

**PROVISO AMENDMENTS TO CONFORM TO  
SOUTH CAROLINA RESTRUCTURING ACT OF 2014**

**SECTION 1 - H63-DEPARTMENT OF EDUCATION**

**1.3 AMEND** (EFA Formula/Base Student Cost Inflation Factor) AMEND proviso to replace “Division of Budget and Analyses” and “Budget and Control Board, Research and Statistics Division” references with “Revenue and Fiscal Affairs Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**1.3.** (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the ~~Division of Budget and Analyses~~ **Revenue and Fiscal Affairs Office** to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be ~~\$2,401~~ \$2,120. ~~In Fiscal Year 2013-14~~ For the current fiscal year, the total pupil count is projected to be ~~698,924~~ 708,231. The average per pupil funding is projected to be ~~\$5,147~~ \$5,290 state, ~~\$1,185~~ \$1,154 federal, and ~~\$4,855~~ \$4,996 local. This is an average total funding level of ~~\$11,187~~ \$11,440 excluding revenues of local bond issues. For ~~Fiscal Year 2013-14~~ the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year’s base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The ~~Budget and Control Board, Research and Statistics Division~~ **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 ~~Budget and Control Board, Research and Statistics Division~~ **Revenue and Fiscal Affairs Office**, shall also post on their website the 135-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 ~~Budget and Control Board, Research and Statistics Division~~ **Revenue and Fiscal Affairs Office**, including the projected numbers and the exact numbers.

For the current fiscal year, the pupil classification weightings are as follows:

For the current fiscal year, the pupil classification weightings are as follows:

- (1) K-12 pupils or base students including homebound students .....1.00
- (2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs
- (3) Additional weights for personalized instruction:
  - (A) Precareer and Career Technology.....1.20
  - (B) Gifted and Talented.....0.15
  - (C) Academic Assistance .....0.15
  - (D) Young Adult Education.....0.20
  - (E) Limited English Proficiency .....0.20
  - (F) Pupils in Poverty .....0.20

Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school.

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 3 through 12. The additional weight generates funds needed to provide additional instructional services to these students.

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Young adults are students between the ages of 17 and 21 who are pursuing a high school diploma, a high school equivalency diploma (GED), or a work readiness skills credential through a public school adult education program and are no longer part of the regular school setting.

Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.

Students in poverty are students eligible for the free or reduced price Federal lunch program and/or are eligible for Medicaid.

**NOTE: IF THIS PROVISO IS REINSERTED THERE ARE REFERENCES IN (H) AND (K) THAT WOULD NEED TO BE CHANGED**

**1.78.** (SDE: Child Development Education Pilot Program) ~~There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the current school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.~~

~~(A) For the current school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the trial and plaintiff school districts in the Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of seventy five percent or greater.~~

~~Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.~~

~~(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September first, of the school year, and meets the at risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.~~

~~The parent of each eligible child may enroll the child in one of the following programs:~~

~~(1) a school year four year old kindergarten program delivered by an approved public provider;~~  
~~or~~

~~(2) a school year four year old kindergarten program delivered by an approved private provider.~~

~~The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing an annual family income of one hundred eighty five percent or less of the federal poverty guidelines as promulgated annually by the U.S. Department of Health and Human Services or a statement of Medicaid eligibility.~~

~~In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.~~

~~No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.~~

~~If by October first of the school year at least seventy five percent of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, CDEPP providers may then enroll pay lunch children who score at or below the twenty fifth national percentile~~

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~~on two of the three DIAL 3 subscales and may receive reimbursement for these children if funds are available.~~

~~(C) Public school providers choosing to participate in the South Carolina Four Year Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four Year Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.~~

~~Providers shall:~~

~~(1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;~~

~~(2) comply with all state and local health and safety laws and codes;~~

~~(3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;~~

~~(4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;~~

~~(5) comply with all program, reporting, and assessment criteria required of providers;~~

~~(6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;~~

~~(7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;~~

~~(8) be approved, registered, or licensed by the Department of Social Services; and~~

~~(9) comply with all state and federal laws and requirements specific to program providers.~~

~~Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.~~

~~(D) The Department of Education and the Office of First Steps to School Readiness shall:~~

~~(1) develop the provider application form;~~

~~(2) develop the child enrollment application form;~~

~~(3) develop a list of approved research based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;~~

~~(4) develop a list of approved pre kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;~~

~~(5) establish criteria for awarding new classroom equipping grants;~~

~~(6) establish criteria for the parenting education program providers must offer;~~

~~(7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;~~

~~(8) develop a list of data collection needs to be used in implementation and evaluation of the program;~~

~~(9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;~~

~~(10) establish criteria for granting student retention waivers; and~~

~~(11) establish criteria for granting classroom size requirements waivers.~~

~~(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age appropriate instructional practice and a research~~

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~~based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.~~

~~Providers shall offer high quality, center-based programs that must include, but shall not be limited to, the following:~~

~~(1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;~~

~~(2) employ an education assistant with pre-service or in-service training in early childhood education;~~

~~(3) maintain classrooms with at least ten four-year-old children, but no more than twenty-four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;~~

~~(4) offer a full-day, center-based program with 6.5 hours of instruction daily for one hundred eighty school days;~~

~~(5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;~~

~~(6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and~~

~~(7) adhere to professional development requirements outlined in this article.~~

~~(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.~~

~~(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of pre-kindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of fifteen hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of pre-kindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.~~

~~(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than \$185 per student shall be retained by the Department~~

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of Education for the purposes of transporting four year old students. This amount must be increased annually by the same projected rate of inflation as determined by the **Division of Research and Statistics of the Budget and Control Board** for the Education Finance Act.

(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four year old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four year old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.

(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four year old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four year old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.

