maximum efficiency and economy in the use of state-owned, state-leased, and commercial leased facilities, all state agencies are directed as follows:

(1) In the current occupation of state-owned and commercial facilities or prior to incurring an obligation to expend funds through entering or renewing a lease for state-owned or commercial facilities, state agencies shall work in conjunction with the Department of Administration to achieve uniform space standards in state-owned, state-leased, and commercial leased facilities resulting over time in an overall target density of 210 square feet per person unless otherwise approved by the department.

(2) Prior to entering or renewing any contract for leasing real property, state agencies shall comply with the Department of Administration's site selection criteria for state-owned, state-leased, or commercial leased space,

(3) State agencies shall record into the South Carolina Enterprise Information System (SCEIS) all maintenance and operations

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expenditures for state-owned and state-leased facilities in the manner prescribed by the Department of Administration.

(4) State agencies shall provide to the Department of Administration a list of all contracts related to facilities management, maintenance, and support, and shall not renew or enter into any new contracts related to facilities management, maintenance or support without prior approval from the Department of Administration.

(5) Under guidance and direction of the Department of Administration, state agencies shall annually report on and submit plans to address ongoing and deferred maintenance for all state-owned real property.

(6) State agencies shall annually update and submit an inventory of state-owned facilities and land to the Department of Administration by June 30 of each fiscal year in the manner prescribed by the department. Each submission shall include a portfolio assessment with recommendations for any dispositions.

The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are generally exempt from the requirements of this proviso; provided, however, that public institutions of higher learning and technical colleges shall be subject to the provisions of paragraph (6) in its entirety, and the provisions of paragraph (1) with respect to any facility or portion thereof used for administrative and office space.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding compliance with this proviso no later than December 31 of each calendar year, beginning December 31, 2018.

117.120. (GP: Statewide Administrative Services) The Department of Administration may provide consolidated administrative services to all agencies to promote cost savings, process integrity and other efficiencies, and to reduce duplication, overlap and redundancies, or any combination thereof and to provide for consistency in transactions and processes and to advance a statewide approach to agency administration. Consolidated administrative services may include, but are not limited to: (1) financial and accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing and financial reporting assistance; (2) human resources administrative support, such as transaction processing and reporting, payroll

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processing, and human resources training; and (3) budget support, such as budget transaction processing and budget reporting assistance.

Agencies that receive twenty million dollars or less in total appropriations in the current fiscal year shall consult with the Department of Administration to determine whether the use of consolidated administrative services offered by the department would be beneficial to the agency. The Legislative Branch, the Judicial Branch, public institutions of higher learning and technical colleges shall be exempt from the requirements of this provision.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency utilization of administrative services offered by the department no later than December 31 of the current fiscal year.

117.121. (GP: Mobile Device Protection Plan) With funds appropriated and authorized in the current fiscal year, the Department of Administration in the current fiscal year, shall implement updated policies for protecting mobile devices including, but not limited to, cellular phones, tablets and laptops. The department must also consider the potential consolidation of existing protection plans as established by other state agencies, to ensure an effective and efficient statewide approach to a protection plan that covers all state owned devices.

(A) The following factors shall be considered by the department as it reviews options for providing this protection, and to the extent possible, the following components must be included in the updated plan:

- (1) protective cases and screens available for all devices;
- (2) multi-year underwritten insurance coverage for both the device and the protective case;
- (3) zero deductible if possible to ensure cost savings to the department;
- (4) multiple claims per device should be allowable;
- (5) replacement policy if devices cannot be repaired;
- (6) local pickup and delivery service for efficient repair and replacement where possible; and
- (7) chain of custody notifications with real time progress and repair status updates.

(B) Upon development of these policies and to follow the new mobile device purchasing policy for state agencies, the State Fiscal Accountability Authority must establish a statewide contract for

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protecting all state-owned, mobile devices that can be included in one combined contract.

(C) The State Fiscal Accountability Authority must ensure that any contract developed for this purpose is awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

117.122. (GP: Board Meeting Coverage) The South Carolina Public Service Authority must provide live-streamed coverage, whenever practicable, of all meetings of the Board of Directors to ensure transparency and access for the public. The board meetings shall be recorded and archived and made available on the South Carolina Public Service Authority's website. If a meeting cannot be live-streamed, then the authority must make transcripts available on the authority's website within three business days.

117.123. (GP: Criminal History Investigations) (A) State agencies, state institutions and political subdivisions of the state are authorized, as necessary to comply with internal revenue service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the State Law Enforcement Division and the Federal Bureau of Investigation on all employees and contractors with access to federal tax information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions and political subdivisions of the state which have access to federal tax information in order to comply with Publication 1075.

(B) An employee or contractor of a state agency, state institution and political subdivision of the state with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the state agency, state institution or political subdivision of the state for the purpose of verifying criminal history information for non-criminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal Bureau of Investigation.

(C) Except as otherwise provided in this section, a state agency, state institution or political subdivision of the state shall pay any costs incurred to conduct background checks and investigations requested by

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the state agency. The state agency, state institution or political subdivision of the state may require a person or entity contracting with the agency to pay the costs associated with the background investigations for all employees of the contractor. The requirement may be a condition of the contract with the agency, state institution or political subdivision of the state.

(D) Each state agency, state institution or political subdivision of the state required to conduct background checks and investigations pursuant to this provision shall establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this provision.

117.124. (GP: Medical Marijuana Research) (A) With funds provided in this fiscal year, the University of South Carolina College of Pharmacy and the Medical University of South Carolina are authorized, to the extent permitted by and in accordance with federal laws and regulations, to undertake the following actions: acquire pharmaceutical grade marijuana, marijuana extracts, semi-pure isolates, and purified compounds including, but not limited to, THC, CBD, CBO, cannabitol, and cannabigerol for use in research and clinical trials to develop potential therapeutic agents for epilepsy, Dravet's Syndrome, chronic pain, cancer, reduction of nausea, and vomiting induced by chemotherapy, glaucoma, obesity, multiple sclerosis, drug abuse, inflammation, and autoimmune disorders, including encephalomyelitis.

(B) The University of South Carolina and the Medical University of the South Carolina are further authorized to form collaborations, agreements, and partnerships with other public and private entities in order to conduct this research and clinical trials, to the extent permitted by and in accordance with federal laws and regulations, as well as to pursue both public and private funding. Further, the University of South Carolina and the Medical University of South Carolina are directed to provide to the members of the South Carolina General Assembly, on or before the first day of the 2026 legislative session, with a written summary of the actions they have undertaken pursuant to this proviso and the material findings, if any, resulting from such activities.

117.125. (GP: Immigration Compliance Report) From the funds appropriated to the South Carolina Law Enforcement Division (SLED), the agency shall publish the Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure the accuracy of information provided by counties and municipal governments within the ICR. Every agency of this State, and political subdivisions thereof, shall

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provide documentation that SLED considers necessary for the publication of the ICR. The ICR shall contain a list of county and municipal governments that SLED has certified to be compliant with Sections 17-13-170(E) and 23-3-1100 of the 1976 Code as well as compliance with any federal laws related to the presence of an unlawful person in the United States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by December thirty-first of the current fiscal year.

The State Treasurer shall withhold any remaining disbursement from the Local Government Fund to any county or municipality that is not certified as "compliant" in the ICR; however, this requirement may not be imposed until the first publication of the ICR.

117.126. (GP: School Resource Officer Critical Needs) Any Class 1 law enforcement officer who retired under the Police Officers Retirement System on or before December 31, 2022, may return to employment with a public school district as a critical needs School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System. The Law Enforcement Training Council must develop guidelines and curriculum for these officers to be recertified and must not require recertification through basic training for those that have been inactive for a year or more.

117.127. (GP: Secure Area Duty Officers Program) The Office of Adjutant General, the State Law Enforcement Division, and other law enforcement authorities are authorized to conduct security- and counterterrorism-related activities as prescribed by the Governor in Executive Order 2015-18. Activities carried out under this program shall be considered state or federal training for purposes of Section 15-78-60(19) and the agency and its personnel shall be exempt from liability as described therein. State agencies involved in the Secure Area Duty Officers Program (SADOP) may expend state and federal funds in support of the program.

117.128. (GP: Magistrates Compensation) Notwithstanding Proviso 117.141 (Employee Compensation), in the current fiscal year, the salary for each magistrate must be calculated using the same schedule and same circuit judge salary, at a minimum, as was in effect in Fiscal Year 2018-19.

117.129. (GP: New Savannah Bluff Lock and Dam) The Department of Environmental Services is prohibited from using any appropriated funds to process and approve any license, permit, authorization, or

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certification related to the New Savannah Bluff Lock and Dam inconsistent with the State's policy and the General Assembly's intent of maintaining the existing water quality and navigability conditions of that portion of the Savannah River in and around the New Savannah Bluff Lock and Dam. Consistency may occur by including conditions on any proposed project for the maintenance of the New Savannah Bluff Lock and Dam pool at elevation 114.5 NAVD88 for the preservation of adequate and sufficient water quality, navigation, water supply, and recreational activities.

117.130. DELETED

117.131. (GP: Offshore Oil) (A) For the current fiscal year, no funds appropriated or authorized to the Department of Environmental Services, or to local governmental entities, including but not limited to counties, municipalities and special purpose districts, may be expended to approve a plan, permit, license application or other authorization for:

(1) the construction or use of infrastructure for which the principal purpose is to facilitate the transportation of unrefined or unprocessed oil or gas into the territorial waters of South Carolina, or onto the lands of South Carolina, from offshore oil and gas production platforms and related infrastructure in the Atlantic Ocean;

(2) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or gas from within the territorial waters of South Carolina; or

(3) activities for which the principal purpose is the exploration, development, or production of unrefined or unprocessed oil or gas in the Atlantic Ocean.

(B) For purposes of this proviso:

(1) "Development" means the design, planning, permitting, licensing, authorization or construction of infrastructure for which the principal purpose is the production of oil or gas.

(2) "Exploration" means any activity for which the principal purpose is to define, characterize, test for or evaluate oil or gas resources for possible commercial development or production.

(3) "Production" means any activity for which the principal purpose is to engage in, monitor, or conduct operations or maintenance related to the active extraction of unrefined or unprocessed oil or gas.

(4) "Territorial waters of South Carolina" means waters located within the state of South Carolina and waters of the Atlantic Ocean extending out to three nautical miles from the mean low-water mark of South Carolina's naturally occurring coastline.

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117.132. (GP: PSA Contracts for Contributions) In the current fiscal year, the South Carolina Public Service Authority may not enter into any new contracts for contributions to the Executive Defined Benefit Plan or the Executive Retention Defined Contribution Plan.

117.133. RESERVED

117.134. (GP: Fixed Rate Compensation) The South Carolina public higher education institutions are authorized to compensate nonpermanent, non-FTE adjunct, temporary, or part-time instructors/faculty on a fixed rate basis. These individuals shall provide classroom and related instructional activities on an as needed basis depending on student enrollment per semester or academic term. Institutions may pay exempt or non-exempt employees as defined by the Fair Labor Standards Act only when they are needed to work. Adjunct, temporary, or part-time instructors/faculty employed in this category are non-covered employees who may exceed twelve months, but are not eligible for State benefits except for the option of contributing to the State Retirement System or Health Care Plan if eligible under the Affordable Care Act guidelines.

117.135. (GP: Sick Cell Disease) From the funds appropriated to the Department of Health and Human Services, the department shall transfer \$2,000,000 to the Medical University of South Carolina Hospital Authority to develop a comprehensive approach to advancing the awareness, detection, treatment, and scientific knowledge of sickle cell disease and trait within South Carolina. The Medical University of South Carolina Hospital Authority shall be authorized to partner with independent research entities to advance curative therapies for sickle cell disease and trait and shall be authorized to endow one or more nationally leading academic research centers with a research chair named the “Rena N. Grant Endowed Chair for Hematology” in furtherance of this goal. Additionally, to improve the quality of care provided to sickle cell patients, the authority shall perform statewide cultural competency training in all hospitals, including urgent care centers, in this State using its preexisting training model in order to educate and increase the awareness of health care professionals that are most likely to treat sickle cell patients on the symptoms and stigma associated with sickle cell disease and trait, especially pain relief.

For purposes of this proviso:

(1) “Health care professional” has the meaning as in Section 44-66-20 of the 1976 Code.

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(2) "Hospital" means a facility organized and administered to provide overnight medical or surgical care or nursing care of illness, injury, or infirmity and may provide obstetrical care, and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy.

In developing and implementing the South Carolina Statewide Telemedicine Network, the department and the authority shall include the goals set forth in this provision to bring better care to individuals with sickle cell disease or trait.

The Department of Health and Human Services shall be authorized to pursue a Health Services Initiative through the Children's Health Insurance Program for the purposes of improving child and maternal health when either or both exhibit the sickle cell disease or trait, and improve outreach, access to crisis stabilization, and coping resources for children with sickle cell disease.

By January fifteenth of the current fiscal year, the department and the authority shall each submit a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor outlining their progress on these initiatives.

117.136. (GP: Statewide Strategic Personnel Budgeting) (A) To encourage consistency in human resources compensation decisions, support data driven decisions regarding expenditure of funds for personnel in state government, and improve the state's ability to recruit and retain top talent, all state agencies are directed as follows:

(1) With regard to the annual Appropriations Act budget plan submission, agencies shall submit all human resources and personnel related budget requests to the Department of Administration's Executive Budget Office and Division of State Human Resources on or before August 1 of the current fiscal year. The Executive Budget Office and the Division of State Human Resources shall jointly review the budget requests and make recommendations for funding consideration. These funding recommendations shall be submitted to the Governor, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee.

(2) Agencies shall comply with all human resources rules, regulations, standards, plans, policies, and directives of the Division of State Human Resources.

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(B) The Judicial Department, Legislative Department, political subdivisions, and quasi-governmental bodies are exempt from the requirements of this provision.

117.137. (GP: COVID-19 Proof of Vaccination Restriction - Institutions) For the current fiscal year, state-supported institutions of higher learning that directly or indirectly receive funds appropriated or authorized through the general appropriations act shall be restricted from requiring proof of COVID-19 vaccination for any student as a condition of enrollment, attendance at on campus instruction, or residence on campus. In instances of off-campus learning events for which third party program providers require proof of vaccination, the third party requirements shall apply.

117.138. (GP: Agribusiness Processor) For the current fiscal year, local and state sales tax collection for material handling and construction materials on agribusiness facilities that invest at least \$100 million in the state are exempt.

117.139. (GP: Federal Gun Law) For the current fiscal year, no law enforcement agency that receives state or local funds shall enforce a federal law, regulation, statute, executive order, or procedure related to firearms put into effect after January 1, 2021, if any such federal action requires the seizure of a firearm, firearm part, or firearm component solely because of its classification or type of weapon.

117.140. (GP: National Guard College Assistance Program) For the current fiscal year, a member of the SC National Guard may qualify for college assistance program grants for more than one hundred thirty semester hours or related quarter hours. Additionally, service members may receive college assistance program benefits up to an amount equal to one hundred percent of tuition and fees not to exceed twelve thousand dollars for the academic year. The lifetime maximum amount received shall not exceed twenty-five thousand dollars. Tuition and fees are defined as the amount charged for registering for credit hours of instruction, costs of textbooks, and other fees and charges associated with attendance at an eligible institution. Service members shall be required to meet all other requirements. Service members may complete and submit the Free Application for Federal Student Aid (FAFSA) to receive all eligible federal and state scholarships and grants.

117.141. (GP: Employee Compensation) (A) The Department of Administration was appropriated funds to engage an external consultant for a study and to provide expert recommendations to reform the State's Classification and Compensation system. A consultant was retained and

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recommendations made to reform the State's compensation structure and pay grades for state agency employees in classified full-time equivalent (FTE) positions. The amounts appropriated to F300-Statewide Employee Benefits for Employee Pay Increases must be allocated by the Department of Administration, Executive Budget Office to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and non-judge 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 to either the minimum of the new State pay grades established by the Department of Administration, or 2 percent, whichever is greater.

(2) With respect to unclassified and non-judge judicial unclassified state agency 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 2 percent. Any 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) With respect to classified employees of institutions of higher education and technical colleges eligible in this item, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified higher education employees shall be increased by 2 percent for FTEs. With respect to unclassified employees of institutions of higher education and technical colleges eligible in this item, institutions and technical colleges are authorized to allot the total funds for compensation increases among individual employees without uniformity. The funds provided for compensation increases for any employee subject to the provisions of this item are based on an annual average of 2 percent and may be based on performance.

(4) 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 2 percent for FTEs.

(5) With respect to Transformation Coaches at the Department of Education, compensation shall be increased by 2 percent for FTEs making over \$50,000.

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(6) With respect to local health care providers compensated by the Department of Alcohol and Other Drug Abuse Services, compensation increases shall be 2 percent effective on the first pay date that occurs on or after July first of the current fiscal year. School Bus Driver salary and fringe funding to school districts shall be increased by 2 percent.

(7) 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 2 percent for FTEs.

(8) 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 2 percent.

(B) For Fiscal Year 2025-26, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant another fund authorization increase due to the 2 percent compensation increase for all full-time employees. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.

(C) 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.

(D) 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.

(E) Funds appropriated in Part IA, F300, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

117.142. (GP: Fetal Remains) No funds appropriated or authorized by this act may be used by the State's public colleges or universities to purchase fetal remains resulting from an abortion for the purpose of research or experimentation. The State's public colleges and universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso shall return to the General Fund an amount equal to ten percent of the funds appropriated to the college or university under Part IA of this act.

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117.143. (GP: Behavioral Health Capacity) (A) The Department of Health and Human Services, in coordination with the Department of Mental Health, the Department of Public Health, the Department of Alcohol and Other Drug Abuse Services, and all other relevant agencies shall examine and analyze the existing statewide system for the delivery of Medicaid and non-Medicaid behavioral health services to assess the system's effectiveness in:

(1) providing a range and supply of treatment options and settings that are appropriate to meet the varying needs of individual patients;

(2) being responsive to changes in federal law, regulation, or policy that improve access to care and/or associated reimbursement, particularly where related to the treatment of patients in Institutions for Mental Disease (IMDs);

(3) being economical in its approach, so as to obtain the greatest value possible for each state taxpayer dollar; and

(4) ensuring that the statewide system for the delivery of behavioral health services complies with the requirements of Section 44-9-90(7).

