

**SENATE FINANCE COMMITTEE
CRIMINAL JUSTICE SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2014-15**

SECTION 60 - E21-PROSECUTION COORDINATION COMMISSION

- 60.8 DELETE/MERGE** (PCC: Victim Assistance Programs) States legislative intent for the use of funds appropriated for victim assistance programs in solicitors' offices.
WMC: DELETE proviso and MERGE into proviso 60.9. Requested by Prosecution Coordination Commission.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**60.8.** (PCC: Victim Assistance Programs) It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October first, for the preceding fiscal year.~~

- 60.9 AMEND** (Establish Victim/Witness Program) Requires the funds appropriated for the Victim/Witness Program to be equally divided among the judicial circuits, less any budget reduction adjustments and then be distributed to the solicitor's office of that circuit. Directs that these funds may only used for the purpose of establishing a Victim/Witness Program in the circuit.
WMC: AMEND proviso to state legislative intent that the funds appropriated for victim assistance programs in solicitors' offices are in addition to any amount the county provides for these services and may not be used to supplant funding. Direct that if a county reduces funding for victim assistance programs there shall be a corresponding decrease of state funds provided to the solicitors' office for victim assistance services. Requires each solicitor's office by October 1st to submit a report on the use of the funds received during the prior fiscal year. *Merges proviso 60.8 and 60.9.* Requested by Prosecution Coordination Commission.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

60.9. (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.

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(5) Provide assistance and support to the families or survivors of victims where appropriate.

(6) Provide any other necessary support services to victims/witnesses such as contact with employers or creditors.

(7) Promote public awareness of the program and services available for crime victims.

The funds may not be used for other victim-related services until the above functions are provided in an adequate manner.

It is the intent of the General Assembly that the amounts appropriated in this section for victim assistance programs in solicitors' offices shall be in addition to any amounts presently being provided by the county for these services and may not be used to supplant funding already allocated for such services. Any reduction by any county in funding for victim assistance programs in solicitors' offices shall result in a corresponding decrease of state funds provided to the solicitors' office in that county for victim assistance services. Each solicitor's office shall submit an annual financial and programmatic report which describes the use of these funds. The report shall be submitted to the Governor, the Attorney General, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee on October first, for the preceding fiscal year.

60.11 AMEND NEW PROVISO (Violent Crime Prosecution) **WMC:** ADD new proviso to require Violent Crime Prosecution funds be apportioned among the circuits as follows: distribute the first \$320,000 on a pro-rata basis and distribute the next \$930,000 on a per capita basis based on the current official census. Direct that payment be made as soon after the beginning of each quarter as practical. Fiscal Impact: Agency requested 6.4 million in general funds appropriation. Funding to be determined. Requested by Prosecution Coordination Commission.

HOU: AMEND new proviso to delete the previous distribution method and instead direct that the funds are to be apportioned pro rata among the circuits. Sponsor: Rep. Pitts.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso as amended.

60.11. (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.

SECTION 61 - E23-COMMISSION ON INDIGENT DEFENSE

61.5 DELETE (Volunteer Guardian Ad Litem Appointments and Attorney Representation) Authorizes Commission on Indigent Defense and State Office of Guardian ad Litem to work together to use monies in the Civil Appointment Fund to contract with attorneys for GAL based on rate of \$100 per completed hearing. Requires a report be submitted to the Senate Finance and House Ways and Means Committees on the use of Civil Appointment Funds for GAL.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**61.5.** (INDEF: Volunteer Guardian Ad Litem Appointments and Attorney Representation) The Commission on Indigent Defense working with the Guardian ad Litem's Office of the Division of Children's Services, shall allocate a portion of the funds provided for SC Appellate Court Rule 608 Appointments for payments of contracts with attorneys who agree to represent volunteer Guardians ad Litem in child abuse and neglect and termination of~~

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~~parental rights actions in Family Court, based on the rate of \$100 per completed hearing. In determining the amount to be allocated, the commission must take into account the total funds appropriated and weigh this sum against the other demands and obligations of the SC Appellate Court Rule 608 Appointment Fund. The Commission on Indigent Defense shall report to the Senate Finance Committee and the House Ways and Means Committee any payments to individual guardians ad litem from funds provided from the SC Appellate Court Rule 608 Appointment Fund.~~