(K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the current school year, the funded cost per child shall be \$4,218 increased annually by the rate of inflation as determined by the **Division of Research and Statistics of the Budget and Control Board** for the Education Finance Act. Eligible students enrolling with private providers 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 be eligible for a reimbursement of \$550 per eligible child transported. Providers who are reimbursed are required to retain records as required by their fiscal agent. Providers enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed \$10,000. Providers receiving equipment grants 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

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~~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.~~

~~(L) Pursuant to this provision, the Department of Social Services shall:~~

~~(1) maintain a list of all approved public and private providers; and~~

~~(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this provision.~~

~~(M) 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.~~

~~(N) Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. The evaluation shall include, but is not limited to: (1) student data including the number of at risk four year old kindergarten students served in publically funded programs, by county and by program; (2) program effectiveness including developmentally appropriate assessments of children to measure emerging literacy and numeracy; (3) individual classroom assessments to determine program quality; (4) longitudinal analysis of academic and non-academic measures of success for children who participated in the program; and (5) an evaluation of the professional development, monitoring and assistance offered to public and private providers.~~

~~To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half day four year old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.~~

### SECTION 1A - H63-DEPARTMENT OF EDUCATION-EIA

**1A.33 AMEND** (Child Development Education Pilot Program) AMEND proviso to replace "Division of Research and Statistics of the Budget and Control Board" references with "Revenue and Fiscal Affairs Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**1A.33. (SDE-EIA: Child Development Education Pilot Program)** There is created the South Carolina Child Development Education Pilot Program (CDEPP). This program shall be available for the current school year on a voluntary basis and shall focus on the developmental and learning support that children must have in order to be ready for school and must incorporate parenting education.

(A) For the current school year, with funds appropriated by the General Assembly, the South Carolina Child Development Education Pilot Program shall first be made available to eligible children from the trial and plaintiff school districts in the Abbeville County School District et. al. vs. South Carolina and then expanded to eligible children residing in school districts with a poverty index of seventy-five percent or greater.

Unexpended funds from the prior fiscal year for this program shall be carried forward and shall remain in the program. In rare instances, students with documented kindergarten readiness barriers may be permitted to enroll for a second year, or at age five, at the discretion of the Department of Education for students being served by a public provider or at the discretion of the Office of South Carolina First Steps to School Readiness for students being served by a private provider.

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(B) Each child residing in the pilot districts, who will have attained the age of four years on or before September first, of the school year, and meets the at-risk criteria is eligible for enrollment in the South Carolina Child Development Education Pilot Program for one year.

The parent of each eligible child may enroll the child in one of the following programs:

- (1) a school-year four-year-old kindergarten program delivered by an approved public provider;
- or
- (2) a school-year four-year-old kindergarten program delivered by an approved private provider.

The parent enrolling a child must complete and submit an application to the approved provider of choice. The application must be submitted on forms and must be accompanied by a copy of the child's birth certificate, immunization documentation, and documentation of the student's eligibility as evidenced by family income documentation showing 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.

In submitting an application for enrollment, the parent agrees to comply with provider attendance policies during the school year. The attendance policy must state that the program consists of 6.5 hours of instructional time daily and operates for a period of not less than one hundred eighty days per year. Pursuant to program guidelines, noncompliance with attendance policies may result in removal from the program.

No parent is required to pay tuition or fees solely for the purpose of enrolling in or attending the program established under this provision. Nothing in this provision prohibits charging fees for childcare that may be provided outside the times of the instructional day provided in these programs.

If by October first of the school year at least seventy-five percent of the total number of eligible CDEPP children in a district or county are projected to be enrolled in CDEPP, Head Start or ABC Child Care Program as determined by the Department of Education and the Office of First Steps, CDEPP providers may then enroll pay-lunch children who score at or below the twenty-fifth national percentile on two of the three DIAL-3 subscales and may receive reimbursement for these children if funds are available.

(C) Public school providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Department of Education. Private providers choosing to participate in the South Carolina Four-Year-Old Child Development Kindergarten Program must submit an application to the Office of First Steps. The application must be submitted on the forms prescribed, contain assurances that the provider meets all program criteria set forth in this provision, and will comply with all reporting and assessment requirements.

Providers shall:

- (1) comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services;
- (2) comply with all state and local health and safety laws and codes;
- (3) comply with all state laws that apply regarding criminal background checks for employees and exclude from employment any individual not permitted by state law to work with children;
- (4) be accountable for meeting the education needs of the child and report at least quarterly to the parent/guardian on his progress;
- (5) comply with all program, reporting, and assessment criteria required of providers;
- (6) maintain individual student records for each child enrolled in the program to include, but not be limited to, assessment data, health data, records of teacher observations, and records of parent or guardian and teacher conferences;
- (7) designate whether extended day services will be offered to the parents/guardians of children participating in the program;
- (8) be approved, registered, or licensed by the Department of Social Services; and
- (9) comply with all state and federal laws and requirements specific to program providers.

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Providers may limit student enrollment based upon space available. However if enrollment exceeds available space, providers shall enroll children with first priority given to children with the lowest scores on an approved pre-kindergarten readiness assessment. Private providers shall not be required to expand their programs to accommodate all children desiring enrollment. However, providers are encouraged to keep a waiting list for students they are unable to serve because of space limitations.

(D) The Department of Education and the Office of First Steps to School Readiness shall:

- (1) develop the provider application form;
- (2) develop the child enrollment application form;
- (3) develop a list of approved research-based preschool curricula for use in the program based upon the South Carolina Content Standards, provide training and technical assistance to support its effective use in approved classrooms serving children;
- (4) develop a list of approved pre-kindergarten readiness assessments to be used in conjunction with the program, provide assessments and technical assistance to support assessment administration in approved classrooms serving children;
- (5) establish criteria for awarding new classroom equipping grants;
- (6) establish criteria for the parenting education program providers must offer;
- (7) establish a list of early childhood related fields that may be used in meeting the lead teacher qualifications;
- (8) develop a list of data collection needs to be used in implementation and evaluation of the program;
- (9) identify teacher preparation program options and assist lead teachers in meeting teacher program requirements;
- (10) establish criteria for granting student retention waivers; and
- (11) establish criteria for granting classroom size requirements waivers.

(E) Providers of the South Carolina Child Development Education Pilot Program shall offer a complete educational program in accordance with age-appropriate instructional practice and a research based preschool curriculum aligned with school success. The program must focus on the developmental and learning support children must have in order to be ready for school. The provider must also incorporate parenting education that promotes the school readiness of preschool children by strengthening parent involvement in the learning process with an emphasis on interactive literacy.

