CHAPTER 19

Old Exchange Building Commission

**SECTION 51‑19‑10.** Old Exchange Building Commission created.

 The Old Exchange Building Commission is created. It consists of nine members. Three members must be elected by the House of Representatives and Senate in joint assembly; two members must be elected by the Rebecca Motte Chapter of the Daughters of the American Revolution; two members, who must not be residents of Charleston County, must be elected by the South Carolina Society of the Daughters of the American Revolution; and the director of the Department of Parks, Recreation and Tourism and the chairman of the Department of Archives and History or their respective designees serve ex officio with voting privileges. All elected members shall serve for terms of six years and until their successors are elected and qualify. The Attorney General shall give his aid, advice, and opinion upon questions of law submitted to him by the commission. If one of the seats of the commission becomes vacant, a successor must be elected or appointed in the same manner used to fill the seat. This successor shall serve the remainder of the unexpired term. If one of the three seats on the commission elected by the House of Representatives and Senate becomes vacant during the recess of the General Assembly, the Governor may fill the vacancy by appointment until an election by the House of Representatives and Senate in joint assembly at the next session.

HISTORY: 1976 Act No. 678 Section 2; 1977 Act No. 218 Section 1; 1987 Act No. 139 Section 1; 1991 Act No. 84, Section 1; 1991 Act No. 248, Section 6; 1993 Act No. 181, Section 1283, eff July 1, 1993.

Editor’s Note

1976 Act No. 678, Section 1, provides as follows:

“The General Assembly recognizes the great historic and architectural significance of the Old Exchange Building in the City of Charleston in the following particulars:

“(a) The Exchange was built in 1768‑71 and remains as one of the finest examples of colonial architecture in America; many authorities have cited it as one of the three great public buildings of the colonial period, the other two being Independence Hall in Philadelphia and Faneuil Hall in Boston.

“(b) In the hallowed Great Hall of the Exchange Building which is in need of restoration was held the First Provincial Congress of South Carolina in January, 1775, with delegates from across the State which included such famous leaders as Henry Laurens, William Moultrie, Arthur Middleton, Thomas Heyward, Jr., Francis Marion, John Rutledge, Charles Cotesworth Pinckney, Patrick Calhoun, Thomas Sumter, Richard Richardson, Joseph Kershaw, William Tennent, Edward Rutledge, William Henry Drayton, and Francis Salvador, the first Jew elected to a parliamentary body in the western world and the first to give his life in the Revolution.

“(c) John Rutledge, the famous patriot, one of the great leaders in the founding of the nation, accepted his oath of office as President of South Carolina on the front steps of the Exchange Building in March, 1776.

“(d) During the period of British occupation in 1780‑81, a number of famous American patriots were imprisoned in the Prevost Dungeon in the basement of the Exchange Building.

“(e) From the Prevost Dungeon in the Exchange in August, 1781, Colonel Issac Hayne, the gallant American martyr was carried to his execution by the British, which inspired the patriots to greater effort.

“(f) President George Washington was entertained in the Great Hall of the Exchange Building in 1791 at the time of his national tour and the Marquis de Lafayette was entertained in the Great Hall in 1825 at the time of his triumphant return to America.

“(g) Because of the historic and architectural significance of the Exchange Building which has been called “South Carolina’s Independence Hall” and because the General Assembly believes that it is in the interest of South Carolina and the nation that this great building be preserved and restored as much as possible to the period of its greatest glory, the period of 1776, and because it believes the Great Hall when restored should be open to the general public as a patriotic shrine and the Prevost Dungeon should be open as it serves as a reminder of the sacrifice of those who helped build the nation, and certain other portions of the building should be open at appropriate times to serve as a display area for our historic heritage.”

Effect of Amendment

The 1993 amendment substituted the director for the chairman of the Department of Parks, Recreation and Tourism.

**SECTION 51‑19‑20.** Powers and duties of Commission.

 The Old Exchange Building Commission shall have the responsibility of reviewing the problems and opportunities presented in the preservation and restoration of the Exchange Building and review and adopt if deemed appropriate the agreement between the Rebecca Motte Chapter of the Daughters of the American Revolution and the South Carolina American Revolution Bicentennial Commission dated October 25, 1975, a copy of which is on file in the office of the Attorney General. In addition the Commission shall have the following powers:

 (a) To negotiate and contract not only with present occupants and title holders of the property but with other parties, if necessary, for the restoration and development of the old Exchange Building.

 (b) To accept grants, gifts and bequests for the purpose of restoring, developing and administering the old Exchange Building.

 (c) To accept and expend funds of the State, Federal Government and other such public funds as may be given or appropriated for the purpose of restoring, developing and administering the old Exchange Building.

 (d) To set and determine policies for the administration and control of the Old Exchange Building Commission pursuant to agreements and contracts that shall be entered into to achieve the development, restoration and administration of the old Exchange Building.

 (e) To enter into leases for appropriate periods of time in the event title is not available.

 (f) To receive and expend revenue generated by its own activities.

HISTORY: 1976 Act No. 678 Section 3; 1977 Act No. 218 Section 2.