SECTION 62 - D10-STATE LAW ENFORCEMENT DIVISION

- 62.16 DELETE** (Use of PIP Funds) Authorizes SLED to use approved permanent improvement funds for projects 9807 and 9845 toward construction of a storage and logistics facility.
WMC: DELETE proviso. *Upon completion of an agency-wide space analysis, SLED may re-establish a new project via the JBRC approval process.* Requested by State Law Enforcement Division.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**62.16.** (SLED: Use of PIP Funds) The agency is authorized to use approved permanent improvement funds for projects 9807 and 9845 toward construction of a storage and logistics facility.~~

- 62.22 DELETE** (Alcohol Enforcement) Requires SLED to use up to \$448,000 from new funds appropriated for FY 13-14 for alcohol enforcement.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Fiscal Impact: No impact on the General Fund. Requested by State Law Enforcement Division.

~~**62.22.** (SLED: Alcohol Enforcement) Of new funds appropriated in Fiscal Year 2013-14, the State Law Enforcement Division shall use up to \$448,000 for Alcohol Enforcement.~~

SECTION 65 - N04-DEPARTMENT OF CORRECTIONS

- 65.12 DELETE** (Major Renovations and Repairs) Authorizes the department to use remaining 1997 Bond Act funds for major renovations and repairs or for the construction of new beds.
WMC: DELETE proviso. *All projects are closed and funds have been expended.* Requested by Department of Corrections.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**65.12.** (CORR: Major Renovations and Repairs) The Department of Corrections may utilize any existing bond funds approved by the 1997 Bond Act for major renovations and repairs and/or the construction of new beds as the budget and inmate population dictate.~~

- 65.21 AMEND** (Public/Private Partnerships for Construction) Directs that certain funds appropriated in 2006 be used to construct multi-purpose buildings. Directs that for facilities at Lieber, McCormick, Leath, or Allendale, at least \$150,000 in matching funds and/or construction materials or services must be donated before construction may begin and at other locations the director may require the donated funds and/or materials and services equal half the cost of construction.

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HOU: AMEND proviso to add “Perry” correctional facility to those which must have at least \$150,000 in matching funds and/or construction materials or services donated. Sponsors: Reps. Henderson, Bedingfield, and G.R. Smith.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

65.21. (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.

65.27 **AMEND** (~~Wateree River~~ Correctional Institution *Maintenance and Construction*) Allows the department to use inmate labor for work associated with the Wateree River Correctional Institution Radium - Drinking Water Compliance Project.

WMC: AMEND proviso to delete reference to the Wateree River Correctional Institution. Authorize the department to use inmate labor for any maintenance and construction work performed on its own grounds and facilities. Directs that the provisions of Section 40-11-360(A)(9) [EXEMPTIONS FROM CONTRACTORS REQUIREMENT] apply to those projects, including new construction. Requested by Department of Corrections.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

65.27. (CORR: ~~Wateree River~~ Correctional Institution *Maintenance and Construction*) ~~The~~ *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 ~~which~~ *will be installed on the Wateree River Correctional Institution property for the Wateree River Correctional Institution Radium - Drinking Water Compliance Project* *on its own grounds and facilities. The provisions of Section 40-11-360(A)(9) of the 1976 Code shall apply to any such project, including new construction.*

SECTION 66 - N08-DEPARTMENT OF PROBATION, PAROLE, AND PARDON SERVICES

66.2 **AMEND** (Interstate Compact Application Fee) Authorizes the department to charge an application fee of up to \$100 to offenders applying for transfer under the Interstate Compact Act.

WMC: AMEND proviso to delete the \$100 fee and instead allow the department to charge a fee “not to exceed the department’s actual costs.” Requested by Department of Probation, Parole and Pardon Services.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

66.2. (DPPP: Interstate Compact Application Fee) The department may charge offenders an application fee set by the department, not to exceed ~~\$100~~ *the department’s actual costs*, to offenders applying for transfers out of or into the state under the Interstate Compact Act. The application fee shall be retained by the department to offset the cost of the Interstate Compact

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Act. All unexpended funds at year-end may be retained and carried forward by the department to be expended for the same purpose.

SECTION 106 - R44-DEPARTMENT OF REVENUE

106.10 AMEND (Rapid Response to Declared Disasters) Provides for an out-of-state business to perform work or services in the state related to a declared state disaster or emergency.
WMC: AMEND proviso to update fiscal year references to “2014-15.”
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

106.10. (DOR: Rapid Response to Declared Disasters) (A) (1) For purposes of this proviso:

(a) ‘Registered business in this State’ or ‘registered business’ means a business entity that is registered to do business in this State before the declared state disaster or emergency.