Providers shall offer high-quality, center-based programs that must include, but shall not be limited to, the following:

- (1) employ a lead teacher with a two-year degree in early childhood education or related field or be granted a waiver of this requirement from the Department of Education or the Office of First Steps to School Readiness;
- (2) employ an education assistant with pre-service or in-service training in early childhood education;
- (3) maintain classrooms with at least ten four-year-old children, but no more than twenty four-year-old children with an adult to child ratio of 1:10. With classrooms having a minimum of ten children, the 1:10 ratio must be a lead teacher to child ratio. Waivers of the minimum class size requirement may be granted by the South Carolina Department of Education for public providers or by the Office of First Steps to School Readiness for private providers on a case-by-case basis;
- (4) offer a full day, center-based program with 6.5 hours of instruction daily for one hundred eighty school days;
- (5) provide an approved research-based preschool curriculum that focuses on critical child development skills, especially early literacy, numeracy, and social/emotional development;
- (6) engage parents' participation in their child's educational experience that shall include a minimum of two documented conferences per year; and
- (7) adhere to professional development requirements outlined in this article.

(F) Every classroom providing services to four-year-old children established pursuant to this provision must have a lead teacher with at least a two-year degree in early childhood education or related field and



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who is enrolled and is demonstrating progress toward the completion of a teacher education program within four years. Every classroom must also have at least one education assistant per classroom who shall have the minimum of a high school diploma or the equivalent, and at least two years of experience working with children under five years old. The teaching assistant shall have completed the Early Childhood Development Credential (ECD) 101 or enroll and complete this course within twelve months of hire. Providers may request waivers to the ECD 101 requirement for those assistants who have demonstrated sufficient experience in teaching children five years old and younger. The providers must request this waiver in writing to their designated administrative agency (First Steps or the Department of Education) and provide appropriate documentation as to the qualifications of the teaching assistant.

(G) The General Assembly recognizes there is a strong relationship between the skills and preparation of pre-kindergarten instructors and the educational outcomes of students. To improve these education outcomes, participating providers shall require all personnel providing instruction and classroom support to students participating in the South Carolina Child Development Education Pilot Program to participate annually in a minimum of fifteen hours of professional development to include teaching children from poverty. Professional development should provide instruction in strategies and techniques to address the age-appropriate progress of pre-kindergarten students in developing emergent literacy skills, including but not limited to, oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.

(H) Both public and private providers shall be eligible for transportation funds for the transportation of children to and from school. Nothing within this provision prohibits providers from contracting with another entity to provide transportation services provided the entities adhere to the requirements of Section 56-5-195. Providers shall not be responsible for transporting students attending programs outside the district lines. Parents choosing program providers located outside of their resident district shall be responsible for transportation. When transporting four-year-old child development students, providers shall make every effort to transport them with students of similar ages attending the same school. Of the amount appropriated for the program, not more than \$185 per student shall be retained by the Department of Education for the purposes of transporting four-year-old students. This amount must be increased annually by the same projected rate of inflation as determined by the ~~Division of Research and Statistics of the Budget and Control Board~~ Revenue and Fiscal Affairs Office for the Education Finance Act.

(I) For all private providers approved to offer services pursuant to this provision, the Office of First Steps to School Readiness shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;
- (3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;
- (4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;
- (5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;
- (6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;
- (7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;
- (8) maintain a database of the children enrolled in the program; and
- (9) promulgate guidelines as necessary for the implementation of the pilot program.

(J) For all public school providers approved to offer services pursuant to this provision, the Department of Education shall:

- (1) serve as the fiscal agent;
- (2) verify student enrollment eligibility;

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(3) recruit, review, and approve eligible providers. In considering approval of providers, consideration must be given to the provider's availability of permanent space for program service and whether temporary classroom space is necessary to provide services to any children;

(4) coordinate oversight, monitoring, technical assistance, coordination, and training for classroom providers;

(5) serve as a clearing house for information and best practices related to four-year-old kindergarten programs;

(6) receive, review, and approve new classroom grant applications and make recommendations for approval based on approved criteria;

(7) coordinate activities and promote collaboration with other private and public providers in developing and supporting four-year-old kindergarten programs;

(8) maintain a database of the children enrolled in the program; and

(9) promulgate guidelines as necessary for the implementation of the pilot program.

(K) The General Assembly shall provide funding for the South Carolina Child Development Education Pilot Program. For the current school year, the funded cost per child shall be \$4,218 increased annually by the rate of inflation as determined by the ~~Division of Research and Statistics of the Budget and Control Board~~ Revenue and Fiscal Affairs Office for the Education Finance Act. Eligible students enrolling with private providers 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 be eligible for a reimbursement of \$550 per eligible child transported. Providers who are reimbursed are required to retain records as required by their fiscal agent. Providers enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment grant funding, with providers enrolling seven or more such children eligible for grants not to exceed \$10,000. Providers receiving equipment grants 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.

(L) Pursuant to this provision, the Department of Social Services shall:

(1) maintain a list of all approved public and private providers; and

(2) provide the Department of Education and the Office of First Steps information necessary to carry out the requirements of this provision.

(M) 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.

(N) Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January 15 of each year. The evaluation shall include, but is not limited to: (1) student data including the number of at-risk four-year-old kindergarten students served in publically funded programs, by county and by program; (2) program effectiveness including developmentally appropriate assessments of children to measure emerging literacy and numeracy; (3) individual classroom assessments to determine program quality; (4) longitudinal analysis of academic and non-academic measures of success for children who participated in the program; and (5) an evaluation of the professional development, monitoring and assistance offered to public and private providers.

To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible

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for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

**1A.42 AMEND** (Teacher Salaries/SE Average) AMEND proviso to replace "Division of Budget and Analyses" reference with "Revenue and Fiscal Affairs Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**1A.42.** (SDE-EIA: XII.C.2.-Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers' salaries of the southeastern states as projected by the ~~Division of Budget and Analyses~~ Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be \$48,858 \$48,892. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

The statewide minimum teacher salary schedule used in Fiscal Year 2012-13 will continue to be used in Fiscal Year ~~2013-14~~ 2014-15.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers.

Funds appropriated in Part IA, Section 1, XII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50 (b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

For purposes of this provision teachers shall be defined by the Department of Education using the Professional Certified Staff (PCS) System.

### SECTION 3 – H66 – LOTTERY EXPENDITURE ACCOUNT

**3.5 AMEND** (FY 2014-15 Lottery Funding) AMEND proviso to replace "Budget and Control Board" reference with "Executive Budget Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.* NOTE: Only the affected portion of the proviso is shown here.

