

**SENATE FINANCE COMMITTEE
CONSTITUTIONAL SUBCOMMITTEE
PROVISO RECOMMENDATIONS FOR FY 2015-16**

SECTION 59 - E20-OFFICE OF THE ATTORNEY GENERAL

- 59.5** **AMEND** (Securities Fee Revenue) Directs that after \$20,500,000 of Securities Fee revenues have been deposited to the General Fund the Attorney General may retain \$300,000 to use for operations associated with the increase in licensed securities agents. Authorizes the Attorney General to carry forward the revenue to use for the same purpose. Requires any remaining Securities Fee revenues be remitted to the General Fund.
WMC: AMEND proviso to change “\$300,000” to “\$400,000.” Requested by Office of the Attorney General.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

59.5. (AG: Securities Fee Revenue) After the provisions of Section 35-1-702(b) of the 1976 Code have been satisfied, and upon notification to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee that such provisions have been satisfied, the next \$20,500,000 of Securities Fee revenues collected during the current fiscal year by the Office of the Attorney General shall be remitted to the General Fund of the State. The Office of the Attorney General may retain the next ~~\$300,000~~ \$400,000 collected and may utilize these funds for operations to include expert witness expenses, investigative costs, trial preparation, and other related expenses associated with the increase in licensed securities agents. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose. Remaining Securities Fee revenues collected during the current fiscal year shall be remitted to the General Fund of the State.

- 59.9** **AMEND NEW PROVISO** (Public Official Attorney Fees) **WMC:** ADD new proviso to require the General Assembly to pay court ordered attorney’s fees and costs when the Attorney General defends one or more public officers in their official capacity in the litigation. Fiscal Impact: RFAO indicates this proviso will increase General Fund expenditures by \$98,000 for FY 2015-16. There will be no impact on federal or other funds. The Attorney General’s Office states the fiscal impact would vary and likely be zero in most years. The expenditure impact of \$98,000 is based on a current judgment awarding fees and costs against the state, but there is no appropriation for payment. Requested by Office of the Attorney General.
HOU: ADOPT new proviso.
SUBCOMMITTEE RECOMMENDATION: AMEND new proviso to delete the previous version and instead direct the SFAA Executive Director to pay, from the Insurance Reserve Fund, up to \$50,000 of any court ordered opposing attorney’s fees and court costs in cases where the Attorney General defends public officers in their official capacities. Require the Attorney General certify the amount the court ordered to be paid and submit the certification to the SFAA Executive Director for payment of up to \$50,000. Require the Attorney General report to the Senate President Pro Tempore, the Speaker of the House, and the Chairmen of the Senate Finance and House Ways and Means Committees any court ordered attorney fees and court costs that exceed \$50,000 for the General Assembly to consider.

59.9. (AG: Public Official Court Ordered Attorney Fees Payment) ~~The General Assembly shall pay the attorney’s fees and costs ordered by the court in those cases in which the Attorney General defends one or more public officers in their official capacities in the litigation. The Executive Director of the State Fiscal Accountability Authority shall pay from the Insurance Reserve Fund, up to \$50,000 of opposing attorney’s fees and court costs as ordered by the court~~

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in those cases in which the Attorney General defends one or more public officers in their official capacities.

The Attorney General must certify to the Executive Director the amount the court has ordered the Attorney General to pay for opposing attorney's fees and court costs and upon receipt of the certification, the Executive Director shall pay up to \$50,000 of the amount certified to the appropriate individual or entity. The Attorney General must report any court ordered payment of attorney's fees and court costs that exceed \$50,000 to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee for consideration by the General Assembly

SECTION 91 - A99-LEGISLATIVE DEPARTMENT

91.4 **AMEND** (Subsistence/Travel Regulations)) Directs that members of the legislature receive subsistence for each legislative day the body is in session. Authorizes standing committees and joint study committees to work during interim with advanced approval of Speaker of House and President Pro Tempore of Senate. Directs that subsistence and mileage reimbursement shall not exceed the level authorized by the IRS for the Columbia area. Directs that the average daily rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding 2013-14 fiscal year be used when calculating the lodging component of the subsistence reimbursement.