(b) ‘Out-of-state business’ means a business entity that has no presence in the State and conducts no business in this State whose services are requested by a registered business or by a state or local government for purposes of performing disaster or emergency-related work in this State. This definition includes a business entity that is affiliated with the registered business in this State solely through common ownership. The out-of-state business must have no registrations or tax filings or nexus in the State before the declared state disaster or emergency.

(c) ‘Out-of-state employee’ means an employee who does not reside in or work in the State, except for disaster or emergency related work during the disaster period.

(d) ‘Infrastructure’ means property and equipment owned or used by communications networks, electric generation, transmission and distribution systems, gas distribution systems, water pipelines, and public roads and bridges and related support facilities that services multiple customers or citizens including, but not limited to, real and personal property such as buildings, offices, lines, poles, pipes, structures and equipment.

(e) ‘Declared state disaster or emergency’ means a disaster or emergency event:

(i) for which a Governor’s state of emergency proclamation has been issued;

(ii) for which a presidential declaration of a federal major disaster or emergency has been issued; or

(iii) other disaster or emergency event within this State for which a good faith response effort is required, and for which the Director of the South Carolina Department of Revenue designates the event as a disaster or emergency and thereby invokes this chapter.

(f) ‘Disaster period’ means a period that begins within ten days of the first day of the Governor’s proclamation, the President’s declaration or designation by the Director of the Department of Revenue, whichever occurs first, and that extends for a period of sixty calendar days after the end of the declared disaster or emergency period, or any longer period authorized by the designated state official or agency.

(g) ‘Disaster or emergency related-work’ means repairing, renovating, installing, building, rendering services or other business activities that relate to infrastructure that has been damaged, impaired, or destroyed by the event precipitating the declared state disaster or emergency.

(B) (1) (a) An out-of-state business that conducts operations within this State during Fiscal Year ~~2013-14~~ 2014-15 for purposes of performing work or services related to a declared state disaster or emergency during the portion of a disaster period that occurs during Fiscal

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Year ~~2013-14~~ 2014-15 must not be considered to have established a level of presence that would require that business to register, file, and remit state or local taxes or that would require that business or its out-of-state employees to be subject to any state licensing or registration requirements or any combination of these actions. Except as provided in subsection (B)(1)(b), this exemption includes all state or local business licensing or registration requirements or state and local taxes or fees including, but not limited to, unemployment insurance, state or local occupational licensing fees, sales and use tax, or property tax on equipment used or consumed during the disaster period, and includes South Carolina Public Service Commission and Secretary of State licensing and regulatory requirements. For purposes of a state or local tax on or measured by, in whole or in part, net or gross income or receipts, all activity of the out-of-state business that is conducted in this state pursuant to this chapter must be disregarded with respect to any filing requirements for that tax including the filing required for a unitary or combined group of which the out-of-state business may be a part.

(b) An out-of-state employee is not considered to have established residency or a presence in the State that would require that person or that person's employer to file and pay income taxes or to be subjected to tax withholdings or to file and pay any other state or local tax or fee during the disaster period that occurs during Fiscal Year ~~2013-14~~ 2014-15. This includes any related state or local employer withholding and remittance obligations.

(2) Out-of-state businesses and out-of-state employees are not exempted by this chapter from transaction taxes and fees including, but not limited to, fuel taxes and fuel user fees or sales and use taxes on materials or services subject to sales and use tax, accommodations taxes, car rental taxes or fees that the out-of-state affiliated business or out-of-state employee purchases for use or consumption in this State during the disaster period, unless the taxes or fees are otherwise exempted during a disaster period.

(3) An out-of-state business or out-of-state employee that remains in the State during Fiscal Year ~~2013-14~~ 2014-15 and after the disaster period becomes subject to the state's normal standards for establishing presence, residency or doing business in this State and the resulting requirements.

(C) (1) (a) The out-of-state business that enters this State upon request, shall provide to the Department of Revenue a notification statement that it is in this State for purposes of responding to the disaster or emergency, which statement must include the business' name, state of domicile, principal business address, federal tax identification number, date of entry, and contact information.

(b) A registered business in this State, upon request, shall provide the information required in item (1)(a) of this subsection for an affiliate that enters this State that is an out-of-state business. The notification also must include contact information for the registered business in this State.

(2) An out-of-state business or an out-of-state employee that remains in this State during Fiscal Year ~~2013-14~~ 2014-15 and after the disaster period shall notify the Department of Revenue and shall comply with state and local registration, licensing, and filing requirements that ensue as a result of establishing the requisite business presence or residency in this State.