(B) With the support of the Department of Mental Health, the Department of Health and Human Services shall undertake an effort to assess existing gaps in coverage for or the supply of inpatient psychiatric care, crisis stabilization, and other inpatient or outpatient behavioral health services. Based upon this assessment, the Department of Health and Human Services shall establish, or with the full cooperation of any other requested state agency, request the establishment of coverage and reimbursement policies that it deems necessary to address existing deficiencies and bring about a more comprehensive and effective continuum of behavioral health care in South Carolina. Priorities for this effort may be piloted on a regional basis and shall include, but not be limited to:

(1) increasing the number of beds available to provide inpatient psychiatric care, with emphasis on communities with the greatest current need, and using the appropriate combination of new construction, augmentation or reconfiguration of existing facilities, or contracting with psychiatric or acute care hospitals to obtain short-term capacity;

(2) establishing crisis stabilization beds and services to provide needed short-term medication, counseling, and other support in previously unserved areas of the State, working toward the goal of having such services available within a 90-minute drive of each South Carolinian, and with coverage and reimbursement being funded through

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Medicaid for its beneficiaries or through the Department of Mental Health for indigent care, regardless of the provider of these services;

(3) formalizing and expanding the coverage of claims-based mobile crisis stabilization services that offer rapid and intensive interventions intended to stabilize individuals at the sites of behavioral health crises;

(4) developing one or more regional dedicated psychiatric emergency departments, operating twenty-four hours per day, seven days per week to effectively evaluate and triage patients experiencing acute behavioral health emergencies;

(5) developing effective referral and discharge strategies and engaging with existing community providers to ensure that sufficient outpatient services, case management services, and standards of care are in place;

(6) leveraging and building upon existing telehealth capacity to support and extend outpatient services; and

(7) promoting the development of in-state treatment options for specific behavioral health conditions for which patients are routinely placed out-of-state due to an insufficiency of treatment options or settings in South Carolina.

(C) The Executive Director of the Public Employee Benefit Authority shall be encouraged to consult with the Director of the Department of Health and Human Services to make appropriate coverage and reimbursement policy changes to ensure proper access to behavioral health services for covered beneficiaries.

(D) The Data Oversight Council, established pursuant to Section 44-6-170, shall undertake whatever rulemaking is necessary to ensure that the data on the utilization of crisis stabilization units are collected in a manner generally consistent with the requirements for general acute care hospitals and specialized hospitals, so that the effectiveness of these services may be properly evaluated. The Data Oversight Council, Department of Public Health, and any other state agency shall, upon the request of and in the format specified by the Department of Health and Human Services, furnish information on behavioral health service demand, utilization, or financing needed to facilitate the implementation of this provision.

(E) With the support of the Director of the Department of Mental Health, the Director of the Department of Alcohol and Other Drug Abuse Services, and any other identified agency head, the Director of the Department of Health and Human Services shall evaluate opportunities

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to improve and/or coordinate treatment capacity for individuals diagnosed with substance use disorder and/or serious mental illness including, but not limited to, options established pursuant to Sections 1115, 1915(I), and/or 1947 of the Social Security Act or made available to states by the Centers for Medicare and Medicaid Services through State Medicaid Director Letters 17-003, 18-011, or 19-0003.

(F) In consultation with the Department of Juvenile Justice and the Department of Mental Health, the Department of Health and Human Services shall ensure that access to “no eject, no reject” services is restored for children and adolescents requiring care in a private residential treatment facility.

(G) To ensure that individuals requiring behavioral health services are protected from unexpected or excessive billings, the Department of Mental Health shall examine ways to convert state-funded or DSH-funded indigent care to a sustainable reimbursement model that improves access to behavioral health treatment while potentially reducing uncompensated care levels and the department’s reliance on state funds. In the current fiscal year, the department shall report to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee on the results of this examination and the actions taken to address any findings. The department also shall:

(1) contract for an exhaustive independent review of its entire revenue cycle, to eliminate inefficiencies and improve business processes, ensure that bills are produced on a timely and accurate basis, and assess and maximize the proportion of the time during which the department’s clinicians and providers are rendering chargeable treatment services to the State’s citizens; and

(2) ensure its immediate and ongoing compliance with the hospital price transparency rules established at 45 C.F.R. Part 180, and also meet its obligation to provide certain patients with good faith estimates as required by the No Surprises Act, P.L. 116-260, and subsequent regulation.

(H) With the support and participation of the Department of Education and the Department of Mental Health, and with the intent of assuring access to behavioral health services to every student in the State through either a public or private provider, the Department of Health and Human Services must lead a comprehensive effort to improve access to and the quality of school-based behavioral health services in South Carolina, while identifying and taking steps to address community-level

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disparities in the availability of this care. This effort shall include, but not be limited to:

(1) the performance of a comprehensive review of Medicaid and non-Medicaid school-based behavioral health services in South Carolina, including an assessment of the availability of such services and the identification of any barriers to access, such as coverage and reimbursement rules, billing practices, other insurer policies, state agency, school district rules or procedures, or provider shortages;

(2) a revisitation of existing coverage policies for medically necessary services provided to children, including those with or without a disability determination, and whether those services are or are not required by a child's individualized education plan or individualized family services plan, whether they do or do not arise from a referral under the Early and Periodic Screening, Diagnostic, and Treatment program, and in the context of State Medicaid Director Letter 14-006;

(3) the rescission of any Medicaid or PEBA policies that deny coverage, solely on the basis that those services are being provided within a school or through a telehealth encounter that originates in a school, of medically necessary outpatient services that have been furnished to eligible children by enrolled and qualified providers;

(4) the issuance of any new Medicaid policies needed to durably enshrine any appropriate telehealth coverage that had been authorized on a temporary basis during the public health emergency;

(5) a review of statewide and school district-level policies and practices relating to suicide risk referral protocols and behavioral health training for student-facing personnel in schools; and

(6) reporting to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on any other relevant potential policy changes that the Director of the Department of Health and Human Services believes would advance the intent of this provision, but which would have a fiscal impact that is sufficiently substantial to require the General Assembly's direct consideration in the future.

(I) The Department of Health and Human Services is authorized to establish programs and/or fund in whole or in part, including through the potential use of CHIP Health Services Initiatives, various pilot projects or other initiatives that are intended to develop the health care workforce in South Carolina. Such efforts must be targeted toward current or future providers who demonstrate, by whatever means is selected by the department, commitments to remaining in-state and including Medicaid

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beneficiaries among their patients. The development of the behavioral health workforce shall be prioritized, although the department may also address other provider classes, such as respiratory therapists, for which shortages have been highlighted and/or exacerbated by the public health emergency. Further consideration also should be given to attracting additional qualified preceptors and increasing opportunities for clinical rotations. The department may partner with or enlist the support of the Technical College System, Area Health Education Centers, and/or Student Loan Corporation in designing or administering these programs and, where appropriate, is encouraged to structure them as public-private partnerships in conjunction with the state's hospital and health systems and other key employers of health providers.

(J) If either the Director of the Department of Mental Health or the Director of the Department of Health and Human Services finds that state personnel and/or procurement rules are limiting his ability to fulfill the intent of this provision, he shall notify the State Fiscal Accountability Authority of this in writing and request whatever exemptions are necessary to ensure that clinical staff may be recruited, retained, and/or contracted for so as to provide greater access to behavioral health treatment.

(K) In consultation with the Department of Mental Health, the Department of Health and Human Services shall assess the feasibility of, and if warranted, take steps to establish or obtain through grant, contract, subscription, or other procurement, a statewide system for the near-real time tracking of in-patient psychiatric hospital beds and crisis stabilization beds. This system should be generally designed to draw data from providers' existing electronic medical record systems and make summary-level data available to authorized users within state agencies, participating provider organizations, and any others to be specified by the Department of Health and Human Services, for the purposes of managing critical resources and ensuring that patients may be promptly treated in the most effective and clinically appropriate setting. To protect patient privacy and ensure HIPAA compliance, the system may only collect information on the types, counts, and availability of beds, or other categorical or aggregated information, as opposed to individually identifying patient details. In partnership with the following named agencies, the Department of Health and Human Services may also explore and pursue the use of such a system:

(1) to meet the emergency preparedness and disaster recovery requirements of the Department of Public Health and the Emergency

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Management Division that are currently met by the Bed Availability Report Tracking system; and/or

(2) to augment or replace the capabilities of the Department on Aging's GetCareSC website.

(L) From the funds appropriated to or otherwise made available to it, the Department of Health and Human Services is authorized to procure, enter into contracts and agreements, offer grants, and otherwise expend funds as well as establish demonstration projects in one or more areas of the state to encourage and promote necessary infrastructure and investment to achieve the objectives set out in this provision. The department shall develop policies and procedures as necessary to assure accountability in the expenditure of these funds and apply for federal matching funds when appropriate and available. The department shall report annually to the Senate Finance Committee and the House Ways and Means Committee on all expenditures made under this provision.

(M) Crisis stabilization unit facilities established or funded pursuant to this provision shall be eligible for licensure under Regulation 61-125 without being owned or operated by the Department of Mental Health.

(N) Funds appropriated for Behavioral Health Capacity may be retained by the Department of Health and Human Services and carried forward to be expended for any purpose specified in this provision.

117.144. (GP: Rare Disease Advisory Council) (A) For the current fiscal year, there shall be established the South Carolina Rare Disease Council, to be housed within the Medical University of South Carolina. The council shall advise the Governor, the General Assembly, and other stakeholders on research, diagnosis, treatment, and education related to rare diseases as defined by 21 U.S.C. Section 360bb.

(B) The council shall be composed of sixteen members and shall be appointed as follows:

(1) one member appointed by the Director of the Department of Public Health;

(2) one member appointed by the Director of the Department of Health and Human Services;

(3) one member from the Medical University of South Carolina as appointed by the President;

(4) one member from the University of South Carolina School of Medicine as appointed by the Dean;

(5) one member appointed by the Executive Director of the South Carolina Hospital Association;

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(6) one member appointed by the Executive Director of the South Carolina Primary Healthcare Association;

(7) one member representing the biopharma industry as appointed by the President of the Medical University of South Carolina;

(8) three members with experience in the research and treatment of rare disease, one of whom must specialize in pediatrics, as appointed by the President of the Medical University of South Carolina;

(9) two members who are patients diagnosed with a rare disease as appointed by the President of the Medical University of South Carolina;

(10) one member from a rare disease organization operating in the state as appointed by the President of the Medical University of South Carolina;

(11) one caregiver of a person with a rare disease as appointed by the President of the Medical University of South Carolina;

(12) one member representing the state health plan as appointed by the Executive Director of the State Public Benefit Authority; and

(13) the Director of the Greenwood Genetic Center or his designee.

(C) The council shall convene its first meeting by October 31 and hold public meetings at least quarterly throughout the year. The council shall, at a minimum, conduct the following activities to benefit rare disease patients in South Carolina:

(1) solicit comments from stakeholders, including patients and patient caregivers in South Carolina impacted by rare diseases, to assess the needs of rare-disease patients, caregivers, and providers in the State;

(2) consult with experts on rare diseases to develop recommendations to improve patient access to and quality of rare-disease specialists, affordable and comprehensive health care coverage, relevant diagnostics, timely treatment, and other needed services;

(3) research and identify priorities related to treatments and services provided to persons with rare diseases in South Carolina and develop recommendations that include safeguards against discrimination for these populations on such issues, including disaster and public health emergency-related planning;

(4) publish a list of existing, publicly accessible resources on research, diagnosis, treatment, and education relating to the rare diseases in South Carolina;

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(5) identify and distribute educational resources to foster recognition and optimize treatment of rare diseases in South Carolina; and

(6) identify best practices to reduce health disparities and achieve health equity in the research, diagnosis, and treatment of rare diseases in South Carolina.

(D) The council shall provide an annual report no later than June 30 to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the Senate Medical Affairs Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Medical, Military, Public and Municipal Affairs Committee. The annual report shall describe the activities and progress of the council and provide recommendations to the Governor and General Assembly on ways to address the needs of people living with rare diseases in the State of South Carolina.

(E) Of the funding appropriated to the Department of Health and Human Services, up to \$250,000 shall be used to contract with MUSC Hospital Authority to provide staff support to the council and maintain a public website that shall include the annual reports, meeting notices and minutes, and the resources developed as part of subsection (C). Members of the council shall serve without compensation or per diem.

117.145. (GP: Public Health Officer Liability) From the funds available to the respective departments, state agencies established pursuant to Title 44 of the 1976 Code shall have the same obligations to defend and indemnify as if these agencies were subject to Section 1-11-440 or Section 12-4-325.

117.146. (GP: Electricity Market Reform) The Electricity Market Reform Measures Study Committee shall issue a report on its work to the General Assembly no later than January 31, 2026; however, nothing in this provision prohibits the committee from continuing to meet past January 31, 2026 and issue additional reports pursuant to Act 187 of 2020.

117.147. (GP: Homestead Exemption Fund) For Fiscal Year 2025-26, Section 11-11-156(C) is suspended.

117.148. (GP: Actions on Election Law) (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

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(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this proviso, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F) The Senate and House of Representatives may expend funds appropriated in this act to exercise the unconditional right set forth in subsection (A) and to sustain any other action set forth in this proviso. No county election commission may accept or expend any funds other than public funds to prepare for or to conduct elections.

117.149. (GP: Retained Counsel) In the current fiscal year, from the funds appropriated, public colleges and universities, including public technical schools, shall revise or adopt policies to allow a student facing disciplinary or honor code violations as a result of a criminal charge the right to retain counsel, at the student's expense, to provide full legal representation in all proceedings including, but not limited to, allowing counsel to appear on behalf of the student, speak on behalf of the student, question witnesses, protect the statutory and constitutional rights of the student, and to otherwise fully participate in all proceedings on behalf of the student.

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117.150. (GP: Disinfection and Cleaning) (A) Of the funds appropriated or authorized herein, agencies and political subdivisions, including public school districts, may implement or procure cleaning, sanitization, and disinfection services and products that, at a minimum, meet the most current requirements and guidelines issued by the Department of Public Health to mitigate the impact of any COVID-19 strains, as well as other communicable diseases. All cleaning, disinfection, and sanitization products should be able to be safely used on a daily, weekly, or monthly basis and meet the following qualifications, as aligned with current DPH guidelines:

- (1) be on the EPA approved disinfectant list;
- (2) be a broad-spectrum disinfectant that kills 99.9% of bacteria and viruses, including COVID-19, norovirus, influenza, e-coli, mold, fungi, and odor causing bacteria;
- (3) be safe for use on multiple solid surfaces without leaving a residue; and
- (4) be recognized by the Environmental Protection Agency and the United States Department of Agriculture as safe for use around food, including for use in cafeterias, kitchens, and other areas where food is prepared or consumed.

(B) The preferred method for widespread disinfection and sanitization of public spaces, after all necessary and recommended cleaning, may include the use of a residual antimicrobial, electrostatic spraying application on surfaces and utilize ultraviolet (UV-C) technology for indoor air quality (IAQ) pursuant to CDC guidelines. All related products and services require independent lab testing for verification of claims, and an Underwriters Lab (UL) listing for any electrical products. When vendors are procured to provide such services the vendor must have evidence of industry experience and expertise.

117.151. (GP: Job Order Contracting Pilot Program) (A) For the current fiscal year, the Division of Procurement Services of the State Fiscal Accountability Authority may pilot test a job order contracting method at the request and on behalf of up to twenty-two governmental bodies or public procurement units consisting of eight state agencies and twelve school districts two other political subdivisions by entering into job order contracts to acquire construction services when the exact time or exact quantities of future jobs are not known at the time of contract award. The State Engineer must approve, in his sole discretion, which governmental bodies and public procurement units may participate in the pilot project. Procurement Services may enter into job order contracts

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with up to four businesses for each governmental body or public procurement unit for each licensing classification and sub-classification for construction. The job order contracts must terminate twenty-four months after award.

(B) For purposes of this provision, the term “job order contract” means a contract that provides for the issuance of job orders for the performance of construction, renovation, and repair work, where contractors propose an adjustment factor or factors to be applied to a catalog of preset unit prices calculated using local prevailing wage rates, local equipment, and local material costs, and where individual job orders are issued to the awarded contractors on an as-needed basis and the price paid for the work is a lump sum of the preset unit prices needed to complete the job order multiplied by the quantity required multiplied by the adjustment factor.

(C) For purposes of the pilot project, an individual project using job orders may not exceed seven hundred and fifty thousand dollars and the sum of all individual job orders may not exceed six million dollars per contract. Work may not be divided artificially in order to avoid these limits. A single project must not be performed using job order contracts in combination with contracts awarded pursuant to Section 11-35-1550.

(D) For purposes of the pilot project, a job order must clearly specify all tasks to be performed or property to be delivered under the order so the full price for the performance of the work can be established when the order is placed. All job orders must be issued on a fixed-price basis. All job orders must be issued within the period of the contract and must be within the scope and maximum value of the contract. Each job order shall provide an itemized list of each construction tasks required to complete the work with the task’s associated unit price and applied adjustment factor. Each job order proposal shall be certified as contract compliant by a reviewer independent of the contractor.

(E) Any solicitation for a job order contract must include the following: (1) the period of the contract; (2) the maximum dollar value of the services to be procured under the contract; (3) the maximum dollar value of the services to be procured under a single job order; (4) a description that reasonably describes the licensing classification and the general scope, nature, complexity, and purposes of the services to be procured under the contract in a manner that will enable a prospective bidder to decide whether to submit a bid; (5) the procedures that the governmental body will use for issuing job orders for the pilot program; (6) if applicable, the geographic area to which the job order contract

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applies; ordinarily, a geographically contiguous area should not be subdivided; and (7) the number of job order contracts to be awarded.