WMC: AMEND proviso to delete specific reference to "2013-14."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

91.4. (LEG: Subsistence/Travel Regulations) (A) Members of the General Assembly shall receive subsistence for each legislative day that the respective body is in session and in any other instance in which a member is allowed subsistence expense. No member of the General Assembly except those present are eligible for subsistence on that day. Legislative day is defined as those days commencing on the regular annual convening day of the General Assembly and continuing through the day of adjournment sine die, excluding Friday, Saturday, Sunday, and Monday.

(B) Standing Committees of the Senate and House of Representatives are authorized to continue work during the interim; however, House members must receive advanced approval by the Speaker of the House and Senate members must receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the members of the General Assembly shall not be paid the per diem authorized in this provision. When certified by the Speaker of the House, President Pro Tempore of the Senate, or Standing Committee Chairman, the members serving on such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for allowances specified in this proviso shall be paid to the members of the Senate or House of Representatives from the Approved Accounts of the respective body except as otherwise may be provided.

(C) Joint Study Committees created pursuant to Acts and Resolutions of the General Assembly are authorized to continue work during the interim to secure such information and complete such investigations as may be assigned to the respective committees; however, House members must receive advanced approval by the Speaker of the House and Senate members must

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receive advanced approval by the President Pro Tempore of the Senate or Standing Committee Chairman to meet. If such advanced approval is not received, the House and Senate members of the Joint Study Committee shall not be paid the per diem authorized in this provision. When certified by the appropriate authority, the members appointed to such committees shall receive a subsistence and mileage at the rate provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees while attending scheduled meetings. Members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The allowances specified in this proviso shall be paid from funds appropriated to the respective committees for such purposes, or from Approved Accounts of the respective body of the General Assembly if no funds have been appropriated to such a committee for these purposes.

(D) Members of the Senate and the House of Representatives when traveling on official State business shall be allowed a subsistence and transportation expenses as provided for by law, and the regular per diem established in this act for members of boards, commissions, and committees upon approval of the appropriate chairman. When traveling on official business of the Senate or the House of Representatives not directly associated with a committee of the General Assembly, members shall be paid the same allowance upon approval of the President Pro Tempore of the Senate or the Speaker of the House of Representatives. In either instance, the members may elect to receive actual expenses incurred for lodging and meals in lieu of the allowable subsistence expense. The funds for the allowances specified in this proviso shall be paid from the Approved Accounts of the Senate or the House of Representatives or from the appropriate account of the agency, board, commission, task force or committee upon which the member serves.

(E) Members of the House of Representatives shall not be reimbursed for per diem, subsistence, or travel in connection with any function held outside of the regular session of the General Assembly unless prior approval has been received from the Speaker of the House.

(F) Notwithstanding any other provision of law, subsistence and mileage reimbursement for members of the General Assembly shall be the level authorized by the Internal Revenue Service for the Columbia area. Provided, in calculating the subsistence reimbursement for members of the General Assembly the reimbursement rate for the lodging component shall be the average daily rate for hotels in the Columbia Downtown area as defined by the Columbia Metro Convention and Visitor's Bureau for the preceding fiscal year ~~of 2013-14~~.

91.20 AMEND (Other Funds Oversight Committee) Establishes the Other Funds Oversight Committee to review and make recommendations regarding receipt, appropriation, expenditure and reporting of other funds. Directs the committee to review and make recommendation on each agency request for increase in interim budget authorization resulting from other funds collections. Directs the committee to review the level of other funds authorization in each state agency, department, board, or commission to determine whether the levels need to be increased or decreased for the next fiscal year and to submit recommendations by January 30, 2015 to the Chairmen of the Senate Finance and House Ways and Means Committees on the appropriate authorization level for each agency.