**3.5 (LEA: FY 2014-15 Lottery Funding)** *There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the ~~Budget and Control Board~~ Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education.*

*The ~~Budget and Control Board~~ 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.*

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**SECTION 33 - J02-DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**33.2 AMEND** (Long Term Care Facility Reimbursement Rate) AMEND proviso to replace “Budget and Control Board” and “Division of Budget and Analyses” references with “Revenue and Fiscal Affairs Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**33.2.** (DHHS: Long Term Care Facility Reimbursement Rate) The Department, in calculating a reimbursement rate for long term care facility providers, shall obtain for each contract period an inflation factor, developed by the ~~Budget and Control Board, Division of Budget and Analyses~~ Revenue and Fiscal Affairs Office. Data obtained from Medicaid cost reporting records applicable to long term care providers will be supplied to the ~~Budget and Control Board, Division of Budget and Analyses~~ Revenue and Fiscal Affairs Office. A composite index, developed by the ~~Budget and Control Board, Division of Budget and Analyses~~ 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 ~~Division of Budget and Analyses of the Budget and Control Board~~ 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 ~~Division of Budget and Analyses~~ Revenue and Fiscal Affairs Office.

**NOTE: IF THIS PROVISO IS REINSERTED THERE IS A REFERENCE THAT WOULD NEED TO BE CHANGED**

**33.9.** (DHHS: Provider Reimbursement Rate Report) ~~The Department of Health and Human, in conjunction with the~~ Office of Research and Statistics of the Budget and Control Board, shall prepare a report that compares the reimbursement rate of Medicaid providers to the reimbursement rate of the Medicare Program and the State Health Plan. This report shall be completed by January thirty first, each year, and submitted to the Governor and the members of the General Assembly.

**33.17 AMEND** (SCHIP Enrollment and Recertification) AMEND proviso to replace “Budget and Control Board’s Office of Research and Statistics” reference with “Revenue and Fiscal Affairs Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**33.17.** (DHHS: SCHIP Enrollment and Recertification) The Department of Health and Human Services shall enroll and recertify eligible children to the State Children’s Health Insurance Program (SCHIP) and must use available state agency program data housed in the ~~Budget and Control Board’s Office of Research and Statistics~~ Revenue and Fiscal Affairs Office, to include the Department of Social Services’ Food Stamp program and the Department of Education’s Free and Reduced Meal eligibility data. Use of this data and cooperative efforts between state agencies reduces the cost of outreach and maintenance of eligibility for SCHIP.

**33.26 AMEND** (Medicaid Accountability and Quality Improvement Initiative) AMEND proviso to replace “Office of Research and Statistics” references with “Revenue and Fiscal Affairs Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

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**33.26.** (DHHS: Medicaid Accountability and Quality Improvement Initiative) From the funds appropriated and authorized to the Department of Health and Human Services, the department ~~shall~~ is authorized to implement the following accountability and quality improvement initiatives:

(A) Healthy Outcomes Initiative - ~~Upon approval of the Centers for Medicare and Medicaid Services (CMS), the~~ The Department of Health and Human Services shall ~~make available to participating hospitals up to a \$35,000,000 aggregate rate incentive effective October 1, 2013. This incentive shall be directly linked to a hospital's~~ tie Disproportionate Share Hospital (DSH) payments to participation in initiatives designed to reduce system cost and increase health outcomes the Healthy Outcomes Initiative and may expand the program as DSH funding is available.

(B) To improve community health, the department may explore various health outreach, education, and patient wellness and incentive programs. ~~Working with Kershaw Health and its LiveWell Kershaw program, the~~ The department may pilot health interventions targeting diabetes, smoking cessation, weight management, and heart disease, and other health conditions interventions to identify the potential to offer such interventions as models for other hospitals to pursue. These programs may be expanded as their potential to improve health and lower costs are identified by the department. ~~These initiatives may include, but are not limited to:~~

~~(1) entering into a Memorandum of Understanding (MOU) with selected primary health care and other providers to co-manage chronically ill uninsured high-utilizers of emergency room services; and  
(2) participating in price and quality transparency efforts initiated by the department.~~

~~In designing these initiatives the department shall receive public input, and make the final determination of the initiative design. The department shall, no later than August 1, 2013, publish the manner in which participation in these initiatives will correspond with incentives. If at the end of the state fiscal year the department determines that this program is not generating cost savings or increasing health outcomes the department may retract this incentive in part or full.~~

~~(B) Disproportionate Share (DSH) Payment Accountability — Upon approval of CMS, in order to increase accountability for money reimbursed to hospitals under the DSH program and to improve outcomes for the uninsured, hospitals shall:~~

~~(1) submit claims level data for all individuals receiving uncompensated care; and  
(2) obtain a patient attestation to determine whether or not the individual receiving uncompensated care has access to affordable health insurance or does not have other means to pay for services.~~

(C) Rural Hospital DSH Payment —~~Upon approval of CMS,~~ Medicaid-designated rural hospitals in South Carolina ~~shall~~ may be eligible to receive full coverage up to one hundred percent (100%) of costs associated with uncompensated care as part of the State's Medicaid Disproportionate Share (DSH) program. Funds shall be allocated from the existing DSH program and shall not exceed \$20,000,000 ~~\$25,000,000~~ total funds. ~~Rural Hospitals are ineligible for this increased coverage should they not~~ To be eligible, rural hospitals must participate in reporting and quality guidelines published by the department and outlined in the Healthy Outcomes Initiative ~~in the Fiscal Year 2013-14 Appropriations Act. These guidelines shall be published no later than August 1, 2013.~~ In addition to the requirements placed upon them by the department, rural hospitals must actively participate with the department and any other stakeholder identified by the department, in efforts to design an alternative health care delivery system in these regions.