SECTION 117 - X90-GENERAL PROVISIONS

- 117.67 REINSERT** (CID & PCC Agency Head Salaries) Directs that all hiring salaries and salary increases for the Commission on Indigent Defense and Prosecution Coordination Commission agency heads are subject to all provisions related to the Agency Head Salary Commission.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.

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SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

117.67. (GP: CID & PCC Agency Head Salaries) All hiring salaries and salary increases for the agency heads of the Commission on Indigent Defense and the Prosecution Coordination Commission shall be subject to all provisions related to agency heads covered by the Agency Head Salary Commission.

117.91 AMEND (Joint Children's Committee) Directs DOR to reduce the interest rate paid on tax refunds by 1% and to transfer \$300,000 of the resulting revenue from the rate reduction to the Senate for the Joint Citizens and Legislative Committee on Children and the remaining revenue to DJJ.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to require the University of South Carolina to maintain funds received for the Joint Children's Committee in a separate account and issue detailed quarterly reports of all expenditures made from the account to the Executive Budget Office. Require the Executive Budget Office to distribute information regarding expenditures to the Chairmen of the Senate Finance and House Ways and Means Committees. Fiscal Impact: No impact on the General Fund.

117.91. (GP: Joint Children's Committee) For the current fiscal year, the Department of Revenue is directed to reduce the rate of interest paid on eligible refunds by one percentage point. Of the revenue resulting from this reduction, \$300,000 shall be transferred to the Senate for the Joint Citizens and Legislative Committee on Children to provide the report, research, and other operating expenses as directed in Section 63-1-50 of the 1976 Code. Funds transferred to the University of South Carolina for the Joint Citizens and Legislative Committee on Children shall be maintained in a separate and distinct account. A detailed report of all expenditures shall be made to the Executive Budget Office within thirty (30) days of the close each fiscal quarter, and the Executive Budget Office shall distribute this information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The remaining revenue resulting from this reduction shall be transferred to the Department of Juvenile Justice to be used for mentoring or alternatives to incarceration programs. Unexpended funds authorized by this provision may be retained and carried forward by the Senate or the Department of Juvenile Justice, respectively, and used for the same purposes. The rate of reduction authorized in this provision shall be in addition to the reduction authorized in Proviso 92.10.

117.101 REINSERT (DOC & PPP Potential Consolidation Plan) Authorize the directors of the Departments of Corrections and Probation, Parole, and Pardon Services to collaborate and develop a plan to consolidate their functions.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

117.101. (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.

117.112 DELETE/MOVE (Annual Audit of Court Fees and Fines Reports) Requires the State Auditor conduct a minimum of 15 audits of local jurisdictions annually, or the maximum number or audits that can be performed with \$250,000 received annually from the State Treasurer for that

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purpose, and report whether or not fees and fines are being properly collected and remitted to the State Treasurer for distribution to various agencies as required by statute. Prohibits these funds from being used for any other purpose. Directs the funds to be carried forward and used for the same purpose. Requires the State Auditor to annually report to the Senate Finance Committee and the House Ways and Means Committee its findings of the jurisdictions audited.

WMC: DELETE proviso and MOVE to State Auditor's section. *See new proviso 102.4.*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~117.112. (GP: Annual Audit of Court Fees and Fines Reports) The State Auditor is required to perform a minimum of fifteen (15) audits annually of county treasurers, municipal treasurers, county clerks of court, magistrates and/or municipal courts as required by Section 14-1-210 of the 1976 Code and allowed by Proviso 118.4 of this act; however, the State Auditor shall not be required to spend more than the annual amount of \$250,000, received from the State Treasurer to conduct the said audits pursuant to Section 14-1-210 of the 1976 Code. The State Auditor shall consult with the State Treasurer to determine the jurisdictions to be audited in the current fiscal year. Jurisdictions may be selected randomly or based on an instance in the current or previous fiscal year of failing to report, incorrectly reporting or under remitting amounts owed. The funds transferred to the State Auditor by the State Treasurer shall not be used for any purpose other than to conduct the described audits and report whether or not the assessments, surcharges, fees, fines, forfeitures, escheatments, or other monetary penalties imposed and/or mandated are properly collected and remitted to the State. Any unexpended balance on June thirtieth of the prior fiscal year shall be carried forward and must be expended for the same purpose during the current fiscal year. The State Auditor shall annually report by October 1 its findings of the jurisdictions audited to the Senate Finance Committee and the House Ways and Means Committee.~~