WMC: AMEND proviso to require all designees appointed to the committee to be members of the Senate Finance or House Ways and Means Committees. Delete the requirement that the committee review the level of other funds authorization in each state agency and submit recommendations by 1/30/15.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

91.20. (LEG: Other Funds Oversight Committee) There is created a joint committee of the Senate and of the House of Representatives entitled the Other Funds Oversight Committee. The

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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. All designees must be members of the Senate Finance Committee or the House Ways and Means Committee.

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

~~The committee shall review the level of other funds authorization in each agency, department, board, or commission to determine whether the levels authorized in this act should be increased or decreased for the next fiscal year. By January 30, 2015 the committee shall submit recommendations on the appropriate level of authorization for each agency, department, board, or commission to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.~~

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

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

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

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

- 91.21 DELETE** (Suspend LAC Evaluation) Suspends, for FY 2014-15, the requirement that the LAC conduct an audit of the Family Independence Act every two years and directs that any savings generated be used to conduct audits as requested by members of the General Assembly.
WMC: DELETE proviso. *Section 43-5-1285 was amended to require DSS report annually to the General Assembly on the FIA program. Section 2-15-64 requires LAC to conduct a management performance audit of a DSS program every three years. The proviso is no longer necessary.* Requested by Legislative Audit Council.
HOU: ADOPT deletion of proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

91.21. (LEG: Suspend LAC Evaluation) ~~For Fiscal Year 2014-15, the provisions of Section 43-5-1285 of the 1976 Code are suspended. Any savings generated by the suspension of the evaluation of the South Carolina Family Independence Act of 1995 shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.~~

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- 91.22** **AMEND** (DMV Audit Review) Suspends, for FY 2014-15, the requirement that the LAC conduct an independent review of the DMV and directs that any savings generated be used to conduct audits as requested by members of the General Assembly.

WMC: AMEND proviso to update fiscal year reference to "2015-16." Requested by Legislative Audit Council.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

91.22. (LEG: DMV Audit Review) For Fiscal Year ~~2014-15~~ 2015-16, the provisions of Section 56-1-5(F) are suspended. Any savings generated by not conducting the review shall be used to conduct audits required by Section 2-15-60 of the 1976 Code.

- 91.23** **AMEND** (Electronic Correspondence) Prohibits the House of Representatives, during FY 2014-15, from spending funds to print or mail bills, summaries, committee agendas, etc. to committee members. Directs that relevant information on committee meetings be sent to members electronically.

WMC: AMEND proviso to update fiscal year reference to 2015-16.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

91.23. (LEG: Electronic Correspondence) For Fiscal Year ~~2014-15~~ 2015-16, the House of Representatives may not expend any funds for the printing or mailing of bills, summaries, committee agendas, etc. to committee members. The House of Representatives shall send all relevant information concerning committee meetings to committee members via electronic means.

- 91.24** **AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership provide a report that describes the state's efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2015.

WMC: AMEND proviso to update report due date to June 1, "2016."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

91.24. (LEG: Technology Panel) Of the funds appropriated in XII.E.2. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state's efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, ~~2015~~ 2016.

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- 91.26** **ADD** (Appropriations Bill) **HOU:** ADD new proviso to direct that the House may expend funds to ensure that the general appropriations bill for the upcoming fiscal year is laid on members' desks at least six legislative days prior to second reading. Sponsor: Rep. Toole.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

91.26. (LEG: Appropriations Bill) Of the funds appropriated to the House of Representatives, in the current fiscal year the House of Representatives may expend funds to ensure the general appropriations bill for the upcoming fiscal year is laid on the members' desks not less than six legislative days prior to second reading.

- 91.ri** **ADD** (Requested Information) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require all state entities to immediately furnish the President Pro Tem of the Senate or the Speaker of the House with any information they request in relation to the state entity's affairs or activities.