117.152. (GP: In-State Tuition Mitigation) (A) The following recurring funds have been appropriated in Part IA to institutions of higher learning to mitigate tuition and fee increases for in-state undergraduate students:

(1) The Citadel	\$ 3,081,444;
(2) Clemson University	\$ 12,196,972;
(3) University of Charleston	\$ 2,820,143;
(4) Coastal Carolina University	\$ 2,456,003;
(5) Francis Marion University	\$ 2,289,757;
(6) Lander University	\$ 2,119,998;
(7) South Carolina State University	\$ 1,842,814;
(8) University of South Carolina-Columbia	\$ 14,436,186;
(9) University of South Carolina-Aiken	\$ 2,361,911;
(10) University of South Carolina-Upstate	\$ 3,173,940;
(11) University of South Carolina-Beaufort	\$ 1,077,571;
(12) University of South Carolina-Lancaster	\$ 640,000;
(13) University of South Carolina-Salkehatchie	\$ 411,995;
(14) University of South Carolina-Sumter	\$ 686,882;
(15) University of South Carolina-Union	\$ 608,475;
(16) Winthrop University	\$ 2,330,588;

and

(17) Medical University of South Carolina	\$ 12,529,269.

(B) In order to retain the above appropriations, each institution of higher learning listed above must certify to the Commission on Higher Education by August 15, 2025, there is no in-state undergraduate tuition or in-state undergraduate mandatory fee increase, excluding increases in auxiliary and athletic fees, for the 2025-26 academic year.

(C) The Commission on Higher Education shall develop the process by which institutions provide the certification. Certification of any institution proposing an in-state undergraduate tuition or in-state undergraduate mandatory fee increase must include analysis as to the necessity of the increase and all cost savings measures that have been undertaken to minimize them. Any institution unable to provide such certification to the commission shall remit their respective above recurring allocation to the General Fund by September 15, 2025.

(D) By November 1, 2025, the Commission on Higher Education shall report to the House Ways and Means Committee, the Senate Finance Committee, and the Executive Budget Office the institutions

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that failed to certify that the in-state undergraduate tuition or in-state undergraduate mandatory fee increase met the guidelines outlined in this provision. The Executive Budget Office is directed to reduce the recurring appropriation of any institution found to be non-compliant with the certification.

117.153. (GP: Historic Preservation Certification Fee) For the current fiscal year, the requirements of Section 12-6-3535(G) are suspended.

117.154. RESERVED

117.155. (GP: In-state Tuition Payment) For the current fiscal year, an individual enrolled in a public institution of higher learning who receives educational assistance under Chapter 35, Title 38 of the United States Code is entitled to pay in-state tuition and fees, while living in the State, without regard to the length of time the individual has resided in the State.

117.156. (GP: Statewide Mobile Health Units) For the current fiscal year, the South Carolina Center for Rural and Primary Healthcare may provide coordination and requested technical assistance to mobile health units in South Carolina, in order to coordinate statewide delivery of services to increase access to preventative and diagnostic health care, and reduce health inequities for rural, vulnerable, underserved, and displaced populations in South Carolina. To support this goal, the South Carolina Center for Rural and Primary Healthcare shall: (1) be authorized to identify and maintain a directory of currently operating mobile health units, the areas of the state in which they serve, and the scope of services they provide, and the populations served by the mobile health unit; (2) offer technical assistance to these units, and any established in the future, in the form of operational, technical, or logistical guidance and consultation as requested; (3) provide collaborative learning and development opportunities for mobile health units to engage in best practices and increase access to underserved populations or communities; (4) partner with the University of South Carolina Salkehatchie and Denmark Technical College, other public institutions of higher education, state serving healthcare organization and other state serving agencies, including the Department of Health and Human Services and the Department of Public Health to develop coordinating systems, support, training and health education services to meet the workforce needs of mobile health units and the communities that they serve; and also to develop competencies related to providing high impact mobile health services; and (5) initiate analyses and

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evaluation on the impact of services delivered through mobile health units. The center shall be available to assist and support implementation strategies driven by local, regional, and state data and research and aligned efforts, and may provide organization and collaboration among mobile health units and any units that may begin operating in the future.

117.157. (GP: COVID-19 Research) From the funds held in the COVID-19 Response Reserve Account established pursuant to Act 135 of 2020, an amount not to exceed \$27,650,000 may be transferred to the Medical University of South Carolina to conduct a clinical trial for an investigational drug to be used in the treatment of COVID-19. Funding is to be made in two phases, Phase I of which must be limited to an amount not to exceed \$13,063,639, and Phase II of which must be limited to an amount not to exceed \$14,586,361. These transfers are subject to direction by the Governor, and review and comment by the Joint Bond Review Committee, for each phase of the clinical trial. Without limitation, funding for Phase I of the clinical trial is contingent upon establishment of outcome measures against which efficacy of the treatment will be assessed, and which must be included in the University's request to the Governor for consideration of the proposed expenditure. Without limitation, funding for Phase II of the clinical trial is contingent upon outcomes clearly demonstrating success of Phase I of the clinical trial. The University may collaborate with other public and private entities in conducting the clinical trial; provided, however, that the University must reserve its sole accountability and responsibility for conduct of the clinical trial and management of the funding to ensure that funds are expended only for the public purpose of promoting the health, safety, and welfare of the citizens of this State. The University must establish a schedule of expenditure projections for each phase of the clinical trial, and must provide periodic reports to the Governor and the Joint Bond Review Committee in such form and at such times as each may prescribe. In addition to the foregoing, the University must provide to the Governor and the Joint Bond Review Committee an accounting of the expenditures for each phase of the clinical trial as soon as practicable following the earlier of conclusion of each phase of the clinical trial or exhaustion of the funding applicable thereto. In the event that any funds remain unexpended at the conclusion of either phase of the clinical trial, this authorization must lapse to the extent of the unexpended funds, and such unexpended funds must revert to their original funding source, with availability for expenditure in accordance with their original statutory purpose.

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117.158. (GP: Licensure of Residential Treatment Facilities) From the funds appropriated in this act, the Department of Public Health shall collaborate with the Department of Health and Human Services to determine the number of Residential Treatment Facility (RTF) beds needed to ensure availability of in-state services for South Carolina residents. In accordance with this determination, DPH shall use RTF license application and renewal fees to issue and renew licenses only in a manner that specifies the percentage of beds each RTF must staff and reserve for South Carolina residents.

117.159. (GP: Lead Apprenticeship Agency) In the current fiscal year, the State Board for Technical and Comprehensive Education (SBTCE) shall be recognized as the lead agency for facilitating United States Department of Labor Registered Apprenticeships (USDOL) in South Carolina. All state agencies, public K-12 school districts, and other entities receiving state funds shall coordinate all USDOL Registered Apprenticeships and registered apprenticeship activities through SBTCE and its division Apprenticeship Carolina. SCTCS shall lead the creation and implementation of policies and coordinating efforts to foster the growth of Registered Apprenticeships in South Carolina. For the purposes of this provision, "Registered Apprenticeship" is defined as an industry-driven, high-quality career pathway where employers can develop and prepare their future workforce, and individuals can obtain paid work experience, receive progressive wage increases, classroom instruction, and a portable, nationally-recognized credential. Registered Apprenticeships are industry-vetted and approved and validated by the U.S. Department of Labor. With respect to occupational licensure for registered apprenticeships, the Department of Labor, Licensing and Regulation shall administer and enforce the regulations and direct all inspections and investigations related to issuing licenses for occupations regulated by the Department of Labor, Licensing and Regulation.

117.160. (GP: Millage Calculation) For Fiscal Year 2025-26, a municipality is allowed an additional and permanent adjustment to its general operating millage rate increase limitation for population growth, calculated pursuant to Section 6-1-320, for any increase that would have been allowed in Fiscal Year 2021-2022 but was not known because of the delayed release of the 2020 Census. This adjustment must be calculated using the July 1, 2020 census population estimates, as originally published based on the 2020 Census, instead of the July 1, 2019 population estimates based on the 2010 Census.

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117.161. (GP: Employee Retention and Recruitment) (A) For Fiscal Year 2025-26, the Circuit Solicitor and Circuit Public Defender for each judicial circuit shall provide to the Commission on Prosecution Coordination Director and the Commission on Indigent Defense Director, respectively, a report of current warrants pending. The report shall provide the total number of warrants pending in Circuit Court on July 1st of the preceding and current fiscal year, and the total number of warrants disposed of in the previous fiscal year. In addition, the report shall provide the aging categories for pending warrants as follows: (1) those pending 365 days or less; (2) those pending 366 days to 544 days; and (3) the number of warrants pending more than 545 days. Each circuit shall also submit on a semiannual basis an updated report on the current number of warrants pending.

(B) The Commission on Prosecution Coordination and the Commission on Indigent Defense shall semiannually report progress updates to the Chief Administrative Judge of each respective circuit handling the General Sessions docket, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor's Office. The report shall include the utilization of the funds distributed among the circuits, steps taken to retain current employees, the number of new FTEs that have been hired, and information obtained from circuits on how these measures will go towards reducing both the number and aging warrants pending.

117.162. (GP: Athletic Admissions Revenue) For the current fiscal year, revenue derived from the provisions of Section 12-21-2420 from admissions to an athletic event of an accredited college or university shall be remitted to the Department of Revenue pursuant to Section 12-21-2420. Thereafter, the Department of Revenue shall allocate the same amount to the college or university so long as the use of the revenue is limited exclusively to supporting the college or university's student-athletes through the provision of student aid, scholarship, and/or related financial support.

117.163. (GP: Abandoned Textile Mills) For any project involving an abandoned textile mill of between either: (1) 50,000 and 55,000 square feet, the rehabilitation of which began on or prior to June 30, 2022; or (2) 130,000 and 135,000 square feet and estimated rehabilitation expenses of between either: (1) \$3,000,000 and \$3,500,000; or (2) \$5,500,000 and \$6,500,000, a Notice of Intent to Rehabilitate filed pursuant to the South Carolina Textile Communities Revitalization Act on or before June 30, 2025, shall be effective as of the

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effective date designated by the taxpayer in the Notice to Intent to Rehabilitate for purposes of Section 12-65-30(C)(2), which effective date may be earlier than the date of the Notice of Intent to Rehabilitate, and any rehabilitation expenses incurred on or after the effective date designated by the taxpayer shall be eligible for credits under Section 12-65-30(A)(2), provided all other applicable statutory requirements are satisfied.

117.164. (GP: Land Acquisitions) (A) Prior to entering into contracts to utilize funds appropriated or authorized by the General Assembly to acquire interests in land for natural resource protection and rural land preservation, including conservation easements (Land Protection Projects), the Department of Natural Resources, the Department of Parks, Recreation and Tourism, the Office of Resilience, the Forestry Commission, and the SC Conservation Bank (Resource Agencies) shall coordinate and collaborate with each other to maximize the most cost effective options available for the acquisition with the greatest public benefit. The Resource Agencies shall coordinate with each other to ensure that the funds are used for projects that support the agency's objectives, and do not substantially encroach upon another agency's objectives, the State's broader conservation objectives, and that demonstrate a satisfactory degree of financial leverage, partnerships, and other indicators of quality as determined by the Resource Agencies.

(B) In addition to the requirements set forth above, collaboration and coordination shall include, but are not limited to:

(1) quarterly collaboration and planning meetings to coordinate on projects and ensure compliance with this proviso;

(2) consideration of easement versus acquisition strategies for a proposed project;

(3) consideration of a proposed project's importance in terms of natural conservation, historic resource protection, flood mitigation, agricultural resource protection, or other applicable co-benefits;

(4) consideration of public access; and

(5) consideration of funding sources for the potential project.

(C)(1) Along with its statutorily required annual budget requests, each one of the Resource Agencies shall certify, in writing, to the Executive Budget Office that its budget requests for Land Protection Projects will conform with the requirements of this proviso, with a copy of that written certification being contemporaneously provided to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee.

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(2) By August 15th of the fiscal year, the Executive Budget Office shall prepare a report to the General Assembly of the properties acquired in prior fiscal year, the funding sources for the acquisition, the identification of any reductions in the State's basis in the property including owner agreement to sell below market value and any grants applied to the acquisition, and the intended agency for long-term management of the acquisition.

(D) Where required, the acquisitions process shall follow the existing JBRC and SFAA approval processes. The Resource Agency acquiring the interest in land, any Resource Agency directly participating in the acquisition financially or otherwise, and the Conservation Bank shall continue to submit a proviso compliance certification document when submitting a project.

117.165. (GP: Life Scholarship Retention) For the current fiscal year, of the funds allocated to the Commission on Higher Education for Life Scholarships, no monies shall be withheld from a student otherwise eligible for their second year of Life Scholarship funding based solely upon a grade earned in a dual enrollment class.

117.166. (GP: Definition of Physician's Office) For the purposes of meeting the requirements of Section 12-36-2120(80) for insertable medicine used in the prevention, treatment, or cure of ophthalmologic diseases or conditions, the definition of a physician's office includes an independent surgery center and a hospital-based outpatient department.

117.167. DELETED

117.168. (GP: Festival Craft Person) In the current fiscal year, a person including, but not limited to, artists, craft person, or hobbyists, who makes sales not more than four times in the fiscal year at a fair, festival, carnival, or event that operates for a period of less than twelve consecutive days is not engaged in business or making sales at retail. However, this proviso does not apply to persons who are engaged in the business of making sales at retail for which they are required to obtain a license.

117.169. (GP: Prostate Cancer Study Committee) (A) For the current fiscal year, the South Carolina Prostate Cancer Study Committee shall continue to address, but is not limited to addressing, the following initiatives:

(1) the best methods to ensure timely screening, accurate diagnosis, and treatment of prostate cancer;

(2) the need for and viability of a continuum of care for those diagnosed with and in remission from prostate cancer;

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(3) reviewing and evaluating best practices for education and awareness about prostate cancer;

(4) identifying areas in South Carolina with a high incidence of prostate cancer or poor outcomes;

(5) researching the latest and proven methods for screening, diagnosing, and treating prostate cancer; and

(6) reviewing current efforts to promote prostate cancer awareness and screening in South Carolina and how best to improve those efforts.

(B) In addition to two Senators appointed by the President of the South Carolina Senate and two members of the House of Representatives as appointed by the Speaker of the South Carolina House of Representatives, the committee shall consist of:

(1) one Urology or Oncology Specialist from the MUSC School of Medicine;

(2) one Urology or Oncology Specialist from the University of South Carolina School of Medicine;

(3) three Urology or Oncology Specialists who are not affiliated with the MUSC School of Medicine or the University of South Carolina School of Medicine appointed jointly by the President of the Senate and the Speaker of the House of Representatives upon recommendation of the South Carolina Hospital Association;

(4) three Urology or Oncology Specialists who are not affiliated with the MUSC School of Medicine or the University of South Carolina School of Medicine appointed jointly by the President of the Senate and the Speaker of the House of Representatives upon recommendation of the South Carolina Medical Association;

(5) the Director of the Hollings Cancer Center or his designee;

(6) the Director of the South Carolina Office of Rural Health or his designee;

(7) the Director of the South Carolina Center for Rural and Primary Healthcare or his designee;

(8) the Director of Clemson Rural Health or his designee;

(9) the Dean of the Arnold School of Public Health or his designee;

(10) one representative from the American Cancer Society;

(11) one patient advocate, to be appointed by the Chairman of the Senate Finance Committee; and

(12) one patient advocate, to be appointed by the Chairman of the House Ways and Means Committee.

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No member of the study committee shall be entitled to any compensation or reimbursement.

(C) From the membership of the committee, a Chairman shall be appointed jointly by the President of the Senate and the Speaker of the House of Representatives.

(D) Any administrative services or support for the study committee shall be provided by staff of the General Assembly.

(E) No later than December 31, 2025, the study committee shall provide the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee with a report on its findings and recommendations on the initiatives contained in this provision.

117.170. (GP: Collaboration on Sexual Violence Preventions) (A) The South Carolina Institute on the Prevention of Sexual Violence on College Campuses shall produce an annual report that captures information provided by each institution of higher education regarding education and awareness programs, policy training initiatives, and prevention programs related to sexual violence. The South Carolina Institute on the Prevention of Sexual Violence on College Campuses is directed to provide an annual comprehensive report of this information to the Commission on Higher Education that will be posted to the commission's website. This information shall be available by June 15 of each year.

(B) The South Carolina Institute on the Prevention of Sexual Violence on College Campuses shall regularly collaborate with, and foster collaboration among, the State's institutions of higher education, nonprofit organizations, and other community partners regarding education and awareness programs, policy training initiatives, and prevention programs related to sexual violence.

117.171. (GP: Polling Location Availability) A county shall have its portion of the State Library, Aid to County Libraries withheld if a county library denies a request by the respective County Elections Board to use space available for public meetings or available for rent at the county library as a polling location. County Elections Boards must report any violation to the Executive Director of the State Election Commission. The Executive Director of the State Election Commission shall notify the State Library and the members of the respective legislative delegations of any refusal.

117.172. RESERVED

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117.173. (GP: Scholarship Projections) With the funds appropriated to the Commission on Higher Education, by December 1st of the current fiscal year, the commission shall submit their projected funding requirements for the LIFE, HOPE, and Palmetto Fellows Scholarships to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. Prior to their submission, the commission shall obtain a letter from the Executive Director of the Office of Revenue and Fiscal Affairs affirming that he has reviewed the projections and underlying assumptions and has concluded that they are reasonable.

117.174. RESERVED

117.175. DELETED

117.176. (GP: Credit Unions) For Fiscal Year 2025-26, a federal or state credit union that is headquartered in the State may act as a qualified public depository for deposits held by a municipality if the population of the municipality is less than five thousand, the municipality is not part of a federally recognized metropolitan statistical area, is located at least ten miles from a bank or credit union branch, and occupies and supports a full-service branching facility in the defined area. The credit union must comply with all other provisions of Section 6-5-15, and its deposits must be insured by the National Credit Union Share Insurance Fund.

117.177. DELETED

117.178. (GP: Tuition Mitigation) Of the funds appropriated to the Executive Budget Office, as part of the annual solicitation of agency budget requests, the office shall require all institutions of higher education to provide detailed analysis for any requests for tuition mitigation. The office shall also require all institutions to provide detailed information on cost savings and efficiency initiatives that have been implemented, as well as any that could further be proposed to offset the need for tuition increases or that could lead to a reduction in tuition. The office shall develop guidance, forms, and any other requirements in coordination with the Governor's Office, Senate Finance Committee, and House Ways and Means Committee to collect this information.