117.121 AMEND NEW PROVISO FURTHER (Remittance of Court Fee and Fine Money) **WMC:** ADD new proviso to require county and city treasurers to remit the set percentages of revenue generated by additional assessments imposed in General Sessions, Family, Magistrate, and Municipal Courts to the State Treasurer by the 15th of each month. Direct that if the required remittance is not made for 2 months in a fiscal year, the SC Criminal Justice Academy shall withdraw the law enforcement certification for all law enforcement officers within the political subdivision. Require the finance director to certify under oath by July 1st, that the county and/or city has remitted all required funds. Direct that if such certification is not submitted the Criminal Justice Academy shall withdraw law enforcement certification.

HOU: AMEND new proviso to specify that certification shall be withdrawn if remittance has not been made for two "consecutive" months. Sponsor: Rep. Pitts.

SUBCOMMITTEE RECOMMENDATION: AMEND FURTHER to delete the requirement that the Criminal Justice Academy withdraw the law enforcement certification if the required remittance is not made and instead direct that the academy shall cease providing services until the remittance is made.

117.121. (GP: Remittance of Court Fee and Fine Money) County and city treasurers are required to remit to the State Treasurer set percentages of revenues generated by assessments imposed by 14-1-206(A), 14-1-207(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 ~~withdraw the law enforcement certification granted pursuant to 23-23-10 for~~ **cease providing services to** all law enforcement officers of all law enforcement agencies

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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 1, under oath, that the county and/or city has remitted all funds or the SC Criminal Justice Academy shall ~~withdraw the law enforcement certification~~ **withhold services until such time as remittance is made.**

117.122 AMEND NEW PROVISO (Detailed Expenditure/Revenue Reports PCC/CID) **WMC:** ADD new proviso to require the Prosecution Coordination Commission and the Commission on Indigent Defense to provide detailed prior year expenditure reports along with their associated revenue streams for each circuit by September 1st.

HOU: AMEND new proviso to direct that revenue streams include, but are not limited to, state, local, and federal funds, and non-governmental sources of funds. Specify that the reports be submitted to the appropriate commission which shall provide a combined report to the Chairmen of the House Ways and Means and Senate Finance Committees by September 15th. Sponsor: Rep. Pitts.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso as amended.

117.122. (GP: Detailed Expenditure/Revenue Reports PCC/CID) The Prosecution Coordination Commission and the Commission on Indigent Defense shall provide detailed expenditure reports and associated revenue streams for each individual circuit, revenue streams shall include, but not be limited to, state funds, local funds, Federal funds, and also non-governmental sources of funds, by no later than September 1, 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 15 of the current fiscal year.

117.123 DELETE NEW PROVISO (Magistrate Courts Jury Areas) **WMC:** ADD new proviso to establish countywide jury areas for magistrate courts. Require DMV and the State Election Commission use their existing appropriations to develop and provide countywide jury lists in accordance with Section 14-7-130 [PREPARATION OF JURY LIST FROM ELECTRONIC FILE OF PERSONS HOLDING VALID SOUTH CAROLINA DRIVER'S LICENSE OR IDENTIFICATION CARD.] Direct that the lists be provided to the chief magistrate of each county without charge.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

~~*117.123. (GP: Magistrate Courts Jury Areas) Jury areas for magistrate courts are established countywide, with the Department of Motor Vehicles and State Election Commission required to develop and provide countywide jury lists in accordance with Section 14-7-130 of the 1976 Code using their existing appropriations. The lists shall be provided to the chief magistrate for administration of each county without charge.*~~

117.125 DELETE NEW PROVISO (Contracts for Legal Services) **WMC:** ADD new proviso to prohibit a state agency from hiring an attorney, his law firm, or any of the firm's associated entities or subsidiaries if in the past 3 years the attorney represented a party in a civil lawsuit in which the state or political subdivision was a defendant. Require the state agency to require documentation that confirms compliance with these requirements.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: DELETE new proviso.

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~~117.125. (GP: Contracts for Legal Services) For the current fiscal year, no state agency shall enter into a contract for legal services with an attorney, his law firm, or any of his law firm's associated entities or subsidiaries if that attorney, in the past three years, has represented a party in a civil lawsuit in which the state or a political subdivision is a party defendant. Any state agency entering into a contract for legal services shall require documentation attesting to compliance with these requirements.~~

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