91.ri. (LEG: Requested Information) The departments, bureaus, officers, commissions, institutions, and other agencies or undertakings of the State, upon request, shall immediately furnish to President Pro Tempore of the Senate or the Speaker of the House of Representatives in such form as he may require, any information requested in relation to their respective affairs or activities.

- 91.vsr** **ADD** (Voting System Research Committee) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to establish a six legislative member Joint Voting System Research Committee to identify, evaluate and make recommendations regarding voting systems to be implemented state-wide. Direct the committee to determine the level of funding required to acquire and fully implement the system. Direct the committee to submit the report by January 30, 2016, to the Chairmen of the Senate Finance and Judiciary Committees and the Chairman of the House Ways and Means and Judiciary Committees.

91.vsr. (LEG: Voting System Research Committee) There is created a joint legislative committee, entitled the "Joint Voting System Research Committee." This committee shall be comprised of six members of the General Assembly, as follows:

- (1) the President Pro Tempore of the Senate, or his designee;*
- (2) the Speaker of the House of Representatives, or his designee;*
- (3) the Chairman of the Senate Finance Committee, or his designee;*
- (4) the Chairman of the House Ways and Means Committee, or his designee;*
- (5) the Chairman of the Senate Judiciary Committee, or his designee; and*
- (6) the Chairman of the House Judiciary Committee, or his designee.*

In the event a designee is appointed they must be selected from the membership of the General Assembly.

The committee shall identify and evaluate current voting system technologies that meet the standards established by Sections 7-13-1330 and 7-13-1340 of the 1976 Code. The committee shall issue a report which shall include, but is not limited to, the following:

(1) an evaluation of each form of voting system technology considered by the committee, including costs, usability, reliability, accessibility and security matters related to each, as well as any possible solutions to address any concerns raised;

(2) consideration of best practices established by the United State Election Assistance Commission; and

(3) a recommendation as to which technology should be implemented in South Carolina. This recommendation shall include costs to acquire and fully implement the recommended

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technology for a statewide uniform voting system. The recommendation must include proposed milestones and success measures for implementation.

The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee no later than January 30, 2016, after which the committee shall be dissolved.

Staff for the joint committee shall be provided by the Senate Finance Committee, the House Ways and Means Committee, the Senate Judiciary Committee, and the House Judiciary Committee. Members of the study committee shall serve without compensation for per diem, mileage, and subsistence.

DEPARTMENT OF ADMINISTRATION

93.11 **AMEND** (Crime Victims Ombudsman) Requires the State Office of Victims Assistance to transfer \$71,000 to the Crime Victims Ombudsman Office for administrative and operational support.

WMC: AMEND proviso to change “\$71,000” to “\$85,000.” *CVO invested in new software to more efficiently track complaints filed and their status. Also there has been a 26% increase in formal complaints filed which increased the workload. In addition CVO is increasing its presence in the counties statewide.* Fiscal Impact: Agency has requested a \$14,000 funding increase for this purpose.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

93.11. (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer ~~\$71,000~~ \$85,000 to the Crime Victims Ombudsman’s Office to be used for administrative and operational support.

93.23 **AMEND** (First Responder Interoperability) Directs the Department of Administration to administer and coordinate first responder interoperability for the statewide 800 MHz system. Provides for grants to participants, including private county and city 800 MHz systems, to purchase equipment upon satisfaction of match requirements based on available funds. Authorizes funds to be carried forward and used for the same purpose. Exempts first responder interoperability funds from across-the-board budget reductions. Directs DOA to report to the Senate Finance and House Ways and Means Committees by October 1st on the status of integration of the statewide radio system.