117.179. (GP: Distribution of Approved Antidotes) An organization, either public or private, which provides substance use disorder assistance and services may distribute naloxone hydrochloride opioid antidotes which have been approved by the Federal Food and Drug Administration for over-the-counter sale or distribution. If the distributing organization's distribution is consistent with the existing standard of care and any applicable guidelines, rules, regulations, or other directives

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imposed by the Food and Drug Administration, then the distributing organization is not subject to criminal or civil liability for acts or omissions related to the distribution.

117.180. (GP: IT System Modernization) Of the funds appropriated in this act for IT System Modernization, the Department of Motor Vehicles is directed to work with the Department of Administration's Office of Technology and Information Services for the purposes of procurement and implementation of any new technology.

117.181. (GP: Medicaid Permit Days) The Department of Public Health shall not issue any Medicaid permit days in excess of the number of days authorized by the Department of Health and Human Services in accordance with the appropriations act. For the current fiscal year, the Department of Health and Human Services may grant additional permit days to facilities licensed and operating with a Medicaid permit who are deemed to be under the Medicaid permit days necessary to serve the residents of the county. This may include facilities with a restricted Certificate of Need and facilities operating under a previous waiver. Waivers shall not be granted for a nursing home that exceeds the number of patient days by more than five percent stated in its permit.

117.182. (GP: Rice Fields and Wetlands Pilot Program) (A) For Fiscal Year 2025-26, the Office of Ocean and Coastal Resource Management, Department of Natural Resources, and the Office of Resilience shall collaborate to create the Rice Fields and Wetlands Pilot Program. The purpose of this program is to evaluate the creation of permits for reconstructing defunct rice fields and managed wetlands for the purposes of conservation, wildlife management, and flood mitigation.

(B) The pilot program shall:

- (1) create certain eligibility criteria that properties are required to fit to participate in the program;
- (2) establish the fee of the permit;
- (3) allow up to one hundred properties that fit the specified criteria to participate; and
- (4) utilize the revenue derived from the fee of the experimental permit for the cost of the pilot program.

(C) A progress report on the viability of the permit program shall be submitted to the General Assembly no later than June 30, 2026.

117.183. (GP: Commercial Air Travel) When booking out-of-state air travel for official state business, preference shall be given to the closest in-state Class I airport as defined by 14 C.F.R. Part 139.

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117.184. (GP: Exit/Entry Fees) No funds appropriated herein to colleges and universities shall be spent for outside attorney expenses, exit fees, or entry fees associated directly with athletic conference affiliations.

117.185. (GP: Regulation Review Period) In the current fiscal year, the legislative review period for regulations is tolled, except for the period beginning on the second Tuesday in January and ending on the second Thursday in May. No funds appropriated or authorized in this act may be expended, in contradiction of this proviso, to make a regulation become effective by automatic approval by publication in the State Register.

117.186. DELETED

117.187. DELETED

117.188. (GP: Inspector General Report) If an investigation performed by the office of the State Inspector General results in recommendations for subsequent audits or raises concerns supporting subsequent audits, the appropriate oversight agency may conduct or hire an outside auditing firm to conduct the audits. The audit process shall be overseen by the State Inspector General, in coordination with the oversight agency. The agency or political subdivision being audited must pay reasonable costs associated with the audit.

117.189. (GP: Food Safety) Using funds appropriated to the agency for which the administration of the food safety program was transferred pursuant to Act 60 of 2023, as part of its retail food safety inspections of school cafeterias, the successor agency's review of the premises shall include the entire physical facility where the school cafeteria is located. This review shall include a review of the entirety of the building itself and any surrounding areas that may impact cafeteria personnel, facilities, or operations. The successor agency shall verify that the school cafeteria and all adjacent indoor and outdoor areas are maintained in a way that complies with applicable regulations and maximizes student health and safety.

117.190. (GP: Transfer of Physical Assets) In the current fiscal year, the Department of Administration shall transfer the financial and administrative responsibility for the building and grounds located at 1 National Guard Road in Columbia to the Office of the Adjutant General. The Office of the Adjutant General is thereafter responsible for such building and grounds to include maintenance of necessary reserves for deferred and future depreciation and maintenance, assuming improvement obligations, and other costs of operation including, but not

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limited to, building maintenance, systems and equipment maintenance, custodial services, horticulture and grounds maintenance, insurance, and utilities. The Department of Administration shall not collect rent, and after the transfer, the Department of Administration shall have no responsibility for any deferred or future maintenance or repair of the building and grounds.

117.191. (GP: Fraud Mitigation) (A) All state agencies that issue checks as a benefit to the general public, rather than as payment for services rendered, and that do not utilize the procurement process for such disbursements, shall develop and implement measures to mitigate the risk of fraud. These agencies shall outline the specific steps being taken to prevent and detect fraudulent activity related to the issuance of benefit checks. This should include, but not be limited to, a verification processes for recipient eligibility, security measures for check issuance and distribution, and monitoring procedures to detect and address fraudulent transactions.

(B) Each agency shall compile a report detailing fraud mitigation measures implemented, any incidents of fraud detected, and corrective actions taken that must be submitted to the General Assembly by December 31 of the current fiscal year.

117.192. (GP: Mandatory Health Insurance) In the current fiscal year, public colleges and universities, including public technical colleges, shall not expend any state appropriated funds to mandate or require undergraduate domestic students to have health insurance as a condition of application or enrollment. The institutions shall revise or adopt policies to prevent such mandate or requirement, and shall not automatically enroll undergraduate domestic students in any health insurance plan or program without the student's prior authorization and consent, or charge or assess a fee for not participating or enrolling in any such plan or program.

117.193. (GP: FTE Management) In order to better manage the number of full-time equivalent (FTE) positions across state government, not later than ninety days after the passage of the General Appropriations Act or by October 1, whichever comes later, the Executive Budget Office (EBO), in consultation with the State Division of Human Resources (DSHR) shall eliminate 25% of each agency's vacant FTE positions as of February 1, 2025, unless specifically exempted elsewhere in this act. The elimination of 25% of vacant FTE positions will be adjusted to reflect FTE positions received in the Fiscal Year 2023-24 General Appropriations Act or the Fiscal Year 2024-25 General Appropriations

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Act. Agencies shall consult with EBO and DSHR to identify which vacant positions should be eliminated, but the eliminations must align to the funding source for the identified vacant FTE positions. During agency consultations, EBO and DSHR shall determine if agencies have fewer than 5 vacancies or other extenuating circumstances and exempt those agencies from the required reduction. Extenuating circumstances may include that the agency or institution has reduced its authorized FTE count in the last several fiscal years or that it is in the process of hiring positions essential to the health, safety, and welfare of the public and/or critical operations of the State and the reduction would interfere with filling those positions. EBO must report the number of FTEs deleted by agency, program, and funding source to the Senate Finance Committee and the House Ways and Means Committee by December 1st of the current fiscal year. This proviso does not supersede proviso 57.15 or proviso 91.23.

117.194. (GP: Educational Scholarships for In-State Students) For the current fiscal year, institutions of higher learning may offer up to, but may not exceed, an additional four percent of educational fee waivers, provided that additional waivers, if any, are limited exclusively to the benefit of undergraduate South Carolina in-state students.

117.195. DELETED

117.196. (GP: Program Transfer) For Fiscal Year 2025-26, the Commission on Higher Education shall collaborate with the Department of Education and the Department of Administration, Executive Budget Office, to transition the Educator Report Card program, including associated FTE positions and all related funding, to the Department of Education no later than January 1, 2026. The Executive Budget Office is authorized to implement the necessary permanent transfers of funding and positions to facilitate the transition of the program.

117.197. (GP: Evaluation of Agribusiness & Agricultural Marketing Services) The Department of Agriculture, Clemson University Public Service Activities, and South Carolina State Public Service Activities shall jointly undertake an evaluation of their respective roles in the administration and expenditure of state funds related to agribusiness and agricultural marketing programs and initiatives. This evaluation shall include, but not be limited to, each agency's utilization of state-appropriated funds to support agribusiness development, agricultural marketing, agricultural education, research, technical assistance, and related services; an analysis of the geographic areas and populations served by each agency's programs; and the identification of any

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overlapping or duplicative efforts among the entities. The results of this evaluation shall be provided as a written report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways & Means Committee by June 30, 2026.

117.198. (GP: Statewide Flood Inundation Mapping) From the funds appropriated to the Department of Natural Resources for Statewide Flood Inundation Map Modeling, the department shall collaborate with the Office of Resilience to coordinate and provide advisory support for the mapping of statewide flood inundation. This collaboration shall aim to prevent duplicative efforts, streamline resources, and ensure consistency in flood mapping initiatives across both agencies.

117.199. (GP: Coordination of Disaster Mitigation Efforts) For Fiscal Year 2025-26, the Office of Resilience and the Department of Natural Resources shall collaborate to evaluate and report on the spectrum of disaster types each agency plans and mitigates for statewide, as well as any overlap in these disaster type-specific efforts. Based on this evaluation, the agencies shall develop a coordinated approach to the expenditure of disaster planning and mitigation funds and service delivery, eliminating redundancies in addressing the same types of disasters. A joint report detailing the evaluation's findings, including identified disaster types and overlaps, and any resulting recommendations, shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways & Means Committee by June 30, 2026.

117.200. (GP: Safe Homes Program) (A) The Department of Insurance shall collaborate with the Office of Resilience to evaluate the operation of the Safe Homes Program and determine if all available funds are being fully accessed and made available for grants and used appropriately based on the current and projected needs of the State regarding home weatherization. The department shall submit a report to the General Assembly by June 30, 2026, detailing the evaluation's findings and providing recommendations to enhance the program's effectiveness. The recommendations may include, but are not limited to, proposed statutory changes and additional funding requirements as deemed necessary.

(B) For the current fiscal year, any funds appropriated for the Safe Homes Program shall be supplemental to the program's existing funding sources.

117.201. DELETED

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117.202. (GP: Political Subdivision Reimbursement) (A) For the property tax year that ends in the current fiscal year, for the property tax exemption on certain manufacturing property for which a reimbursement is required by law, up to three hundred million dollars may be used to reimburse political subdivisions, including school districts.

(B) To the extent that funds in excess of the amounts necessary to make the full reimbursement for the property tax exemption on certain manufacturing property are unavailable, then the balance in the Trust Fund for Tax Relief may be expended to make the reimbursements in full.

117.203. DELETED

117.204. (GP: Interim Neurological and Critical Care Hospital Board) (A) With the funds appropriated to the Department of Health and Human Services for Neurological Critical Care and Rehabilitation Services in South Carolina, there is created the Interim Neurological and Critical Care Hospital Board at the University of South Carolina. The Department of Health and Human Services is authorized to transfer no more than an additional \$200,000,000 of agency funds to the University of South Carolina for the same purposes. The board shall consist of the following members and shall serve at the pleasure of the appointing official:

(1) two members appointed by the Chairman of Senate Finance Committee, one of which may be a member of the University of South Carolina Board of Trustees;

(2) one member appointed by the President of the Senate, who may be a senior level employee of the University of South Carolina with knowledge of the medical field;

(3) two members appointed by the Chairman of the House Ways and Means Committee, one of which may be a member of the University of South Carolina Board of Trustees;

(4) one member appointed by the Speaker of the House, who may have a background in hospital management or administration and may not be an employee or member of the Board of Trustees of the University of South Carolina; and

(5) one member appointed by the Governor, who may have a background in hospital management or administration and may not be an employee or member of the Board of Trustees of the University of South Carolina nor a former employee or member of the Board of Trustees of the University of South Carolina.

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(B) The Chairman of the Interim Board shall be one of the members appointed by the Chairman of the Senate Finance Committee, the President of the Senate, the Chairman of the House Ways and Means Committee, or the Speaker of the House to be elected by the board.

(C) The board shall be administratively supported by the University of South Carolina.

(D) The University of South Carolina is authorized to undertake permanent improvements necessary for Neurological Critical Care and Rehabilitation Services. Further, the funds appropriated for this purpose may be carried forward and expended for the necessary permanent improvements. The funds must be accounted for separately, and the university shall report semiannually to the Chairman of the Joint Bond Review Committee on the amount of funding carried forward, the amount remaining to be expended, the overall status of the project, and any other information requested by the committee.

117.205. DELETED

117.206. DELETED

117.207. DELETED

117.208. (GP: Tax Rate) For the current fiscal year, Section 12-6-510(B)(2) and (3) is suspended.

117.209. DELETED

117.210. (GP: Fund Investment) In the current fiscal year, the Office of State Treasurer may not invest any funds under their control in investments that utilize in any material, substantive manner an investment or business operational factor, policy, or practice including, but not limited to, commonly described Social, Environmental, and Governance (ESG) and Diversity, Equity and Inclusion (DEI) factors, policies, and practices whose pecuniary effect is not directly tied to maximizing investment returns or other strictly financial interests or objectives.

117.211. DELETED

117.212. DELETED

117.213. (GP: Aid to Fire District Planning) The South Carolina Revenue and Fiscal Affairs Office, in conjunction with the Executive Budget Office, shall develop and submit options, including details, to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by December 31, 2025, to address the Aid to Fire District open-ended status as defined by the Office of the Comptroller General. The options shall ensure that all collections are disbursed to fire districts as prescribed by statute, other sources of

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collections are not altered, and disbursements are not reliant upon budgetary surpluses. The Department of Insurance and the Office of the State Treasurer shall cooperate with any requests for information from the Revenue and Fiscal Affairs Office.

117.214. (GP: AI Appropriations) Any agency or institution that is appropriated or authorized funds for artificial intelligence shall coordinate their efforts and budget requests with the Department of Administration's AI Center of Excellence.

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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, 2026. 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, 2026. 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 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

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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.

With respect to any past or future acquisition of real property, the application of this provision and prior comparable titling provisions to the South Carolina Department of Natural Resources and real property under its ownership or control is subject to the exemption adopted by the South Carolina Budget and Control Board on March 21, 2006.

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 fund in a fiscal year may be appropriated by the General Assembly. Upon determination by the Comptroller General as to the amount to be

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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. (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.

118.5. (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 established by Act 170 of 2010 and any other funds deposited into the fund shall be deemed appropriated for use by the Department of Health and Human Services for the Medicaid program. Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

118.6. (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.

118.7. (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

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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.

118.8. (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.

118.9. (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, 2025, 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.

118.10. (SR: Tax Deduction for Consumer Protection Services) (A) In addition to the deductions allowed in Section 12-6-1140, 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 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

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services designed to prevent an incident of identify fraud or identity theft in order to protect the privacy of a person's personal identifying information, as defined in Section 16-13-510(D), by precluding a third party from gaining unauthorized acquisition of another's personal identifying information to obtain financial resources or other products, benefits or services; 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 pre-theft status.

(B) The deduction provided in subsection (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.

118.11. (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) in the current fiscal year, 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 Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act;

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(2) The Attorney General's Office shall maintain a balance of \$1,253,000 in a fund for future tobacco arbitration. Attorney General funds in excess of \$1,253,000 may be utilized for information technology expenses and building infrastructure upgrades. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose; and

(3) The remaining balance shall be transferred to a restricted account authorized solely for use by the Department of Health and Human Services for the Medicaid program. Earnings on this fund must be credited to the fund and balances may be carried forward from the prior fiscal year for the same purpose.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for the current fiscal year.

118.12. (SR: One Dollar Appropriations) Funds appropriated in the amount of one dollar by this act shall not be disbursed. The Comptroller General shall adjust the affected agency's chart of accounts accordingly, if necessary.

118.13. (SR: Non-recurring Litigation Recovery Revenue) During the current fiscal year, if there is a recovery or an award in any litigation managed by the State through a party other than the Attorney General, or if a state tax audit results in a collection, any funds received in excess of twenty-five million dollars that are not likely to continue as recurring revenue and would have otherwise been credited to the General Fund shall be credited to the Litigation Recovery Account. The amount credited to this Litigation Recovery Account pursuant to this provision is deemed non-recurring revenue and must be expended only in the manner prescribed by law.

118.14. (SR: Farm Aid) There is created the "South Carolina Farm Aid Fund". This fund is separate and distinct from the general fund of the State and all other funds. Earnings on this fund must be credited to it. Revenues credited to this fund in a fiscal year must be used in that fiscal year to operate a grant program that provides financial assistance to farmers.

To be eligible for a grant, the person must have:

(1) experienced a verifiable loss of agricultural commodities of at least thirty percent as a result of the flooding occurring in the aftermath of Hurricanes Michael and Florence for which:

(a) the Governor declared a state of emergency in the State for the county in which the farm is located; and

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- (b) the United States Secretary of Agriculture issued a Secretarial Disaster Declaration for the county in which the farm is located;
- (2) a farm number issued by the Farm Service Agency;
- (3) signed an affidavit, under penalty of perjury, certifying that each fact of the loss presented by the person is accurate; and
- (4) a signed affidavit, under penalty of perjury, certifying that no federal funds have been received for these specific disasters, and in the event that federal funds are received, the person will return all state monies received under this program.

The Department of Agriculture shall administer the grant program authorized by this proviso. The Department of Revenue shall assist the Department of Agriculture in the administration of the grant program by providing auditing services, accounting services, and review and oversight of all financial aspects of the grant program. There is created the Farm Aid Advisory Board to make recommendations to the department regarding the duties of the department in administering the grant program. The Commissioner of Agriculture, or his designee, shall serve ex officio, as chairman of the board. Also, the Director of the Department of Revenue, or his designee, the Vice President for Public Service and Agriculture of Clemson Public Service Activities, or his designee, and the Vice President for Land Grant Services of South Carolina State Public Service Activities, or his designee, shall serve on the board. The following additional members shall be appointed to the board:

- (1) the Commissioner of Agriculture shall appoint one member representing the South Carolina Farm Bureau;
- (2) the Commissioner of Agriculture shall appoint one member representing a farm credit association;
- (3) the Director of the Department of Revenue shall appoint one member representing the crop insurance industry; and
- (4) the Director of the Department of Revenue shall appoint one member who is an agricultural commodities producer.