(D) Primary Care Safety Net - The department shall ~~develop~~ implement a methodology to reimburse safety net providers to provide primary care, behavioral health services, and pharmacy services for chronically ill individuals that do not have access to affordable insurance. Qualifying safety net providers are approved, licensed, and duly organized Federally Qualified Health Centers (FQHCs, entities receiving funding under Section 330 of the Public Health Services Act, and FQHC Look-A-Likes), Rural Health Clinics (RHCs), local alcohol and drug abuse authorities established by Act 301 of 1973, Free Clinics, other clinics serving the uninsured, and Welvista. ~~No FQHC and FQHC Look A-Likes operating under a management agreement or operated by a Chief Executive Officer who is not an employee of the entity is eligible to receive funds allocated by this proviso.~~

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The department shall formulate a separate methodology and allocate at least ~~\$5,000,000~~ \$8,000,000 for baseline funding to FQHCs ~~as defined in paragraph (D)~~, at least ~~\$2,000,000~~ \$3,000,000 for documented capital needs for FQHCs ~~as defined in paragraph (D)~~, at least \$2,000,000 for baseline funding for Free Clinics, and at least \$2,000,000 for HOP with local alcohol and drug abuse authorities created under Act 301 of 1973. The department shall formulate methodology and allocate at least \$5,000,000 for innovative care strategies for qualifying safety net providers participating in a hospital Healthy Outcomes Initiative program.

~~The department shall consult with the SC Primary Health Care Association to determine the entities with the most critical capital needs. From the aforementioned \$14,000,000, Welvista shall receive at least an additional \$600,000.~~

~~To be eligible for funds, qualifying providers shall be required to provide the department patient and service data to assist in the overall improvement of the state's health quality and when appropriate safety net providers must enter into a MOU with hospitals to co-manage chronically ill uninsured high-utilizers of emergency room services. Participants in this program shall submit evaluations of effectiveness annually to the department.~~

(E) Rural and Underserved Area Provider Capacity - The department shall incentivize the development of primary care access in rural ~~physician coverage and capacity building~~ and underserved areas through the following mechanisms:

(1) the department shall leverage ~~the~~ Medicaid spending on Graduate Medical Education (GME) ~~program and develop a methodology to improve accountability and increased outcomes for the State's GME and Supplemental Teaching Payments investment by~~ implementing methodologies that support recommendations contained in the January 4, 2014 report of the South Carolina GME Advisory Group;

(2) the department shall develop a program to leverage the use of teaching hospitals to provide rural physician coverage, expand the use of Telemedicine, and ensure targeted placement and support of OB/GYN services in at least four counties with a demonstrated lack of adequate OB/GYN resources by July 1, 2014 June 30, 2015; and

(3) during the current fiscal year the department shall allocate ~~\$4,000,000~~ \$10,000,000 non-recurring funds to the MUSC Hospital Authority for telemedicine.

(F) ~~Community Residential Care Optional State Supplement~~ - The department shall establish policies and procedures to include establishing a facility rate per eligible beneficiary at \$1,500 per month for recipients and providers who meet the requirements for the enhanced maximum OSS payment; establish eligibility criteria; and establish a methodology for increasing the personal needs allowance. The department will revise the net income limit to accommodate the change in the maximum OSS facility rate. A total of at least \$12,000,000 shall be made available for this rate increase. The facility rate shall increase a minimum of \$100 per month per eligible beneficiary. All current recipients shall remain eligible for the supplement during the fiscal year and nothing contained herein may conflict with or limit existing regulations.

~~In addition, the department will establish Quality of Care Standards and other requirements for facilities licensed as a Community Residential Care Facility and participating in the OSS program and Medicaid Waiver services. 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 also other price and quality transparency efforts initiated by the department. The ~~Office of Research and Statistics~~ Revenue and Fiscal Affairs Office shall provide the department with any information required by the department in order to implement this proviso.~~ (G) The department shall publish quarterly reports on the agency's website regarding the department's progress in meeting the goals established by this provision.

(G) The Department of Health and Human Services, with the funds appropriated, may pilot test an in-home health care system within the counties and to the population as determined by the Director of the Department of Health and Human Services to assist in the overall improvement of the state's health quality. The in-home health care system option must consist of three main components: (1) a medical console that works with a land line and has wireless capabilities for persons without a telephone land

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line; (2) the medical triage center; and (3) the emergency response call center. The department, in implementing this program on a pilot-testing basis, also is authorized to contract with a third-party provider or vendor to furnish and operate the program.

**SECTION 34 - J04-DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**34.39 AMEND** (SCHIDS) AMEND proviso to replace “Budget and Control Board, Office of Research and Statistics” reference with “Revenue and Fiscal Affairs Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**34.39.** (DHEC: SCHIDS) From funds appropriated for Chronic Disease Prevention, the department shall establish a South Carolina Health Integrated Data Services (SCHIDS) program to disseminate data about prevalence, treatment and cost of disease from the South Carolina Health and Human Services Data Warehouse and in particular the Medicaid System. The purpose of the program is to educate communities statewide about improving health and wellness through lifestyle changes.

The ~~Budget and Control Board, Office of Research and Statistics~~ 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.

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.

**SECTION 91 – A99 – LEGISLATIVE DEPARTMENT**

**91.21 AMEND** (LEG: Other Funds Oversight Committee) AMEND proviso to replace “Office of State Budget” reference with “Executive Budget Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**91.21.** (LEG: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.

Each state agency, department, board, or commission shall cooperate with the committee and provide any information the committee determines is necessary.

The ~~Office of State Budget~~ Executive Budget Office must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.

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Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

For purposes of the proviso, 'other funds' means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in the appropriations act.

### SECTION 101 - F03-BUDGET AND CONTROL BOARD

**101.12 DELETE/MOVE** (Geodetic Mapping Program) DELETE proviso and move to new Section 113, Revenue and Fiscal Affairs Office, as amended. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**101.12.** (BCB: Geodetic Mapping Program) ~~Funds appropriated or authorized to the Budget and Control Board as a Special Item for Mapping, shall be used for to clarify county boundary determination and resolution of the boundary between the states of South Carolina and North Carolina boundaries as directed by Section 27-2-105 of the 1976 Code.~~

~~*In the event a resolution cannot be reached by all parties, each party is entitled to seek resolution in accordance with the Administrative Procedures Act.*~~

**101.16 DELETE/MOVE** (Election File Merge) DELETE proviso and move to new Section 113, Revenue and Fiscal Affairs Office. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**101.16.** (BCB: 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 Research and Statistics Division, in conjunction with the South Carolina Election Commission, shall merge the voter registration file with the division's Geocoded Address List and the district boundaries of the Congress, South Carolina Senate, South Carolina House of Representatives, county councils, and such other districts as the office possesses official district boundary records in electronic format. The merged systems will allow the Research and Statistics Division 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 Research and Statistics Division upon the division'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 Director of the Research and Statistics Division 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 Director of the Research and Statistics Division 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 Research and Statistics Division 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.~~



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**NOTE: IF THIS PROVISO IS REINSERTED THE PROVISO WOULD NEED TO BE DELETED AND MOVED TO NEW SECTION 113 AND THERE IS A REFERENCE THAT WOULD NEED TO BE CHANGED**

**101.18.** (BCB: SC/NC Boundary Dispute) The ~~Budget and Control Board~~ is directed to submit a report to the ~~Senate Finance Committee and the House Ways and Means Committee~~ regarding the progress of the ~~South Carolina and North Carolina Boundary Dispute~~ within sixty days of the close of each fiscal year until such dispute is resolved.