WMC: AMEND proviso to delete “MHz” in reference to statewide Palmetto 800 MHz system and to delete “800 MHz” in reference to private county and city systems.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

93.23. (DOA: First Responder Interoperability) The Department of Administration is directed to administer and coordinate First Responder Interoperability operations for the statewide Palmetto 800 ~~MHz~~ radio system to better coordinate public safety disaster responses and communications. First Responder Interoperability administration and coordination shall be funded as provided in this act. The cost-proportional funds shall be utilized for radio user fees of state agencies and public safety first responders (Fire, EMS and Law Enforcement) that participate in the statewide Palmetto 800 ~~MHz~~ radio system (Palmetto 800 participants). The Department of Administration, in consultation with the State Law Enforcement Division, the

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Department of Public Safety, and the State Emergency Management Division, and a representative of the South Carolina Sheriff's Association, shall set a baseline number of radios used by each Palmetto 800 participant based on the technical aspects of the Palmetto 800 MHz radio system and the jurisdictional requirements of the participant. If a Palmetto 800 participant reduces the baseline number of radios in use, the amount of funds allocated for the participant's radio user fees shall be reduced in a proportional amount. The funds shall also be utilized to provide private county and city 800-MHz radio systems with grant funds to be used for purchases of equipment that support interoperability with the statewide Palmetto 800 MHz radio system and its users. Grant funds shall be allocated to private county and city 800-MHz radio systems based on the criteria used for Palmetto 800 Participants and in amounts proportional to the amounts allocated to support the per-site radio user fees of Palmetto 800 participants. A matching share is required by a Palmetto 800 participant or by a private county or city 800-MHz radio system in order to qualify for receipt of funds pursuant to this proviso. Each fiscal year the Department of Administration shall establish the level of match required based upon funding provided by this act. These entities shall be required to furnish such documentation as may be required by the department to verify that the matching funds requirement is met. Upon funding state agency and public safety first responder user fees and private county and city 800-MHz equipment purchases, any remaining funds may be used to enhance and expand the statewide Palmetto 800 MHz radio system. All funds shall be held in a separate account established by the ~~Board~~ department for the purposes set forth herein. Any unexpended portion of these funds may be carried forward and used for the same purpose. In the calculation of any across-the-board budget reduction mandated by the Executive Budget Office or General Assembly, the amount appropriated to the Department of Administration for First Responder Interoperability must be excluded from the department's base budget.

The Department of Administration shall provide a report on the status of the integration of the statewide Palmetto 800 MHz radio system which shall include, but not be limited to, a list of entities who are not integrated into the system as of the end of the immediately preceding fiscal year and the reason why they are not integrated. The report shall be submitted by October first, of the current fiscal year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

- 93.28** **DELETE** (Other Fund Authorization Increase) Directs the Executive Budget Office to review Executive Branch agencies in FY 2014-15 to determine whether their budgets warrant an increase in other fund authorization due to the 2% pay raise granted in the FY 2014-15 proviso 101.21 and if so, to work with the Comptroller General to increase the authorization for the affected agencies.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**93.28.** (DOA: Other Fund Authorization Increase) For Fiscal Year 2014-15, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant an other fund authorization increase due to the two percent compensation increase for all full-time employees granted in proviso 93.24. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.~~

- 93.29** **DELETE** (Restructuring Act Carry Forward) Requires general funds from the B&C Board's Offices of State Budget, Research and Statistics, and the BEA be carried forward from the prior

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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.

WMC: DELETE proviso. *Technical. Allocations have taken place.* Requested by Department of Administration.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

93.29. (DOA: 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.~~

93.30 **DELETE** (Budget and Control Board Approval) Requires any action taken by the Executive Budget Office to become effective only upon review and approval by the Budget and Control Board.