By July twentieth of the current fiscal year, the board shall hold its initial meeting to recommend an application process by which a person with a loss resulting from the flooding occurring in the aftermath of Hurricanes Michael and Florence may apply for a grant. Upon adoption of an application process, the Department of Agriculture shall provide the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee with a written copy of its application process within ten days after its adoption. A person shall

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apply not later than forty-five days after the adoption of the application process. The department must ensure every person interested in applying for a grant has access to adequate resources to submit his application in a timely manner, and upon request, the department must assist a person with the preparation of his application.

Each grant awarded by the department may not exceed twenty percent of the person's verifiable loss of agricultural commodities. However, a person, including any grant made to a related person, may not receive grants aggregating more than one hundred thousand dollars. Also, a person, including any grant made to a related person, may not receive grants that when combined with losses covered by insurance, exceed one hundred percent of the actual loss. If a grant is made to a related person, the amount to be included in the limits set by this proviso must be the amount of the grant multiplied by the person's ownership interest in the related person. However, a person who shares an ownership interest with another person or entity may not be refused a grant solely because the other person or related person has otherwise received the maximum grant amount, but in this case, the person's grant amount is limited by the person's ownership interest.

If the total amount of grants allowed pursuant to this proviso exceeds the monies in the fund, then each person's grant must be reduced proportionately.

To determine loss, the department:

(1) must measure the person's cumulative total loss of all affected agricultural commodities for the year in which the flooding occurred against the person's expected production of all agricultural commodities affected by the flooding occurring in the aftermath of Hurricanes Michael and Florence;

(2) shall use the person's applicable actual production history yield, as determined by the Federal Crop Insurance Corporation, to determine loss for insured agricultural commodities. In determining loss for uninsured agricultural commodities, the department shall use the most recent year's county price and county yield, as applicable, as determined by the National Agriculture Statistics Service, United States Department of Agriculture; and

(3) may require any documentation or proof it considers necessary to efficiently administer the grant program, including the ownership structure of each entity and the social security numbers of each owner. Minimally, in order to verify loss, the department shall require the submission of dated, signed, and continuous records. These records may

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include, but are not limited to, commercial receipts, settlement sheets, warehouse ledger sheets, pick records, load summaries, contemporaneous measurements, truck scale tickets, contemporaneous diaries, appraisals, ledgers of income, income statements of deposit slips, cash register tape, invoices for custom harvesting, u-pick records, and insurance documents.

Grant awards must be used for agricultural production expenses and losses due to the flooding which demonstrate an intent to continue the agricultural operation; however, awards may not be used to purchase new equipment. The department shall develop guidelines and procedures to ensure that funds are expended in the manner outlined in grant applications, and may require any documentation it determines necessary to verify the appropriate use of grant awards including receipts.

If the department determines that a person who received a grant provided inaccurate information, then the person shall refund the entire amount of the grant. If the department determines that a person who received a grant used the funds for ineligible expenses, then the person must refund the amount of the ineligible expenses. If the person does not refund the appropriate amount, the Department of Revenue shall utilize the provisions of the Setoff Debt Collection Act to collect the money from the person.

The department shall coordinate the exchange of information between the USDA and the Department of Revenue to identify any person that received a Farm Aid grant for the flooding occurring in the aftermath of Hurricanes Michael and Florence and also received federal aid relief for the same disaster. Any person that is determined to have received grant funds from both the state and federal government, must immediately repay the state grant they received.

If the department determines that a person knowingly provided false information to obtain a grant pursuant to this proviso or knowingly used funds for ineligible expenses, the person shall be subject to prosecution pursuant to Section 16-13-240.

Within forty-five days of the completion of the awarding of grants, but no later than the end of the fiscal year, the Farm Aid Advisory Board is dissolved. Any funds remaining in the fund upon dissolution shall lapse to the general fund.

The department may accept private funds, grants, and property to be used to make financial awards from the grant program.

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The Department of Agriculture must administer the grant program authorized by this proviso using existing resources and funds.

If federal funds are allocated for persons that are otherwise eligible for a grant pursuant to this proviso before the current fiscal year begins, then the provisions of this proviso are not effective and no funds may be credited to the South Carolina Farm Aid Fund.

For purposes of this proviso:

(1) "Agricultural commodities" means wheat, cotton, flax, corn, dry beans, oats, barley, rye, tobacco, rice, peanuts, soybeans, sugar beets, sugar cane, tomatoes, grain sorghum, sunflowers, raisins, oranges, sweet corn, dry peas, freezing and canning peas, forage, apples, grapes, potatoes, industrial hemp, timber and forests, nursery crops, citrus, and other fruits and vegetables, nuts, tame hay, native grass, aquacultural species including, but not limited to, any species of finfish, mollusk, crustacean, or other aquatic invertebrate, amphibian, reptile, or aquatic plant propagated or reared in a controlled or selected environment, excluding stored grain.

(2) "Person" means any individual, trust, estate, partnership, receiver, association, company, limited liability company, corporation, or other entity or group.

(3) "Related person" means any person, joint venture, or entity that has a direct or indirect ownership interest of a person or legal entity.

(4) "Department" means the Department of Agriculture.

118.15. (SR: Expenditure of Federal Funds) Any funds received from the Federal Government that are not allocated directly to a state agency must be expended through the legislative budgeting process.

118.16. (SR: State Ports Authority Projects) Any funds appropriated or authorized for the State Ports Authority by Proviso 118.18 (Nonrecurring Revenue) for the intermodal container transfer facility and waterborne cargo infrastructure must be deposited into a separate and distinct account and shall only be used for costs directly related to those two projects. Funds shall not be used for salaries, bonuses, or any kind of normal administrative costs. Funds shall not be used for personnel expenses not directly related to the implementation of the two projects. In addition, the State Ports Authority shall provide quarterly progress reports on the implementation of each facility to the Joint Bond Review Committee, the President 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. These quarterly reports shall include, but are not limited to,

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financial results, operating plans, budgets, capital plans, and performance objectives and results for the projects. The Joint Bond Review Committee must review and provide comment on expenditures, and may prescribe the reporting format and such other informational requirements and reports as it deems useful and necessary, to ensure the financial integrity, accountability, and stewardship of the funds and the ongoing operations of the project. To the extent permitted by federal law, if federal funds become available to the State that can be used for the intermodal container transfer facility or for waterborne cargo infrastructure, those federal funds must first be used to complete the project. Any remaining state funds appropriated for these projects shall be transferred to a restricted account at the Department of Administration.

118.17. (SR: Growing Agribusiness Fund Report) The Department of Agriculture shall prepare a report on the utilization of the Growing Agribusiness Fund that includes the amount of each grant awarded, the recipient of the funds, the date of the grant award, and the qualifications met by the recipient upon review by the Department of Agriculture Infrastructure Incentives Panel. The report shall be submitted quarterly to the Chairmen of the Senate Finance Committee, the House Ways and Means Committee, the Senate Finance Natural Resources and Economic Development Subcommittee, and the House Ways and Means Economic Development Subcommittee. The department is allowed to retain any accrued interest generated from the fund for similar purpose of grant reimbursements.

118.18. DELETED

118.19. (SR: American Rescue Plan Act Reauthorizations) To ensure the State of South Carolina maximizes the use of federal funds authorized through the American Rescue Plan Act, the Director of the Executive Budget Office is authorized to reallocate any unused authorization in a particular enumerated item in Act 244 of 2022 and Act 6 of 2023 to any of the enumerated items in the aforementioned Acts. Any reauthorizations shall only be done to ensure the state maintains compliance with all current and future obligation and expenditure timelines issued by the United States Department of Treasury. Any reauthorizations made by the Executive Budget Office pursuant to this section shall be reported to the Governor, Chairman of the House Ways and Means Committee, and Chairman of the Senate Finance Committee.

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118.20. (SR: Homestead Exemption Fund) The source of revenue appropriated in subsection (B) is revenue generated from the following source:

\$124,319,000 from the Homestead Exemption Fund.

Any restrictions concerning specific utilization of these funds are suspended for the specified fiscal year. The above agency transfer shall occur no later than thirty days after the close of the books on Fiscal Year 2024-25 and shall be available for use in Fiscal Year 2025-26 after September 1, 2025, following the Comptroller General's close of the State's book on Fiscal Year 2024-25.

The State Treasurer shall disburse \$124,319,000 to Part 1A General Fund to provide income tax relief by September 30, 2025.

118.21. DELETED

118.22. (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:

- (1) \$332,294,362 from Contingency Reserve Fund;
- (2) \$1,226,554,400 from Fiscal Year 2024-25 Projected Surplus;
- (3) \$34,054,856 from Litigation Recovery Account;
- (4) \$1,643,873 from Fiscal Year 2024-25 Projected Debt Service Lapse;
- (5) \$109,752,745 from Fiscal Year 2025-26 Debt Service Appropriated Above Obligations;
- (6) \$2,290,000 from Fiscal Year 2024-25 Governor Vetoes;
- (7) \$6,254,723 from Excess Statewide Employee Benefits;
- (8) \$4,000,000 from Workers' Compensation Commission – Overage of IT Project;
- (9) (5,079,000) for Fiscal Year 2024-25 Incremental Income Tax Reduction; and
- (10) any residual certified unappropriated general fund dollars.

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 2024-25 and shall be available for use in Fiscal Year 2025-26.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2025-26 after September 1, 2025, following the Comptroller General's close of the state's books on Fiscal Year 2024-25.

(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,

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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 on February 20, 2026, for the purposes stated, with the exception of items (1) and (68)(b) which shall be disbursed by September 30, 2025.

- (1) F010 General Reserve Fund
 - General Reserve Fund
 - Contribution \$ 99,695,200;
- (2) H630 Department of Education
 - (a) Education Scholarship Trust Fund \$ 15,000,000;
 - (b) High Quality Instructional Materials \$ 41,585,026;
 - (c) School of Workforce Innovation Pilot - Phase 2 \$ 5,000,000;
- (3) H620 First Steps
 - Innovation Investments \$ 2,500,000;
- (4) H710 Wil Lou Gray Opportunity School
 - (a) Student Recreational \$ 125,000;
 - (b) Building and Office Maintenance \$ 600,000;
- (5) H750 School for the Deaf and the Blind
 - (a) CLRC - Roof Repairs \$ 1,000,000;
 - (b) Walker Hall Maintenance and Repairs \$ 500,000;
 - (c) HVAC - Memminger Hall, CLRC, and Dobson House \$ 1,000,000;
- (6) L120 Governor's School for Agriculture at John de la Howe
 - (a) De la Howe Hall Site Work \$ 2,000,000;
 - (b) Campus Security Cameras – Phase 2 \$ 400,000;
 - (c) Meat Processing Lab and Cannery \$ 4,000,000;
 - (d) Remodel Hester Cottage \$ 600,000;
- (7) H670 Educational Television Commission
 - (a) HVAC Replacement \$ 5,000,000;
 - (b) Combined Control Room Modernization \$ 2,000,000;
 - (c) Fire Suppression \$ 400,000;

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	(d) Facility Security Update	\$ 1,000,000;
(8)	H640 Governor's School for Arts and Humanities	
	(a) Film Equipment for New Art Program	\$ 100,000;
	(b) Gallery/Flexible Instructional Space	\$ 1,000,000;
(9)	H650 Governor's School for Science and Mathematics Replacement of 6 Des Champs HVAC Units for Residence Halls	\$ 1,850,000;
(10)	H090 The Citadel	
	(a) Engineering Building Replacement	\$ 12,900,000;
	(b) Renovation of Workforce Housing	\$ 2,000,000;
	(c) Deas Hall Renovation	\$ 7,000,000;
(11)	H120 Clemson University	
	(a) NextGen Computing Complex	\$ 40,000,000;
	(b) Maintenance, Renovation, and Replacement	\$ 4,000,000;
(12)	H150 University of Charleston Maintenance, Renovation, and Replacement	\$ 4,000,000;
(13)	H170 Coastal Carolina University Wheelwright Auditorium Renovation	\$ 4,488,000;
(14)	H180 Francis Marion University	
	(a) Leatherman Science Facility/ McNair Science Building Renovation	\$ 2,000,000;
	(b) Hyman Fine Arts Center Building Renovation	\$ 5,000,000;
	(c) Highway 327 Crosswalks Project: Securing Safe Passage for FMU Students and Staff	\$ 750,000;
(15)	H210 Lander University	
	(a) Maintenance, Renovation, and Replacement	\$ 2,000,000;

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	(b) Marion Carnell Learning Center Renovation	\$ 8,000,000;
(16) H240	South Carolina State University	
	(a) Replacement of Smith Hammond Middleton Convocation Center	\$ 5,000,000;
	(b) Renovation of Dr. Maceo O. Nance Hall (Establishment of the New College of Agriculture, Family and Consumer Science)	\$ 15,000,000;
(17) H270	University of South Carolina – Columbia	
	(a) Battery Center Facility	\$ 13,200,000;
	(b) Maintenance Repair and Renovation: Coker College Maintenance Renovation	\$ 2,000,000;
(18) H290	University of South Carolina - Aiken Science Building Enhancement and Modernization	\$ 8,350,000;
(19) H340	University of South Carolina - Upstate	
	(a) Maintenance, Renovation, and Replacement	\$ 10,000,000;
	(b) Recreation and Tourism Management Center	\$ 6,000,000;
(20) H360	University of South Carolina - Beaufort New Convocation Center	\$ 9,250,000;
(21) H370	University of South Carolina - Lancaster Maintenance, Renovation, and Replacement	\$ 1,320,000;
(22) H380	University of South Carolina - Salkehatchie Maintenance, Renovation, and Replacement	\$ 1,400,000;
(23) H390	University of South Carolina - Sumter	

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	(a) Maintenance, Renovation, and Replacement	\$ 2,000,000;
	(b) Facilities Management Center	\$ 3,000,000;
	(c) Collaboration Lab	\$ 5,506,900;
(24) H400	University of South Carolina - Union Maintenance, Renovation, and Replacement	\$ 2,000,000;
(25) H470	Winthrop University	
	(a) Maintenance, Renovation, and Replacement	\$ 4,000,000;
	(b) Administrative Building Renovation	\$ 4,620,000;
	(c) Academic Renovations & New Strategic Academic Programs	\$ 2,309,996;
(26) H510	Medical University of South Carolina	
	(a) College of Medicine Academic Building	\$ 25,000,000;
	(b) Southeastern Health AI Consortium	\$ 6,600,000;
	(c) Lancaster Medical Center Graduate Medical Education (GME) Program	\$ 5,802,000;
(27) H590	State Board for Technical and Comprehensive Education	
	(a) SC WINS	\$ 34,232,473;
	(b) readySC	\$ 4,000,000;
	(c) Make It In SC	\$ 1;
	(d) SC Workforce Competitiveness Initiative	\$ 500,000;
	(e) Aiken Technical College	
	(i) Equipment Funding	\$ 1,818,550;
	(ii) ITC Roof Replacement	\$ 594,000;
	(iii) Demolition of the 100/200 and 300 buildings	\$ 606,000;
	(iv) Parking Lot Refurbishment	\$ 792,000;
	(v) Maintenance, Renovation,	

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	and Replacement	\$ 2,900,000;
(f)	Central Carolina Technical College	
	(i) Kershaw Campus Expansion	\$ 5,000,000;
	(ii) Technical High School Workforce Center	\$ 15,000,000;
	(iii) Maintenance, Renovation, and Replacement	\$ 3,500,000;
(g)	Denmark Technical College New Building - Cybersecurity, Energy, Healthcare	\$ 1;
(h)	Florence-Darlington Technical College Maintenance, Renovation, and Replacement	\$ 4,000,000;
(i)	Greenville Technical College	
	(i) Center for Industrial Cyber Security and AI	\$ 16,000,000;
	(ii) Maintenance, Renovation, and Replacement	\$ 8,000,000;
(j)	Horry-Georgetown Technical College	
	(i) Maintenance, Renovation, and Replacement	\$ 2,000,000;
	(ii) Equip Grand Strand Speir Healthcare Building	\$ 6,000,000;
(k)	Midlands Technical College	
	(i) Advanced Trades Center	\$ 16,000,000;
	(ii) Maintenance, Renovation, and Replacement	\$ 12,500,000;
(l)	Orangeburg-Calhoun Technical College	
	(i) Health Sciences Building	\$ 5,086,000;
	(ii) Maintenance, Renovation, and Replacement	\$ 2,800,000;
(m)	Piedmont Technical College Maintenance, Renovation, and Replacement	\$ 7,000,000;
(n)	Spartanburg Community College Maintenance, Renovation, and Replacement	\$ 9,200,000;
(o)	Technical College of the Lowcountry	

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	Maintenance, Renovation, and Replacement	\$ 1,000,000;
(p)	Tri-County Technical College	
	(i) Maintenance, Renovation, and Replacement	\$ 511,666;
	(ii) Forestry Technician Program Facility	\$ 6,000,000;
	(iii) Diesel Mechanic Training Facility	\$ 2,500,000;
(q)	Trident Technical College	
	Maintenance, Renovation, and Replacement	\$ 4,271,487;
(r)	Williamsburg Technical College	
	Maintenance, Renovation, and Replacement	\$ 1,000,000;
(s)	York Technical College	
	(i) Maintenance, Renovation, and Replacement	\$ 4,000,000;
	(ii) Trades Program Expansion	\$ 12,000,000;
(28) H790	Department of Archives and History	
	(a) SC American Revolution Sestercentennial Commission	\$ 4,000,000;
	(b) Exhibit Hall and Meeting Space Expansion	\$ 1,250,000;
(29) H910	Arts Commission	
	Support Grants for Community Arts Organizations	\$ 1,000,000;
(30) H950	State Museum Commission	
	(a) Reimagine the Experience Permanent Gallery Improvement Project	\$ 20,000,000;
	(b) Security Alarm System & Wayfinding Emergency Public Announcement System	\$ 300,000;
	(c) Imagery Server Repository and Backup Expansion	\$ 100,000;
(31) H960	Confederate Relic Room and Military Museum Commission	
	(a) International Aspect of the American Civil War Exhibit	\$ 750,000;
	(b) Conrad Wise Chapman Paintings	\$ 150,000;