**101.19 DELETE/MOVE** (SC Boundary Commission) DELETE proviso and move to new Section 113, Revenue and Fiscal Affairs Office, as amended. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**101.19.** (BCB: SC Boundary Commission) ~~There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Director of the Budget and Control Board's Office Division of Research and Statistics; the Director of the Department of Natural Resources, or his designee; and the technical advisor of the Geodetic and Mapping Survey Program appointed by the Director of the Office Division of Research and Statistics who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina Boundary Commission to resolve undocumented boundaries oversee and approve work re-establishing the boundary between South Carolina and North Carolina.~~

~~*The Director of the Division of Research and Statistics of the Budget and Control Board is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of re-establishing the South Carolina North Carolina boundary within sixty days of the close of each fiscal year until such re-establishment is completed.*~~

**101.21 AMEND** (Employee Compensation) AMEND proviso to delete "as determined by the Director of the Office of State Budget." *Conform to implementation of the South Carolina Restructuring Act of 2014.* NOTE: Only the affected portion of the proviso is shown here.

**101.21.** (BCB: Employee Compensation) The amounts appropriated to the Budget and Control Board for Employee Pay Increases must be allocated by the Board to the various state agencies to provide for employee pay increases in accordance with the following plan:

...

The Budget and Control Board shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

The Executive Director of the Budget and Control Board is authorized to use excess appropriations for the current fiscal year, ~~as determined by the Director of the Office of State Budget,~~ designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the Budget and Control Board, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F30, Section 103, Budget and Control Board, Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

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**101.ra ADD** (Restructuring Act Carry Forward) ADD new proviso to require general funds from the B&C Board's Offices of State Budget and Research and Statistics and the BEA be carried forward from the prior fiscal year and be allocated to the Revenue and Fiscal Affairs Office and the Executive Budget Office in accordance with implementation of the Restructuring Act of 2014. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**101.ra. (BCB: Restructuring Act Carry Forward) General funds from the Budget and Control Board's Office of State Budget, Office of Research and Statistics, and Board of Economic Advisors shall be carried forward from the prior fiscal year into the current fiscal year and shall be allocated to the Revenue and Fiscal Affairs Office and the Executive Budget Office in accordance with the implementation of the South Carolina Restructuring Act of 2014.**

**SECTION 112 - D50-EXECUTIVE BUDGET OFFICE**

**112.ba ADD** (Budget and Control Board Approval) ADD new proviso to require any action taken by the Executive Budget Office to become effective only upon review and approval by the Budget and Control Board. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**112.ba (EBO: Budget and Control Board Approval) Any action taken during Fiscal Year 2014-15 by the Executive Budget Office as the result of a function, duty, authority, or responsibility transferred to or devolved upon the Executive Budget Office by this Act, which previously, either by proviso or permanent law, rested with the Budget and Control Board, shall be effective only upon review and approval of the Budget and Control Board. The board's review and approval function pursuant to this provision may be accomplished by a delegation to the appropriate department, division, or office of the board.**

**SECTION 113 - E50-REVENUE AND FISCAL AFFAIRS OFFICE**

**113.gm ADD MOVED PROVISO AS AMENDED** (Geodetic Mapping Program) ADD new proviso to direct that funds appropriated or authorized for mapping be used to clarify county boundaries and direct that if a resolution can't be reached, parties may seek resolution in accordance with the Administrative Procedures Act. *Moved from 101.12, as amended. Conform to implementation of the South Carolina Restructuring Act of 2014.*

**113.gm. (RFAO: Geodetic Mapping Program) Funds appropriated or authorized to the Revenue and Fiscal Affairs Office for Mapping, shall be used to clarify county boundaries as directed by Section 27-2-105 of the 1976 Code.**

**In the event a resolution cannot be reached by all parties, each party is entitled to seek resolution in accordance with the Administrative Procedures Act.**

**113.efm ADD MOVED PROVISO** (Election File Merge) ADD new proviso to direct the Revenue and Fiscal Affairs Office, in conjunction with the Election Commission, to merge the voter registration file with the office's Geocoded Address List and official district boundary records in order to provide respective county officials with a list of potential voters who are possibly assigned to the wrong election district. Require counties and municipalities to release GIS to the office upon written request. Direct that for this provision GIS data includes, but is not limited to, road centerlines; orthophotography; parcel boundaries; address points; political boundaries; and

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administrative boundaries. Moved from 101.16. Conform to implementation of the South Carolina Restructuring Act of 2014.

113.efm. (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 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.

**113.bc ADD MOVED PROVISO AS AMENDED** (SC Boundary Commission) ADD new proviso to establishes the SC Boundary Commission which is directed to work with NC Boundary Commission to oversee and approve work re-establishing the boundaries between the two states. Direct the Revenue and Fiscal Affairs Office Executive Director submit a report to the Senate Finance and House Ways and Means Committees on re-establishment of the SC/NC boundary within 60 days of the close of each fiscal year until the boundaries have been re-established. Moved from 101.19, as amended. Conform to implementation of the South Carolina Restructuring Act of 2014.

113.bc. (RFAO: SC Boundary Commission) There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Executive Director, or his designee, of the Revenue and Fiscal Affairs Office; the Director of the Department of Natural Resources, or his designee; and the technical advisor of the Geodetic and Mapping Survey Program appointed by the Executive Director of the Revenue and Fiscal Affairs Office who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina Boundary Commission to oversee and approve work re-establishing the boundary between South Carolina and North Carolina.