WMC: DELETE proviso. *The Executive Budget Office will be incorporated into Department of Administration in FY 2015-16 and B&C Board approval will no longer be needed. Act 121 of 2014 (Restructuring Act) transfers this authority to the Executive Budget Office effective 7/1/15.* Requested by Department of Administration.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

93.30. (DOA: 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.~~

93.31 **ADD** (Holidays) **WMC:** ADD new proviso to direct that when a legal South Carolina holiday falls on a Sunday, the holiday shall be observed on the following Monday and when it falls on a Saturday, the holiday shall be observed on the preceding Friday. Authorize the State Human Resources Director to designate when the legal holiday will be observed by state employees if the following Monday or preceding Friday are also legal holidays. Direct that if New Year's Day falls on a Saturday it must be observed on the following Monday. Requested by Department of Administration.

HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

93.31. (DOA: Holidays) When a legal holiday specified in Section 53-5-10 of the 1976 Code falls on Sunday, the following Monday and when a holiday specified in that section falls on Saturday, the preceding Friday next preceding is deemed a public holiday for all of the purposes. If either the following Monday or the preceding Friday is also a legal holiday, then the State Human Resources Director will designate the day upon which the legal holiday will be observed by state employees. To insure that no more than the legal holidays specified in Section 53-5-10 are observed in the calendar year, a New Year's Day that falls on Saturday must be observed on the following Monday. All bills of exchange, checks, and promissory notes which would otherwise be presentable for acceptance or payment on a Monday or Friday observed as a

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holiday pursuant to this section are deemed presentable for acceptance or payment on the secular or business day succeeding the holiday.

- 93.32** **ADD** (Nuclear Advisory Council) **WMC:** ADD new proviso to require the Office of Regulatory Staff to reimburse the Department of Administration for the Governor's Nuclear Advisory Council travel expenses from the SC Energy Office's radioactive waste funds. *The Energy Office currently provides staff support and processes travel and per diem payments for the Advisory Council through radioactive waste disposal funds. Effective 7-1-15, the Energy Office is transferred from the B&C Board to the Office of Regulatory Staff and the Nuclear Advisory Council is transferred to DOA. It is requested to continue the use of radioactive waste funds within the Energy Office to support the Nuclear Advisory Council.* Requested by Department of Administration.
HOU: ADOPT new proviso.
SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

93.32. (DOA: Nuclear Advisory Council) The Office of Regulatory Staff shall reimburse the Department of Administration for travel expenses associated with the Governor's Nuclear Advisory Council from the SC Energy Office's radioactive waste funds.

- 93.oa** **ADD** (Office of Victim Assistance) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that \$193,000 of the funds transferred to the State Office of Victim Assistance as required by Section 24-3-40 (A)(2)(b) [DISPOSITION OF WAGES OF PRISONER ALLOWED TO WORK AT PAID EMPLOYMENT] be allocated the S.C. Victim Assistance Network (SCVAN) for program development, training, public awareness, information dissemination for crime victims and advocates and for programmatic and fiscal management of funds. Require SCVAN to submit an annual report to the State Office of Victim Assistance that documents the services and administrative support provided with these funds.

93.oa. (DOA: Office of Victim Assistance) Of the funds transferred to the State Office of Victim Assistance pursuant to Section 24-3-40 (A)(2)(b) of the 1976 Code, \$193,000 must be allocated to the South Carolina Victim Assistance Network and used for program development, training, public awareness, information dissemination for crime victims and victim advocates, and programmatic and fiscal management of funds. The South Carolina Victim Assistance Network shall submit an annual report to the State Office of Victim Assistance which documents the services and administrative support provided pursuant to this allocation of funds.