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	(c) South Carolina Vietnam Veterans' Oral Interviews	\$ 30,000;
	(d) Main Gallery Exhibits Updates	\$ 500,000;
(32) J060	Department of Public Health	
	(a) Healthy Moms, Healthy Babies	\$ 1,600,000;
	(b) Modernizing IT Infrastructure Support Systems	\$ 10,000,000;
(33) H730	Department of Vocational Rehabilitation	
	(a) Evaluation VR Center / State Office Repaving	\$ 150,000;
	(b) ITTC/Rehabilitation Engineering Building Repaving	\$ 150,000;
	(c) Dorm Building VR Center – Heat Pump Unit Replacement	\$ 73,750;
(34) J020	Department of Health and Human Services	
	(a) Children's Hospital Collaborative	\$ 2,000,000;
	(b) Statewide Pediatric Bed Enhancements	\$ 2,000,000;
(35) J120	Department of Mental Health	
	(a) Berkeley and Orangeburg County Jail-Based Programs	\$ 800,000;
	(b) Alternative Transportation Program	\$ 2,500,000;
	(c) Inpatient Services Capital Needs	\$ 9,370,000;
(36) J160	Department of Disabilities and Special Needs	
	(a) Residential Services	\$ 5,000,000;
	(b) South Carolina Genomic Medicine Initiative	\$ 1,000,000;
(37) L040	Department of Social Services	
	(a) Economic Services System Application Modernization (ESSAM) – DDI Phase	\$ 18,590,812;
	(b) SNAP Employment and Training Funding	\$ 400,000;
(38) L080	Department of Children's Advocacy IT Operations	\$ 77,000;
(39) L320	Housing Finance and Development Authority	

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	First-time Homebuyers	
	Workforce Housing	\$ 5,000,000;
(40) P120	Forestry Commission	
(a)	Mechanic Recruitment and Retention & Vehicle and Supplies	\$ 63,000;
(b)	Forest Health Capacity	\$ 52,000;
(c)	Prescribed Fire Capacity	\$ 1,852,000;
(41) P160	Department of Agriculture	
(a)	Equipment Replacement	\$ 1,400,000;
(b)	Regional Farmers Markets	\$ 2,000,000;
(42) P200	Clemson University Public Service Activities	
	PSA Planned Maintenance and Critical Infrastructure	\$ 3,000,000;
(43) P210	SC State University Public Service Activities	
(a)	Statewide Extension Agribusiness Development	\$ 650,000;
(b)	Agriculture Innovation Research	\$ 500,000;
(c)	Business Development Training and Assistance	\$ 525,000;
(d)	New Beginner Farmer Assistance	\$ 600,000;
(e)	Future Farm Planning	\$ 250,000;
(f)	Animal Research & Education Center (AREC)	\$ 2,500,000;
(44) P240	Department of Natural Resources	
(a)	Law Enforcement Equipment	\$ 2,000,000;
(b)	Waterfowl Impoundments Infrastructure Maintenance	\$ 1,500,000;
(c)	Statewide Flood Inundation Map Modeling	\$ 1,500,000;
(d)	Field & Regional Building Maintenance & Construction	\$ 2,000,000;
(e)	State Lakes - High Hazard Dams and Spillway Repair	\$ 27,755,000;
(f)	Disaster Relief Grant Match Funding	\$ 13,333,333;

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- (g) Waterways Protection Fund (S.367) \$ 750,000;
- (45) P280 Department of Parks, Recreation and Tourism
 - (a) Agency Property Development \$ 15,000,000;
 - (b) Sports Marketing \$ 4,000,000;
 - (c) Destination Specific Marketing Grants \$ 6,000,000;
 - (d) Beach Renourishment Grants \$ 1,524,000;
 - (e) State Park Maintenance and Repairs \$ 3,000,000;
 - (f) Film Incentives \$ 4,000,000;
 - (g) SCATR - Regional Promotions \$ 1,100,000;
 - (h) Tourism Development \$ 9,000,000;
- (46) P320 Department of Commerce
 - (a) LocateSC - Site Readiness \$ 80,000,000;
 - (b) Airport Enhancements \$ 80,000,000;
 - (c) Irish Trade Commission \$ 250,000;

(46.1) The funds in item (46)(b) shall be distributed to primary commercial airports as defined by the Federal Aviation Administration (FAA) which had a minimum of 100,000 enplanements per calendar year 2023 data available from the FAA. The funds shall be distributed pro-rata based on 2023 FAA data based on fifty percent enplanements and fifty percent cargo with a minimum distribution per eligible airport of two million dollars. Further, the Secretary of Commerce may utilize up to ten million dollars of these funds for the purposes of airport enhancements to further aviation industry economic development at non-primary commercial airports owned by a subdivision of the State of South Carolina.
- (47) P400 SC Conservation Bank
 - (a) Conservation Grant Funding \$ 25,000,000;
 - (b) Working Ag Lands Grant Funding \$ 8,000,000;
 - (c) State Resource Agency Strategic Land Acquisition \$ 20,000,000;
- (48) P450 Rural Infrastructure Authority
 - (a) Rural Infrastructure Fund \$ 12,000,000;
 - (b) Statewide Water and Sewer Fund \$ 15,000,000;
- (49) P500 Department of Environmental Services
 - (a) Electrical Utilities Permitting \$ 4,700;

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	(b) PFAS Pilot Program	\$ 350,000;
(50)	B040 Judicial Department	
	Case Management System Modernization	\$ 25,000,000;
(51)	E200 Attorney General's Office	
	(a) Crime Victim Assistance SAVS Program	\$ 19,452,149;
	(b) Legal Fees	\$ 6,000,000;
(52)	E210 Prosecution Coordination Commission	
	Agency Operations	\$ 16,375;
(53)	D100 State Law Enforcement Division	
	(a) Agency Operating	\$ 1,000,000;
	(b) Personnel Equipment	\$ 500,000;
	(c) Agency IT Operating	\$ 1,000,000;
(54)	K050 Department of Public Safety	
	(a) School Safety Program	\$ 8,324,448;
	(b) Law Enforcement Equipment	\$ 1,000,000;
	(c) 9-1-1 IVR costs for SCDPS Implementation	\$ 1,000,000;
	(d) Radio Replacement Life Cycling	\$ 500,000;
	(e) DMV Headquarters Ground Floor HVAC Renovation	\$ 2,400,000;
(55)	N040 Department of Corrections	
	(a) Cell Phone Interdiction	\$ 3,500,000;
	(b) Prison Industries Operating Costs	\$ 1,000,000;
	(c) Security Equipment Replacement	\$ 500,000;
	(d) Deferred Maintenance	\$ 2,500,000;
(56)	N080 Department of Probation, Parole and Pardon Services	
	(a) IT Modernization	\$ 750,000;
	(b) Agency Fleet Cost	\$ 350,000;
(57)	N120 Department of Juvenile Justice	
	IT Ongoing Security Assessment and Remediation	\$ 1,300,000;
(58)	R200 Department of Insurance	
	Safe Homes Program	\$ 3,000,000;
(59)	R600 Department of Employment and Workforce	
	(a) Statewide Education & Workforce Development Portal	\$ 10,300,000;

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	(b) Graduation Alliance	\$ 1,000,000;
(60) U120	Department of Transportation	
	(a) Bridge Modernization	\$200,000,000;
	(b) Off-State Litter	\$ 1,000,000;
	(c) Hurricane Helene	\$ 35,000,000;
(61) U150	Infrastructure Bank Board	
	Act 37 Adjustments	\$ 1,300,000;
(62) U300	Division of Aeronautics	
	Airport Safety and Development	\$ 5,000,000;
(63) A010	The Senate	
	Operating Expenses	\$ 500,000;
(64) A050	House of Representatives	
	Operating Expenses	\$ 5,000,000;
(65) A170	Legislative Services Agency	
	Enterprise Software System	\$ 8,000,000;
(66) A200	Legislative Audit Council	
	Government Efficiency RFP Review	\$ 10,000;
(67) D300	Office of Resilience	
	(a) Disaster Relief and Resilience	
	Reserve Fund Replenishment	\$ 40,000,000;
	(b) MUSC Charleston Medical District	
	Elevated Walkway	\$ 18,000,000;
	(c) Data Collection/Coordination	\$ 1,000,000;
	(d) Watershed Coordination & Planning	\$ 5,000,000;
(68) D500	Department of Administration	
	(a) Modernized IT Service Management	
	Platform	\$ 9,000,000;
	(b) Independent Compliance	
	Consultant	\$ 1,800,000;
	(c) State-Owned Buildings Security	
	Upgrades	\$ 2,929,318;
	(d) State Facilities Master Planning	\$ 725,000;
(69) E240	Adjutant General's Office	
	(a) Armory Revitalization	\$ 2,000,000;
	(b) SCEMD - Safeguarding Tomorrow	
	Revolving Loan Fund	\$ 1,000,000;
	(c) SCEMD - SC Public Assistance	
	Program	\$ 3,000,000;
	(d) Graniteville Land Purchase	\$ 185,000;
	(e) SCEMD - Declared Disasters Relief	\$ 1;

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- (f) Wireless Network support to NG Armories and key facilities \$ 1,963,800;
- (70) E260 Department of Veterans' Affairs
 - (a) Military Enhancement Fund \$ 5,000,000;
 - (b) E. Roy Stone State Veteran Home Facility Maintenance Improvements \$ 2,000,000;
- (71) E280 Election Commission
 - (a) State Matching Funds for 2023 HAVA Grant \$ 200,000;
 - (b) Statewide voting system upgrade \$ 10,970,755;
 - (c) Annual Election Costs \$708,000; and
- (72) E550 State Fiscal Accountability Authority SCPro Procurement Module \$ 3,200,000.

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

(D) For the purpose of all items in this provision, funds shall not be disbursed until verification that receiver's organization is registered as a business, nonprofit, or charitable organization with the South Carolina Secretary of State's office. This requirement does not apply to governmental entities or entities created by statute. Upon receipt and verification of all requirements in this act, the funds shall be transferred directly to the grant recipients within ten business days.

(E) For the purpose of this provision, the Executive Budget Office may authorize the transfer of items among state agencies upon request of the agencies after in consultation with the Senate Finance Committee and House Ways and Means Committee.

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 2025-26.

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,

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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, 2025.

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Ratified the 28th day of May 2025.

PLEASE NOTE

Text printed in *italic*, boldface indicates sections vetoed by the Governor on June 3, 2025.

Provisions not vetoed by the Governor took effect for the fiscal year beginning July 1, 2025.

PART II
LOCAL AND TEMPORARY LAWS

No. 70

(R13, S291)

A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2025-2026 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2025-2026 HAVING BEEN ENACTED, AND TO PROVIDE EXCEPTIONS.

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

Continuing authority to pay government expenses

SECTION 1. (A) If the 2025-2026 State Fiscal Year begins with no annual appropriations act in effect for that year, then the authority to pay the recurring expenses of state government continues at the level of amounts appropriated in Act 226 of 2024 for the recurring expenses of state government for Fiscal Year 2025-2026 except as provided in subsection (B).

Non-recurring appropriations contained in Act 226 of 2024 are deemed to have been made and are not subject to funding pursuant to this act.

Study committees formed and authorized pursuant to Act 226 of 2024 are deemed to have completed their work and are dissolved unless authorized by another act of the General Assembly.

The effective dates of Parts IA and IB of Act 226 of 2024 are extended until the effective date for appropriations made in the general appropriations act for Fiscal Year 2025-2026, after which appropriations made pursuant to this joint resolution are deemed to have been made pursuant to the general appropriations act for Fiscal Year 2025-2026.

(B) Notwithstanding debt service appropriations in Act 226 of 2024 and until the effective date of the appropriations made in the general appropriations act for Fiscal Year 2025-2026, there is appropriated from the general fund of the State whatever amount is necessary for the 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.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

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No. 71

(R74, H4026)

A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2024-2025, 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

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 S.C. Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2024-2025 the following amounts:

- (1) J020 Department of Health and Human Services
Neurological Critical Care and Rehabilitation Services
in South Carolina \$150,000,000
- (2) D500 Department of Administration
State-Owned Buildings Security Upgrades \$21,070,682
- (3) E240 Adjutant General’s Office
SCEMD – Declared Disasters Relief \$198,713,200

Posting of appropriations

SECTION 2. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11-11-320(D) of the S.C. 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 3. This joint resolution takes effect thirty days after the completion of the 2024-2025 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 S.C. Code.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

No. 72

(R1, S253)

A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE ALIXPARTNERS FORENSIC ACCOUNTING REPORT, TO REQUIRE THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE AUDITOR TO IMPLEMENT THE RECOMMENDATIONS FROM THE ACCOUNTING REPORT, TO PROVIDE A DETAILED TIMELINE OF SUCH, AND TO ISSUE A REPORT ON THE STATUS THEREOF, AND TO REQUIRE THE COMPLIANCE CONSULTANT TO ISSUE A REPORT ON THE STATUS OF SUCH IMPLEMENTATION.

Whereas, the General Appropriations Act for Fiscal Year 2024-2025 required the Department of Administration to engage a forensic accounting firm, experienced in forensic accounting, to conduct a forensic accounting review of all cash and investments held in the State Treasury; and

Whereas, the General Appropriations Act for Fiscal Year 2024-2025 further required that the Office of the State Treasurer work in conjunction with the Department of Administration on a plan of implementation to utilize the funds appropriated to the Office of the State Treasurer for support of this forensic accounting review as would be needed to fully cooperate with the forensic accounting firm, subject to review and comment by the Joint Bond Review Committee; and

Whereas, the scope of work charged to the forensic accounting firm included making recommendations for any corrective entries and actions necessary, along with recommendations for procedures and controls to be implemented in the future; and

Whereas, the Department of Administration awarded the contract for the forensic accounting review to AlixPartners LLP of Washington, DC, who has now provided its final report to the Governor, the President 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; and

Whereas, the report makes a clear recommendation, among others, that an independent third party be hired to assess and oversee compliance with all recommendations in this report; and

Whereas, as of the most recent deadline for submission of agenda items for review by the Joint Bond Review Committee, no plan of implementation as required by Proviso 117.186 of the General Appropriations Act for Fiscal Year 2024-2025 for support of the audit has been received from the Office of the State Treasurer. Now, therefore,

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

Funding for independent compliance consultant

SECTION 1. The General Assembly hereby redirects the funding appropriated to the Office of the State Treasurer for Audit Support pursuant to Proviso 117.186 of the General Appropriations Act for Fiscal Year 2024-2025 to the Department of Administration to be utilized to hire an independent compliance consultant to assess and oversee compliance with all recommendations in the AlixPartners forensic accounting report and other relevant studies conducted in Fiscal Years 2023-2024 and 2024-2025. Procurements by the Department of Administration made pursuant to this section are exempt from the purchasing procedures of the South Carolina Procurement Code in Chapter 35, Title 11.

Implementation of forensic accounting recommendations

SECTION 2. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall work in concert to effectuate the implementation of recommendations made in the AlixPartners forensic accounting report and other relevant studies conducted during Fiscal Years 2023-2024 and 2024-2025 that do not require statutory change. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall begin implementation of these recommendations immediately in coordination and with oversight of the Department of Administration. The Department of Administration has the authority to request support from any agency of the State for the implementation of recommendations and all reasonable requests shall be granted.

Report

SECTION 3. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a monthly written report on the status of implementation of the recommendations made to their individual agencies to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor beginning no later than March 31, 2025. The independent compliance monitor shall provide review and comment on the monthly reports to the Department of Administration no later than thirty days following receipt. The Department of

Administration shall convene a monthly public meeting of the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor to provide the input of the independent compliance monitor.

Report

SECTION 4. Upon completion of implementation of all recommendations not requiring statutory change and no later than one year after the effective date of this joint resolution, the independent compliance monitor shall provide a comprehensive report that includes the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary.

Timeline for implementation

SECTION 5. No later than ninety days after the effective date of this joint resolution, the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a detailed timeline for implementation of all recommendations made in the AlixPartners forensic accounting report and other relevant studies conducted during Fiscal Years 2023-2024 and 2024-2025, including those recommendations requiring statutory change to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor. Such a timeline notwithstanding, it is the intent of the General Assembly that the recommendations referenced in this section that do not require statutory change be fully implemented no later than one year after the effective date of this joint resolution.

Time effective

SECTION 6. This joint resolution takes effect upon approval by the Governor.

Ratified the 6th day of March, 2025

Approved the 7th day of March, 2025

No. 73

(R26, S51)

A JOINT RESOLUTION TO ENCOURAGE SANTEE COOPER TO ISSUE A REQUEST FOR PROPOSAL TO SOLICIT PROPOSALS ON UTILIZING ASSETS ASSOCIATED WITH V.C. SUMMER UNITS 2 AND 3, AND FOR CONSIDERATIONS RELATED TO A REQUEST FOR PROPOSAL.