The Executive Director of the Revenue and Fiscal Affairs Office is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of re-

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establishing the South Carolina-North Carolina boundary within sixty days of the close of each fiscal year until such re-establishment is completed.

**113.dw ADD MOVED PROVISO** (SC Health & Human Services Data Warehouse) ADD new proviso to establish the South Carolina Health and Human Services Data Warehouse within the Revenue and Fiscal Affairs Office to ensure that health and human services agencies operations may be enhanced by coordination and integration of client information; define client data; provide guidelines for operation of the data warehouse; and specify agencies which are required to report client information. *Moved from 117.13. Conform to implementation of the South Carolina Restructuring Act of 2014.*

113.dw. (GP: SC Health & Human Services Data Warehouse) There is hereby established within the Revenue and Fiscal Affairs Office, the South Carolina Health and Human Services Data Warehouse. The purpose of the Warehouse is to ensure that the operation of health and human services agencies may be enhanced by coordination and integration of client information. Client data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report client information to the Revenue and Fiscal Affairs Office under this provision. To integrate client information, client data from health and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Revenue and Fiscal Affairs Office in order to assist in the development and maintenance of this Warehouse. The following agencies shall report client information:

• Departments of

- (1) Health and Human Services;
- (2) Health and Environmental Control;
- (3) Mental Health;
- (4) Alcohol and Other Drug Abuse Services;
- (5) Disabilities and Special Needs;
- (6) Social Services;
- (7) Vocational Rehabilitation;
- (8) Education;
- (9) Juvenile Justice;
- (10) Corrections;
- (11) Probation, Parole and Pardon Services;

• Office of the Governor

- (1) Children's Foster Care Review Board;
- (2) Continuum of Care;

• Office of the Lieutenant Governor, Division on Aging;

• South Carolina School for the Deaf and the Blind;

• Commission for the Blind, and

• Other entities as deemed necessary by the Revenue and Fiscal Affairs Office.

These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Revenue and Fiscal Affairs Office (Office). The Office shall establish a Memorandum of Agreement with each agency, department or division. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations

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on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.

To ensure accountability and the coordinated, efficient delivery of health and human services, the Office shall implement, in consultation with state health and human services agencies and other entities as deemed necessary by the Office, an integrated data system that includes client data from all participating agencies.

In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Office shall have the authority to enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. The confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. The Office shall have the power to promulgate regulations, policies and procedures, in consultation with the participating agencies, for the development, protection and operation of the Data Warehouse, other research and analytic-oriented applications, and their underlying processes.

The Office shall develop internet-accessible secure analytic query tools (such as analytic cubes) using integrated client data from the Warehouse. All agencies shall cooperate with the Office in the development of these analytic tools. It is the intent of this provision that the analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their research staff members, state agencies, and researchers. To that end, the Office shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.

All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Health and Environmental Control shall be exempt from usage of the integrated client management system and the analytic query tools in the day-to-day operation of their Client Automated Record and Encounter System and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.

No state agency shall duplicate any of the responsibilities of this provision.

For purposes of this subsection, all state laws, regulations, or any rule of any state agency, department, board, or commission having the effect or force of law that prohibits or is inconsistent with any provision of this subsection is hereby declared inapplicable to this subsection.

**SECTION 117 - X90-GENERAL PROVISIONS**

**117.9 AMEND** (Transfers of Appropriations) AMEND proviso to replace “Division of Budget and Analyses” reference with “Executive Budget Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**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 ~~Division of Budget and Analyses~~ 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

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be restricted to any established standard level set by the Budget and Control Board upon formal approval by a majority of the members of the Budget and Control Board.

**117.13 DELETE/MOVE** (SC Health & Human Services Data Warehouse) DELETE proviso and move to new Section 113, Revenue and Fiscal Affairs Office. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.13.** (GP: SC Health & Human Services Data Warehouse) ~~There is hereby established within the Research and Statistics Division, South Carolina Budget and Control Board, 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 Research and Statistics Division under this provision. To integrate client information, client data from health and human services state agencies will be linked to improve client outcome measures, enabling state agencies to analyze coordination and continuity of care issues. The addition of these data will enhance existing agency systems by providing client data from other state agency programs to assist in the provision of client services. Certain client information shall be delivered to the Research and Statistics Division in order to assist in the development and maintenance of this Warehouse. The following agencies shall report client information:~~

- ~~Departments of~~
  - ~~(1) Health and Human Services;~~
  - ~~(2) Health and Environmental Control;~~
  - ~~(3) Mental Health;~~
  - ~~(4) Alcohol and Other Drug Abuse Services;~~
  - ~~(5) Disabilities and Special Needs;~~
  - ~~(6) Social Services;~~
  - ~~(7) Vocational Rehabilitation;~~
  - ~~(8) Education;~~
  - ~~(9) Juvenile Justice;~~
  - ~~(10) Corrections;~~
  - ~~(11) Probation, Parole and Pardon Services;~~
- ~~Office of the Governor~~
  - ~~(1) Children's Foster Care Review Board;~~
  - ~~(2) Continuum of Care;~~
- ~~Office of the Lieutenant Governor, Division on Aging;~~
- ~~South Carolina School for the Deaf and the Blind;~~
- ~~Commission for the Blind, and~~
- ~~Other entities as deemed necessary by the Research and Statistics Division.~~

~~These agencies and departments shall collect and provide client data in formats and schedules to be specified by the Research and Statistics Division (Division). The Division shall establish a Memorandum of Agreement with each agency, department or division. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of client information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or clients, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of client information.~~

~~To ensure accountability and the coordinated, efficient delivery of health and human services, the Division shall implement, in consultation with state health and human services agencies and other entities~~

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~~as deemed necessary by the Division, an integrated data system that includes client data from all participating agencies.~~

~~In order to provide for inclusion of other entities into the South Carolina Health and Human Services Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, the Division 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.~~

~~The Division 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 Division 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 Division shall, in consultation with the participating agencies, promulgate regulations addressing access to and use and release of information generated through use of the query tools.~~

~~All state agencies participating in the Warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis. The Department of Health and Environmental Control shall be exempt from usage of the integrated client management system and the analytic query tools in the day-to-day operation of their Client Automated Record and Encounter System and their South Carolina Community Assessment Network, but shall provide the Warehouse with client data from the system and network.~~

~~No state agency shall duplicate any of the responsibilities of this provision.~~

~~For purposes of this subsection, all state laws, regulations, or any rule of any state agency, department, board, or commission having the effect or force of law that prohibits or is inconsistent with any provision of this subsection is hereby declared inapplicable to this subsection.~~

**117.15 AMEND** (Personal Service Reconciliation, FTEs) AMEND proviso to replace “Budget and Control Board” reference with “Executive Budget Office” and “board” with “office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.15.** (GP: Personal Service Reconciliation, FTEs) In order to provide the necessary control over the number of employees, the ~~Budget and Control Board~~ **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 Budget and Control Board.