Whereas, in 2008, the South Carolina Public Service Authority (Santee Cooper) and the South Carolina Energy and Gas Company (SCE&G) applied for combined licenses for two AP1000 nuclear reactors, referred to as Units 2 and 3, to be built at the V.C. Summer Nuclear Station site in Fairfield County; and

Whereas, Santee Cooper and SCE&G began construction of Units 2 and 3, but the construction was abandoned in July 2017 and the combined licenses were subsequently terminated in July 2019; and

Whereas, in July 2019, there had not been an AP1000 nuclear unit constructed in the United States; however, in 2023 and 2024, two AP1000 nuclear units were completed and became operational at the Vogtle Electric Generation Plant in Georgia, and in addition, four AP1000 nuclear units have been completed and became operational in China; and

Whereas, the successful completion of these nuclear units in Georgia and China show that the AP1000 technology is capable of providing

carbon-neutral baseload electricity on a large scale, and has effectuated proficiency in completing and operating a AP1000 unit and also established an experienced workforce with unique knowledge and skill set regarding this technology; and

Whereas, nuclear-generation technology of varying designs and capacities are currently in development, construction, and operation in the United States, and by way of example, the AP1000 is the only gigawatt-scale Generation III+ light water reactor currently constructed and operational in the United States, and the design has overcome the “first-of-a-kind” challenges that contributed to delays and issues with the V.C. Summer Units 2 and 3 projects and ultimately contributed to the decision by Santee Cooper and SCE&G to abandon the projects in July 2017; and

Whereas, the lessons learned from the completed construction of Vogtle Units 3 and 4, as well as the four AP1000 reactors in China, have led to significant design improvements, and the updated design minimizes the need for major changes, apart from site-specific adaptations, and to significant insights into cost and project management to deliver the project on time and on budget; and

Whereas, six additional AP1000 reactors are currently under construction in China and countries such as Poland, Ukraine, and a few in Eastern Europe are actively seeking to deploy AP1000s to meet their energy needs, demonstrating the design’s maturity and the robustness of its supply chain, both of which were underdeveloped during the early stages of V.C. Summer; and

Whereas, on September 12, 2024, the chairman and another member of the South Carolina Governor’s Nuclear Advisory Council (GNAC), along with Santee Cooper personnel, inspected V.C. Summer Units 2 and 3 to, as stated in GNAC’s written report dated September 16, 2024, “observe the status of the site’s assets and provide a high-level opinion on the condition of the project facilities and equipment,” and the report concluded that:

(a) “There were no technical obstacles to a more detailed examination of the potential completion of the facilities... with Unit 2 at approximately 48% completion and Unit 3 with significantly less completion.”

(b) “Overall, the site is in excellent condition with other than some overgrowth there is no apparent degradation of grade or access to

facilities. The laydown areas for materials and large components are well established and, where necessary, cordoned off with signage. The general impression of the site condition is one of a shutdown of several months rather than the actual term of seven years since cancellation in 2017.”

(c) “The condition of the various buildings and facilities shows no degradation, corrosion, or spalling of concrete. All of the installed components show no corrosion other than surface rust which would be expected under a construction project in progress. The exposed rebar material, which is coated, also shows no serious defects and with normal rust management techniques could be ready for additional concrete lifts. The warehouses are well maintained and intact with sufficient systems of lighting and ventilation operational.”

(d) “Both the installed components and those in storage are in excellent condition. There is an extensive inventory of materials, assemblies, and electrical and instrumentation systems that is well maintained and inventoried in a series of warehouses.”

(e) “Given the pending power shortage in SC, the push towards sustainable energy sources, the extensive lead time for starting new nuclear projects and the significant amount of value invested in the completed work and inventory at V.C. Summer, it is prudent to take a last look at whether the plant offers an opportunity to jump start the solution to our power needs.”; and

Whereas, there are several federal incentives and programs (collectively, “federal incentives”) administered by the United States Department of Energy (DOE) available for nuclear projects, workforce development, and nuclear supply chain expansion including, without limitation, (a) the HALEU (high-assay low-enriched uranium) Availability Program, (b) the Coal-to-Nuclear Transition Program, (c) debt financing for large-scale energy projects, including nuclear reactors and supply chain; (d) Gateway for Accelerated Innovation in Nuclear Vouchers; (e) the Advanced Nuclear Production Tax Credit; and (f) Advanced Nuclear Energy Tax Credits; and

Whereas, the DOE is offering tax credit and grants of up to forty percent and loan guarantees of up to eighty percent for construction of nuclear power plants whose availability is time limited; and

Whereas, given the increasing demand for electricity driven by, among other things, the growth of the role played by data centers in commercial activities, and the availability of new federal incentives and increased

private investment, hyperscalers are now actively exploring and pursuing innovative nuclear-power options to meet that demand without increasing carbon emissions including, without limitation, the following:

(a) in September 2024, a \$1.52 billion loan through the DOE Loan Programs Office was announced to restart the decommissioned Palisades nuclear plant;

(b) in September 2024, plans to restart the Unit 1 reactor at Three Mile Island were announced with an accompanying announcement of a large industrial customer agreeing to a twenty-year agreement to supply energy from that unit to meet the power demands of that electric customer;

(c) in October 2024, a company that operates data centers announced it would back the construction of seven small nuclear-power reactors in the United States;

(d) in October 2024, a company that is a leader in advanced nuclear reactors and fuel technology announced a financing round of approximately \$500 million;

(e) in December 2024, another company that operates data centers announced that it will release a request for proposals to identify nuclear energy developers to help meet its AI innovation and sustainability objectives, targeting 1 to 4 gigawatts of new nuclear generation capacity in the United States; and

Whereas, the customers of Santee Cooper, which includes its direct-serve customers and the electrical cooperatives throughout this State and their customers, and the customers of Dominion Energy South Carolina (Dominion Energy), which acquired SCE&G in 2019, are still paying for costs associated with the abandoned Units 2 and 3 at V.C. Summer; and

Whereas, the State must identify and explore all options on how to best utilize the assets associated with the abandoned Units 2 and 3 and maximize the recovery of costs for these units in order to minimize the financial impact on South Carolina's ratepayers; and

Whereas, the State is facing a crossroads in its electric generation future in that significant population growth and increased economic development in the State is increasing the demand for electricity at a time when the state's electric utilities are planning to retire their traditional coal baseload generation plants to transition to other generation resources, and the State encourages Santee Cooper to determine, through a request for proposals, whether completion of Unit 2 or 3, or both, or

any nuclear-powered electric construction at the site of the abandoned Units 2 and 3, is part of a way to reconcile these two imperatives to the benefit of Santee Cooper's customers and the State as a whole; and

Whereas, the willingness of large energy off-takers to explore innovative ways of meeting their energy demands, the availability of new federal incentives to assist with the construction of nuclear projects, the successful completion of AP1000 nuclear reactors and the immediate availability of completed engineering drawings, and the reports of the condition of the assets on site at Units 2 and 3 suggest completion of one or both of those units may now be feasible, and a request for proposal would be a way to identify and assess sources of serious interest in the private sector to complete one or both of those units or to explore another solution; and

Whereas, Santee Cooper is the state agency with unique knowledge of V.C. Summer Units 2 and 3, has expertise in the electrical industry, and has a customer base, either direct or indirect, throughout this State, is the state entity best-suited to request solutions for assets related to Units 2 and 3, and has the legal authority to issue a request for proposal for solutions for assets related to Units 2 and 3. Now, therefore,

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

Encourage RFP for V.C. Summer

SECTION 1. The members of the General Assembly encourage Santee Cooper to issue a request for proposal, as expeditiously as possible, to solicit proposals from entities interested in utilizing assets associated with V.C. Summer Units 2 and 3. Such a request for proposal may be conducted in a manner to allow interested parties to provide their respective ideas and proposals.

Encourage PSA to make relevant information available

SECTION 2. In order to have a meaningful request for proposal process, Santee Cooper is encouraged to take steps to make available fundamental information needed for an entity to make a proposal including, but not limited to, the legal and equitable ownership interests in the associated real and personal property and any data vaults regarding the project; provided, however, that the costs associated with these steps do not affect Santee Cooper's customers' utility rates.

Consideration for PSA in RFP evaluations

SECTION 3. In evaluating responses, the members of the General Assembly encourage Santee Cooper to consider each bidder's proposal to complete construction of Units 2 or 3, or both, or any other proposal related to the assets associated with Units 2 and 3, and to consider the impact that the completion of the proposal could have on South Carolinians including, but not limited to, providing relief to the ratepayers.

Transfer of real property subject to Section 58-31-240

SECTION 4. Any transaction pursuant to this joint resolution by Santee Cooper that involves any transfer of interest in real property is subject to the provisions of Section 58-31-240.

Time effective

SECTION 5. This joint resolution takes effect upon approval by the Governor.

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 74

(R2, S271)

A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR CALENDAR YEAR 2025; AND TO SUSPEND SECTION 2-20-15 FOR ELECTIONS BY THE GENERAL ASSEMBLY FOR MEMBERS OF THE PUBLIC SERVICE COMMISSION DURING CALENDAR YEARS 2025 AND 2026.

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

Suspends Section 58-3-20(C) for 2025

SECTION 1. The provision prohibiting the General Assembly from holding an election until a final determination is made by the courts regarding its review of congressional districts' compliance with statutory or constitutional requirements of Section 58-3-20(C) of the S.C. Code is suspended for Calendar Year 2025.

Suspends Section 2-20-15 for Public Service Commission member elections for 2025 and 2026

SECTION 2. Section 2-20-15 of the S.C. Code shall not apply to elections for members of the Public Service Commission conducted by the General Assembly during Calendar Year 2025 and Calendar Year 2026.

Effective Date

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 6th day of March, 2025

Approved the 7th day of March, 2025

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No. 75

(R81, H4402)

A JOINT RESOLUTION TO SUSPEND THE PROVISION IN SECTION 58-3-20(C) THAT PROHIBITS THE GENERAL ASSEMBLY FROM HOLDING AN ELECTION UNTIL A FINAL DETERMINATION IS MADE BY THE COURTS REGARDING ITS REVIEW OF CONGRESSIONAL DISTRICTS FOR CALENDAR YEARS 2025 AND 2026; AND TO SUSPEND SECTION 2-20-15 FOR ELECTIONS BY THE GENERAL

**ASSEMBLY FOR MEMBERS OF THE PUBLIC SERVICE
COMMISSION DURING CALENDAR YEARS 2025 AND 2026.**

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

Suspends Section 58-3-20(C) for 2025-2026

SECTION 1. The provision prohibiting the General Assembly from holding an election until a final determination is made by the courts regarding its review of congressional districts' compliance with statutory or constitutional requirements of Section 58-3-20(C) of the S.C. Code is suspended for Calendar Years 2025 and 2026.

Suspends Section 2-20-15 for PSC member elections for 2025-2026

SECTION 2. Section 2-20-15 of the S.C. Code shall not apply to elections for members of the Public Service Commission conducted by the General Assembly during Calendar Years 2025 and 2026.

Time effective

SECTION 3. This joint resolution takes effect upon approval by the Governor.

Ratified the 8th day of May, 2025

Approved the 12th day of May, 2025

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No. 76

(R40, S522)

**AN ACT TO AMEND SECTIONS 2 AND 3 OF ACT 1235 OF 1970
SO AS TO CHANGE THE NAME OF THE CHARLESTON
COUNTY AIRPORT DISTRICT TO THE CHARLESTON
REGIONAL AIRPORT DISTRICT AND TO CHANGE THE
NAME OF THE CHARLESTON COUNTY AVIATION
AUTHORITY TO THE CHARLESTON REGIONAL AVIATION**

AUTHORITY.

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

Charleston Regional Airport District

SECTION 1. SECTION 2 of Act 1235 of 1970 is amended to read:

SECTION 2. The territory embraced by the County of Charleston is hereby constituted an Airport District and a political subdivision of this State, the functions of which shall be public and governmental, and the inhabitants of the territory are hereby constituted a body politic and corporate. The corporate name of the Airport District shall be Charleston Regional Airport District, and by that name the Airport District may sue and be sued.

Powers and duties

SECTION 2. SECTION 3 of Act 1235 of 1970 is amended to read:

SECTION 3. The corporate powers and duties of the Charleston Regional Airport District shall be exercised and performed by an authority to be known as Charleston Regional Aviation Authority. The authority shall be composed of seven members, two of whom shall be appointed by the Governor upon the recommendation of a majority of the Charleston County House Delegation, two of whom shall be appointed by the Governor upon the recommendation of a majority of the Senators from Charleston County, and one of whom shall be appointed by the Governor upon the recommendation of the City Council of Charleston and the County Council of Charleston. The remaining two members shall be the Mayor of the City of Charleston and the Chairman of the Charleston County Council who shall be ex officio members of the authority. In making the foregoing ex officio designations, the General Assembly finds that the successful operation of the airport system has a distinct relation to the welfare of the City of Charleston and the County of Charleston. It has, therefore, determined that those responsible for the operation of such municipal governments should likewise participate in the operation of the authority. The members appointed by the Governor shall serve for terms of four years and until their successors are appointed and qualify, such terms to commence on the first day of the month following the approval of this act by the Governor. Vacancies shall be filled in the same manner as the

original appointments for the unexpired portion of the term only. The members of the authority shall be allowed the usual per diem, mileage, and subsistence as provided by law for members of boards, commissions, and committees and their actual and necessary expenses while in performance of duties prescribed under this act.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 77

(R23, H4014)

AN ACT TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES OF CHARLESTON COUNTY SCHOOL DISTRICT.

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

Constituent districts of Charleston County School District

SECTION 1. Notwithstanding another provision of law, the constituent districts of Charleston County School District and their respective boards of trustees are abolished effective July 1, 2025. On July 1, 2025, the constituent districts cease to exist and from that date, all of the powers, duties, and functions now devolved by Act 340 of 1967, as amended, upon the boards of trustees of the constituent districts are assumed and exercised by the Board of Trustees of Charleston County School District.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 78

(R55, S618)

AN ACT TO AMEND ACT 389 OF 1907, AS AMENDED, RELATING TO THE BOARD OF PUBLIC WORKS FOR THE CITY OF GAFFNEY, SO AS TO RESTATE THE COMPOSITION OF THE BOARD OF PUBLIC WORKS, TO ADD TWO ADDITIONAL MEMBERS, AND TO SPECIFY THE MANNER OF ELECTION AND OF ELECTIONS; AND TO REPEAL ACT 205 OF 1953 AND ACT 128 OF 1967 RELATED TO THE BOARD.

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

Board of Public Works, Gaffney

SECTION 1. Section 2 of Act 389 of 1907 is further amended to read:

Section 2. (A) The Board of Public Works for the City of Gaffney, South Carolina, be, and is hereby established by the General Assembly of the State of South Carolina and said board shall consist of the following commissioners: (i) the original three commissioners established by Act 389 of 1907, as amended; (ii) two commissioners added by the City Council of the City of Gaffney pursuant to Act 476 of 1980, as amended, and otherwise approved by an authorizing action of the Gaffney City Council, as the governing body thereof; and (iii) two additional commissioners elected under subsection (B).

(B) There is hereby established two additional commissioners to represent District 6 and District 7. These commissioners must be a qualified elector within the applicable district and also must be a resident

of a household within such district with an active utility account for utility services received from the Board of Public Works. District 6 includes all that area within the service area of the Board of Public Works within Cherokee County, outside of the corporate boundaries of the City of Gaffney, and to the west of S.C. Highway 11 and S.C. Highway 18. District 7 includes all that area within the service area of the Board of Public Works within Cherokee County, outside of the corporate boundaries of the City of Gaffney, and to the east of S.C. Highway 11 and S.C. Highway 18. Each new commissioner must be elected by a majority of qualified registered electors participating in the special election of commissioners in 2025, at a date set by the Cherokee County Voter Registration and Election Board. In no event shall the election of the new commissioners occur beyond Calendar Year 2025. The new members from District 6 and 7 shall serve for an initial term equal to the longest remaining term of any existing commissioner at the time of the first election.

(C) All successor commissioners, including both existing and new commissioners, must be elected by a majority of the qualified registered electors participating in the regular election for commission members for office terms of six years. All commissioners shall serve until their successors are elected and qualify. The election of all commissioners shall correspond with the general elections for municipal officers in the City of Gaffney.

(D) Each person offering as a candidate for election as a commissioner shall do so by filing a notice of candidacy with the county election board no later than sixty days prior to the date of the election in the case of a general election, and no later than forty-five days prior to the date of the election in the case of a special election on a statement of candidacy form provided by the county election board. In addition to the notice of candidacy, each candidate shall pay a filing fee to the county election board in an amount equal to the applicable filing fee paid by any candidate for Gaffney City Council. If a form is not timely filed or fees are not timely paid, such candidate will not be able to stand for election. Respecting the initial election for commissioners to represent District 6 and 7, such election shall be considered a special election.

(E) A vacancy of any commissioner shall be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs one hundred eighty days or more prior to the next general election. Special elections to fill vacancies in office by reason of death, resignation, or removal shall be held on the thirteenth Tuesday after the vacancy occurs.

Repeal

SECTION 2. Act 205 of 1953 and Act 128 of 1967 are repealed.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

No. 79

(R3, S282)

AN ACT TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY AERONAUTICS COMMISSION SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE CLARENDON COUNTY LEGISLATIVE DELEGATION.

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

The Clarendon County Aeronautics Commission

SECTION 1. Section 1 of Act 78 of 1965, as last amended by Act 222 of 1983, is further amended to read:

Section 1. There is hereby created a commission for Clarendon County to be known as the "Clarendon County Aeronautics Commission" which shall consist of seven members who are residents of the county, and who shall be appointed by the Governor upon the recommendation of the Clarendon County Legislative Delegation. The terms of the members shall be for five years, and until their successors have been appointed and qualify; provided, that their initial terms shall be for five, four, three, two, and one years, respectively. Any vacancy shall be filled for the unexpired portion of the term in the same manner

as appointments are made for the full term. Members of the commission shall receive no compensation for their services. The commission shall select one of its members as chairman.

Meetings live streamed

SECTION 2. All meetings of the Clarendon County Aeronautics Commission shall be live streamed and archived on the Clarendon County government website.

Freedom of Information Act

SECTION 3. The Clarendon County Aeronautics Commission is subject to the provisions of the Freedom of Information Act, Section 30-4-10, et seq. of the S.C. Code.

Time effective

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

Ratified the 6th day of March, 2025

Approved the 7th day of March, 2025

No. 80

(R6, H3792)

AN ACT TO AMEND ACT 106 OF 2021, RELATING TO THE CONSOLIDATION OF SCHOOL DISTRICTS IN CLARENDON COUNTY INTO THE CLARENDON COUNTY SCHOOL DISTRICT, SO AS TO CHANGE THE METHOD OF DETERMINING THE RESULTS OF ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES, AND TO REQUIRE THE BOARD OF TRUSTEES TO ANNUALLY SUBMIT ITS PROPOSED BUDGET TO THE CLARENDON COUNTY COUNCIL FOR APPROVAL.

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

Trustee elections

SECTION 1. Section 2(C) of Act 106 of 2021 is amended to read:

(C) All persons desiring to qualify as a candidate for the Clarendon County School District Board of Trustees shall file written notice of candidacy with the Clarendon County Board of Voter Registration and Elections on forms furnished by the board. The filing period shall open at 12:00 p.m. on August first or, if August first falls on Saturday or Sunday, then 12:00 p.m. on the following Monday and shall run until 12:00 p.m. on August fifteenth or, if August fifteenth falls on Saturday or Sunday, no later than 12:00 p.m. on the following Monday. This notice of candidacy must be a sworn statement and shall include the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information that the board requires. The Clarendon County Board of Voter Registration and Elections shall conduct and supervise the elections for members of the Clarendon County School District Board of Trustees in the manner governed by the election laws of this State, *mutatis mutandis*. The board 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 elections pursuant to Section 7-13-35. The results of the elections must be determined by the nonpartisan election and runoff method contained in Section 5-15-62. The members of the consolidated school district elected in these nonpartisan elections shall take office one week following the certification of their election pursuant to Section 59-19-315.

School district superintendent

SECTION 2. Section 3(A) of Act 106 of 2021 is amended to read:

(A) The members of the Clarendon County School District Board of Trustees shall elect a chairman and other officers they consider necessary for terms that are coterminous with their appointed or elected terms of office.

(B) The Clarendon County School District Board of Trustees has the power, duty, and responsibility provided by law, including to:

- (1) employ a superintendent as the chief executive officer;
- (2) establish other administrative departments upon the recommendation of the superintendent;
- (3) adopt the annual school district budget subject to approval by the Clarendon County Council;
- (4) inquire into the conduct of an office, department, or agency of the school district;
- (5) adopt and modify the attendance zones of schools within the school district;
- (6) provide for an independent annual audit of the books and business affairs of the school district and for a general survey of school district business;
- (7) cooperate to establish and maintain a central purchasing system for the purchase of contractual services, equipment, and supplies;
- (8) cooperate to establish and maintain educational consortia;
- (9) be responsible for policymaking actions and the review of regulations established to put these policies into operation; and
- (10) set by majority vote of the board a salary that each member shall receive for attending meetings of the board, which may not exceed four hundred fifty dollars per month.

Annual budget

SECTION 3. Section 5 of Act 105 of 2021 is amended is read:

Beginning with Fiscal Year 2025-2026, the Clarendon County School District Board of Trustees shall annually, on or before the thirty-first of May, submit to the Clarendon County Council its proposed budget for the ensuing school year, which shall be subject to approval by the county council. Each proposed budget shall be in line item form so as to reflect the purpose of all expenditures from any source of funds which will be required within each office or department of the district. The budget must specifically include, without limitation, an itemized list of salaries paid to all administrators and heads of departments or offices within the school district. Each line item in the budget must be reconciled at the end of the fiscal year, and a detailed accounting of budgetary funds used on each item, as well any resulting surpluses or deficits, must be included in the district superintendent's annual report on the finances and administrative activities of the board.

Time effective

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

Ratified the 6th day of March, 2025

Approved the 7th day of March, 2025

No. 81

(R24, H4088)

**AN ACT TO REPEAL ACT 668 OF 1934, AS AMENDED,
RELATING TO THE DARLINGTON COUNTY FORFEITED
LAND COMMISSION.**

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

Repeal

SECTION 1. Act 668 of 1934, as amended, is repealed.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 82

(R9, H3952)

AN ACT TO AMEND ACT 571 OF 1965, RELATING TO THE DARLINGTON COUNTY MILLAGE LEVY FOR THE FLORENCE-DARLINGTON TECHNICAL COLLEGE, SO AS TO REQUIRE THE BUDGET TO BE APPROVED BY THE DARLINGTON COUNTY COUNCIL INSTEAD OF THE COUNTY BOARD OF EDUCATION.

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

Darlington County millage levy

SECTION 1. Section 2 of Act 571 of 1965 is amended to read:

SECTION 2. The Florence-Darlington Technical Education Commission shall file with the Darlington County Council an itemized budget of the operating expenses of the Florence-Darlington Technical Education Center for the fiscal year ending June 30, 1965, and each year thereafter, prior to submitting a claim for the funds provided in this act. The county council shall examine the itemized budget, make any necessary adjustments, and its approval shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1 upon all taxable property in Darlington County sufficient to provide the funds required by the approved budget.

Time effective

SECTION 2. This act takes effect upon approval by the Governor and first applies to Fiscal Year 2025-2026.

Ratified the 11th day of March, 2025

Approved the 13th day of March, 2025

No. 83

(R31, S213)

**AN ACT TO AMEND ACT 919 OF 1928, AS AMENDED,
RELATING TO THE POWERS AND DUTIES OF THE
GREENVILLE AIRPORT COMMISSION, SO AS TO INCREASE
THE AUTHORIZED TOTAL INDEBTEDNESS TO TWENTY
MILLION DOLLARS.**

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

Greenville Airport Commission indebtedness

SECTION 1. The last paragraph of Section 4 of Act 919 of 1928, as added by Act 636 of 1980, is amended to read:

The commission may borrow money, issue negotiable bonds, notes and other evidences of indebtedness payable solely from the revenue derived from the operation of any revenue-producing facility under its jurisdiction and may mortgage or pledge any assets owned by the commission in connection with such indebtedness. The money may be borrowed to pay costs incident to the operation and maintenance of the airport facility or for any extension, addition, or improvement to its facility. Neither the faith and credit of the State nor of the City or County of Greenville shall be pledged for the payment of any such obligations and neither the members of the commission nor any person signing such obligations shall be personally liable therefor. The total indebtedness authorized by the section shall not exceed twenty million dollars.

Time effective

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

Ratified the 6th day of May, 2025

Approved the 8th day of May, 2025

No. 84

(R14, S384)

AN ACT TO AMEND ACT 108 OF 2021 TO CHANGE THE BOUNDARIES OF THE BLUE RIDGE COMMUNITY IN GREENVILLE COUNTY; AND TO PROHIBIT THE INSTALLATION OF CLUSTER SEPTIC SYSTEMS IN THE BLUE RIDGE COMMUNITY AFTER THE EFFECTIVE DATE OF THIS ACT.

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

Blue Ridge Community boundaries

SECTION 1. Section 1 of Act 108 of 2021 is amended to read:

SECTION 1. There is established and recognized, within Greenville County, the Blue Ridge Community, which is comprised of the parcel of real property located within the following boundaries: beginning at the intersection of Beaver Dam Road, Old Highway 25, and Highway 25, traveling southward along Highway 25 to its intersection with Highway 290, eastward on Highway 290 to its intersection with Highway 253, northward on Highway 253 to its intersection with Few's Bridge Road, eastward on Few's Bridge Road to its intersection with East Tyger Bridge Road, northward on East Tyger Bridge Road to the intersection with Highway 101, northward on Highway 101 to its intersection with Highway 912, westerly on Highway 912 until it turns into Calahan Mountain Road, westerly on Calahan Mountain Road to its intersection with Old Highway 25, southward on Old Highway 25 to its intersection with Beaver Dam Road and Highway 25.

Cluster decentralized wastewater treatment systems

SECTION 2. (A) For the purposes of this act, "cluster decentralized wastewater treatment system" means a septic treatment system under some form of common ownership that collects wastewater from two or more dwellings or other buildings that conveys the wastewater to a treatment and dispersal system located on a suitable site near the dwellings or other buildings.

(B) Cluster decentralized wastewater treatment systems may not be installed in the Blue Ridge Community after the effective date of this

act.

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 upon approval by the Governor.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 85

(R71, H3973)

AN ACT TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES' DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD.

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

Board of trustees

SECTION 1. Section 1(B)(1)(a) of Act 432 of 1947, as last amended by Act 102 of 2015, is amended to read:

(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 or 20; one residing in House District 5, 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 7, 10, 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.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

No. 86

(R73, H4003)

AN ACT TO AMEND ACT 1543 OF 1968, AS AMENDED, RELATING TO THE GREATER GREENVILLE SANITATION DISTRICT, SO AS TO PROVIDE THE COMMISSION SHALL NOT PROVIDE REFUSE, GARBAGE, OR TRASH COLLECTING SERVICES OUTSIDE OF THE GEOGRAPHIC BOUNDARIES OF THE DISTRICT AFTER JUNE 30, 2026, TO PROVIDE AN EXCEPTION FOR SUCH SERVICES PROVIDED PURSUANT TO CERTAIN EXISTING INTERGOVERNMENTAL AGREEMENTS, TO PROVIDE THE COMMISSION MAY DEVELOP CERTAIN PROPERTY SUBJECT TO CERTAIN USE RESTRICTIONS, AND TO REVISE THE ANNEXATION AUTHORITY OF THE COMMISSION SO AS TO INCREASE THE PERCENTAGE OF FREEHOLDERS REQUIRED FOR A PETITION TO REQUEST SUCH ANNEXATIONS.

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

Services provided outside district prohibited, exception, site development and use

SECTION 1. SECTION 5 of Act 1543 of 1968, as last amended by Act 761 of 1971, is further amended to read:

SECTION 5. (A) After June 30, 2026, the commission shall not provide refuse, garbage, or trash collecting services outside of the geographic

boundaries of the district. Notwithstanding the foregoing, the commission may continue to provide refuse, garbage, or trash collecting and disposal services outside the boundaries of the district after June 30, 2026, to such municipalities and other political subdivisions as it was currently serving pursuant to intergovernmental agreement as of January 1, 2025.

(B) The commission may:

(1) develop approximately fifty acres of the approximately one hundred fifty-two acre site that is owned by the district along Highway 124 near the Saluda River; provided that no portion of such site may be operated at any time as a landfill as defined and regulated by the Department of Environmental Service pursuant to S.C. Code of Regulation 61-107.19, and provided further that, if a waste transfer station is constructed on the developed portion of the site it will not be expanded thereafter upon the undeveloped portion of such site and the foregoing must be reflected in a restrictive covenant on the property; and

(2) only operate a waste transfer station for waste collected within the geographic boundaries of the district and from such municipalities and other political subdivisions as it may continue to serve as provided for in subsection (A).

Annexation petition requirements

SECTION 2. SECTION 6 of Act 1543 of 1968, as last amended by Act 761 of 1971, is further amended to read:

SECTION 6. The commission shall be authorized to annex to the district any area in which sixty-six percent (66%) of the freeholders by petition in writing request that they be taken into the district. Each petition must have attached to it a survey or plat showing the area to be taken into the district. A hearing by the commission regarding the acceptance or rejection of the petition shall be held after at least one week's notice thereof is given by publishing same in a newspaper of general circulation in the county, stating the time, place and purpose of the hearing, and clearly defining the area under consideration may be taken into the district upon approval of a majority of the members of the commission.

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 upon approval by the Governor.

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

No. 87

(R68, H3878)

AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 55, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 55 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER 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:

Districts reapportioned

SECTION 1. Section 1B of Act 779 of 1988, as last amended by Act 105 of 2015, 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 2026 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-59-55-25 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:

Distri ct	Pop.	Dev.	%De v.	Hisp .	%His p.	NH Wht	%NH Wht
1	5,638	204	3.75 %	396	7.02 %	4,329	76.78%
2	5,480	46	0.85 %	294	5.37 %	4,037	73.67%
3	5,530	96	1.77 %	107	1.93 %	4,497	81.32%
4	5,677	243	4.47 %	224	3.95 %	4,874	85.86%
5	5,141	-293	-5.39 %	459	8.93 %	1,764	34.31%
6	5,460	26	0.48 %	523	9.58 %	2,421	44.34%
7	5,135	-299	-5.50 %	646	12.58 %	3,175	61.83%
Total	38,061			2,649		25,097	

Distri ct	NH Blk	%NH Blk	VAP	%VAP	HVAP	%HVA P
1	641	11.37%	4,442	78.79%	244	5.49%
2	954	17.41%	4,352	79.42%	185	4.25%
3	759	13.73%	4,473	80.89%	58	1.30%

4	407	7.17%	4,531	79.81%	156	3.44%
5	2,801	54.48%	3,788	73.68%	254	6.71%
6	2,332	42.71%	4,265	78.11%	379	8.89%
7	1,151	22.41%	3,938	76.69%	374	9.50%
Total	9,045		29,789		1,650	

District	WVAP	%WVAP	BVAP	%BVAP
1	3,542	79.74%	457	10.29%
2	3,304	75.92%	708	16.27%
3	3,705	82.83%	591	13.21%
4	3,954	87.27%	275	6.07%
5	1,402	37.01%	2,054	54.22%
6	1,955	45.84%	1,789	41.95%
7	2,596	65.92%	841	21.36%
Total	20,458		6,715	

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 Laurens County School District 55. It does not alter the exterior boundaries of Laurens County School District 55.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

No. 88

(R67, H3877)

AN ACT TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICT 56, SO AS TO REAPPORTION THE SEVEN SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE LAURENS COUNTY SCHOOL DISTRICT 56 BOARD OF TRUSTEES MUST BE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER 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

SECTION 1. Section 2B of Act 779 of 1988, as last amended by Act 104 of 2015, 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 2026 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-59-56-25 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:

Dist rict	Pop.	Dev.	%De v.	Hisp.	%His p.	NH Wht	%NH Wht
1	2,742	-83	-2.94 %	63	2.30 %	1,143	41.68 %
2	2,695	-130	-4.60 %	55	2.04 %	957	35.51 %
3	2,885	60	2.12 %	100	3.47 %	2,157	74.77 %
4	2,917	92	3.26 %	81	2.78 %	2,199	75.39 %
5	2,794	-31	-1.10 %	136	4.87 %	1,924	68.86 %
6	2,843	18	0.64 %	138	4.85 %	2,255	79.32 %
7	2,902	77	2.73 %	78	2.69 %	2,039	70.26 %
Total 1	19,778			651		12,67 4	

Distri ct	NH Blk	%NH Blk	VAP	%VAP	HVAP	%HV AP
1	1,429	52.12%	2,054	74.91%	34	1.66%
2	1,599	59.33%	2,108	78.22%	39	1.85%
3	537	18.61%	2,224	77.09%	59	2.65%
4	559	19.16%	2,540	87.08%	65	2.56%
5	652	23.34%	2,137	76.49%	80	3.74%
6	361	12.70%	2,148	75.55%	76	3.54%
7	698	24.05%	2,456	84.63%	62	2.52%
Total	5,835		15,66 7		415	

District	WVAP	%WVAP	BVAP	%BVAP
1	927	45.13%	1,022	49.76%
2	766	36.34%	1,235	58.59%
3	1,729	77.74%	368	16.55%
4	1,926	75.83%	482	18.98%
5	1,527	71.46%	464	21.71%
6	1,748	81.38%	261	12.15%
7	1,766	71.91%	571	23.25%
Total	10,389		4,403	

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 Laurens County School District 56. It does not alter the exterior boundaries of Laurens County School District 56.

Time effective

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

Ratified the 8th day of May, 2025

Approved the 13th day of May, 2025

No. 89

(R25, H4187)

**AN ACT TO EXTEND THE ONE PERCENT SALES TAX
IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE
LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX
RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.**

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

**Extension of Lexington County School District Property Tax Relief
Act**

SECTION 1. Pursuant to Section 3(A) of Act 378 of 2004, the one percent special sales and use tax imposed by the Lexington County School District Property Tax Relief Act, and extended by Act 278 of 2018, is extended for an additional seven years.

Time effective

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

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 90

(R4, H3438)

A JOINT RESOLUTION TO PROVIDE THAT THE GENERAL ASSEMBLY APPROVES ORDINANCE NUMBER 3421 ADOPTED ON SEPTEMBER 7, 2021, BY THE YORK COUNTY COUNCIL TO EXPAND THE CATAWBA INDIAN RESERVATION, AS REQUESTED BY THE CATAWBA INDIAN NATION.

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

Catawba Indian Reservation Expansion

SECTION 1. The General Assembly approves Ordinance Number 3421 adopted on September 7, 2021, by the York County Council to expand the Catawba Indian Reservation, as requested by the Catawba Indian Nation.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 6th day of March, 2025

Approved the 7th day of March, 2025

No. 91

(R20, H3814)

A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

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

Surface Water Study Committee

SECTION 1. Proviso 117.184 in Act 226 of 2024 created a Surface Water Study Committee to study the current state of surface water in this State. The study committee was charged with making a report of its findings to the General Assembly by March 1, 2025.

Scope of study committee

SECTION 2. The study committee is authorized to expand its scope to include a study of the current state of groundwater in this State as well as other topics related to surface water and groundwater.

Study committee report

SECTION 3. The date that the study committee's report to the General Assembly is due is changed from March 1, 2025, to March 2, 2026.

Effect of proviso

SECTION 4. Proviso 117.184 remains in full force and effect except for those provisions contained in this joint resolution in conflict with the provisions in the proviso. In that case, the provisions contained in this joint resolution shall control.

Time effective

SECTION 5. This joint resolution takes effect upon approval by the Governor.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 92

(R8, S363)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5329, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

Regulation approved

SECTION 1. The regulations of the Department of Natural Resources, relating to Additional Regulations Applicable to Specific Properties, designated as Regulation Document Number 5329, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the S.C. Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 11th day of March, 2025

Approved the 13th day of March, 2025

No. 93

(R15, S388)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5322, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

Regulation approval

SECTION 1. The regulations of the State Commission on Higher Education, relating to Palmetto Fellows Scholarship Program, designated as Regulation Document Number 5322, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the S.C. Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

No. 94

(R16, S389)

A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP AND SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5321, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

Regulation approved

SECTION 1. The regulations of the State Commission on Higher Education, relating to LIFE Scholarship and Scholarship Enhancement, designated as Regulation Document Number 5321, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the S.C. Code, are approved.

Time effective

SECTION 2. This joint resolution takes effect upon approval by the Governor.

Ratified the 24th day of April, 2025

Approved the 28th day of April, 2025

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August 23, 2024 - July 25, 2025

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The regulations contained in this index have been filed in the office of the Legislative Council and processed in accordance with the provisions of Article 1, Chapter 23, Title 1, *Code of Laws of South Carolina, 1976*, and became effective August 23, 2024, through July 25, 2025.

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. "SR49-1", means *South Carolina State Register*, Volume 49, 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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