(2) That the ~~Budget and Control Board~~ **Executive Budget Office** shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the ~~Budget and Control Board~~ **Executive Budget Office** records all positions authorized in the Act. After that date, the ~~Board~~ **office** shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the ~~board~~ **office** in excess of the total number of authorized full-time equivalent positions. Each agency may, upon notification to the ~~Budget and Control~~

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~~Board~~ Executive Budget Office, change the funding source of state FTE positions established on the ~~Budget and Control Board~~ 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 FTE's between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the ~~board~~ office shall prepare a personal service analysis, by agency, which shows the number of established positions for the fiscal year and the amount of funds required, by source of funds, to support the FTE's for the fiscal year at a funding level of one hundred percent. The ~~board~~ office shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency's personal service funding level. The ~~board~~ office shall provide a copy of each agency's personal service reconciliation to the Senate Finance and House Ways and Means Committees.

(c) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the Budget and Control Board.

(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 (9) 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 ~~Budget and Control Board~~ Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

(5) That the ~~Budget and Control Board~~ Executive Budget Office shall annually reconcile personal service funds with full-time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current fiscal year unless specifically exempted elsewhere in this act or by the ~~Budget and Control Board~~ Executive Budget Office. The ~~Budget and Control Board~~ Executive Budget Office must report the full-time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year.

(6) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

(7) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

**117.31AMEND** (Base Budget Analysis) AMEND proviso to replace "Budget and Control Board" reference with "Executive Budget Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.*



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**117.31.** (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 ~~Budget and Control Board~~ 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.

**117.53 AMEND** (Agencies Affected by Restructuring) AMEND proviso to replace "Budget and Control Board State Budget Division" reference with "Executive Budget Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.53.** (GP: Agencies Affected by Restructuring) Upon restructuring of state agencies by the General Assembly the Budget and Control Board is directed to work with affected State agencies in order to phase-in operations of restructured organizations during the current fiscal year. Restructured organizations should be operating entirely under the revised structure no later than December thirty-first, of the current fiscal year, unless otherwise directed by law. The Board 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 ~~Budget and Control Board State Budget Division~~ 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.

**117.71 AMEND** (Governor's Budget Certification) AMEND proviso to replace "State Budget Division of the Budget and Control Board" reference with "Revenue and Fiscal Affairs Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.71.** (GP: Governor's Budget Certification) The annual Executive Budget proposed by the Governor must be certified by the Director of the ~~State Budget Division of the Budget and Control Board~~ 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.

**117.86 AMEND** (Deficit Monitoring) AMEND proviso to replace "State Budget Division" reference with "Executive Budget Office." *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.86.** (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

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*institutions are to budget, allocate and manage its authorized appropriations in a way to avoid an operating deficit for the fiscal year.* If at the end of each quarterly deficit monitoring review by the ~~State Budget Division~~ **Executive Budget Office**, it is determined by either the ~~State Budget Division~~ **Executive Budget Office** or an agency that the likelihood of a deficit for the current fiscal year exists, the agency shall submit to the ~~State Budget Division~~ **Executive Budget Office** within fourteen days, a plan to minimize or eliminate the projected deficit. After submission of the plan, if it is determined that the deficit cannot be eliminated by the agency on its own, the agency is required to officially notify the Budget and Control Board within thirty days of such determination that the agency is requesting that a deficit be recognized. Once a deficit has been recognized by the Budget and Control Board, the agency shall limit travel and conference attendance to the minimum required to perform the core mission of the agency. In addition, the board when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles shall be approved by the ~~State Budget Division~~ **Executive Budget Office**.

**117.88 AMEND** (Bank Account Transparency and Accountability) AMEND proviso to delete “through the Division of State Budget.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.88.** (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 Statewide Accounting and Reporting System or the 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 Budget and Control Board, ~~through the Division of State Budget~~ 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 Budget and Control Board shall prescribe a common format for the report which agencies must use. In order to promote accountability and transparency, a link to the report shall be posted on the Comptroller General’s website as well as the agency’s homepage.

When the State Auditor conducts or contracts for an audit of a state agency, accounts of the agency subject to this proviso must be included as part of the review.

If an agency determines that the release of the information required in this provision would be detrimental to the state or the agency, the agency may petition the Budget and Control Board 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 Budget and Control Board in a public meeting.

**117.dbp ADD** (Detail Budget Preparation) ADD new proviso to direct the Executive Budget Office to prepare the detail budget with provisos to reflect appropriations and provisions contained in this Act to conform with implementation of the S.C. Restructuring Act of 2014. *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**117.dbp. (GP: Detail Budget Preparation) The Executive Budget Office is directed to prepare the subsequent detail budget with provisos to reflect the appropriations and provisions in this Act to conform with the implementation of the South Carolina Restructuring Act of 2014.**

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**SECTION 118 – X91 – STATEWIDE REVENUE**

**118.10 AMEND** (Agency Deficit Notice) AMEND proviso to replace “Office of State Budget” reference with “Executive Budget Office.” *Conform to implementation of the South Carolina Restructuring Act of 2014.*

**118.10.** (SR: Agency Deficit Notice) The Comptroller General or the ~~Office of State Budget~~ Executive Budget Office shall (1) provide written notice to each member of the General Assembly when it makes a report to the Budget and Control Board 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.

**NOTE: IN ADDITION TO THE ABOVE PROVISOS THERE WILL BE ADDITIONAL CONFORMING CHANGES TO PROVISOS CONTAINED IN INDIVIDUAL SUBCOMMITTEE PACKAGES.**

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