SECTION 97 - E12-OFFICE OF COMPTROLLER GENERAL

- 97.3** **AMEND** (Payroll Deduction Processing Fee) Authorizes the Comptroller General to charge a fee of not more than 20 cents for processing certain payroll deductions and to retain and expend the revenue to support the operations of the office. Exempts charitable deductions from the charge. Authorizes any unexpended funds to be carried forward and used for the same purpose. **WMC:** AMEND proviso change "20-7-1315(F)(3)" to "63-17-1460(C)." *Former code cite for the Children's Code was repealed and replaced.* Requested by Office of Comptroller General.
HOU: ADOPT proviso as amended.
SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

97.3. (CG: Payroll Deduction Processing Fee) There shall be a fee for processing payroll deductions, not to exceed twenty cents, for insurance plans, credit unions, deferred compensation

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plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. The revenues generated from these fees and those provided for child support deductions in accordance with Section ~~20-7-1345(F)(3)~~ 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

SECTION 98 - E16-OFFICE OF STATE TREASURER

98.12 REINSERT (Identity Theft Reimbursement Fund) Establishes the Department of Revenue Identity Theft Reimbursement Fund for the purpose of reimbursing eligible expenses incurred by an eligible person. Allow unexpended funds to be retained, carried forward, and expended for the same purpose.

WMC: DELETE proviso. *There have been no reimbursements made from the fund.* Requested by State Treasurer's Office.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: REINSERT original proviso.

98.12. (TREAS: Identity Theft Reimbursement Fund) (A) There is established in the State Treasury the Department of Revenue Identity Theft Reimbursement Fund which must be maintained separately from the general fund of the State and all other funds. The proceeds of the fund must be utilized to reimburse eligible expenses incurred by an eligible person. The obligation to reimburse claims pursuant to this section does not arise until monies are credited to the fund, and only to the extent that monies are credited to the fund. Any monies remaining in the fund at the end of the fiscal year shall be retained, carried forward, and expended for the same purpose.

(B) A person seeking reimbursement from the fund must file with the Treasurer a claim on a form prescribed by him and verified by the claimant. The Treasurer shall consider each claim within ninety days after it is filed and give written notice to the claimant if the claim is denied in whole or in part. If a claim is allowed, the Treasurer shall reimburse the eligible person in an amount equal to his eligible expenses subject to availability of monies in the fund. The decision by the Treasurer regarding a claim is a final agency decision that may be appealed to the Administrative Law Court pursuant to the Administrative Procedures Act naming the Treasurer as the defendant. The action must be brought within ninety days after the Treasurer's decision or within one hundred eighty days after the filing of the claim if he has failed to act on it.

(C) The State Treasurer shall set forth policies and make the necessary determinations to implement the provisions of this section, including the disbursal of proceeds of the fund.

(D) For the purposes of this provision:

(1) 'Eligible person' shall mean a person whose personally identifiable information was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission.

(2) 'Eligible expenses' shall mean financial losses incurred by an eligible person directly related to the misappropriation of the eligible person's personally identifiable information that was obtained by a third party from a compromised computer system maintained by a state agency, board, committee, or commission. Expenses for services provided by private entities to assist eligible persons with financial losses are not eligible expenses to the extent such services are offered through the State or a state-supported program free of charge.

(3) 'Financial losses' shall mean actual losses, including, but not limited to, lost wages, costs incurred by an eligible person related to correcting his credit history or credit rating, or

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costs or judgments related to any criminal, civil, or administrative proceeding brought against the eligible person resulting from the misappropriation of the victim's personally identifiable information not recovered from any other source. Costs associated with the purchase of identity theft protection and identity theft resolution services are not financial losses.

(4) 'Identity theft protection' means identity fraud and protection products and services that attempt to proactively detect, notify, or prevent unauthorized access or misuse of a person's identifying information or financial information to fraudulently obtain resources, credit, government documents or benefits, phone or other utility services, bank or savings accounts, loans, or other benefits in the person's name.

(5) 'Identity theft resolution services' means products and services that attempt to mitigate the effects of identity fraud after personally identifiable information has been fraudulently obtained by a third party, including, but not limited to, identity theft insurance and other identity theft resolution services that are designed to resolve actual and potential identity theft and related matters.

(6) 'Person' shall mean an individual, corporation, firm, association, joint venture, partnership, limited liability corporation, or any other business entity.

(7) 'Personally identifiable information' means information that can be used to uniquely identify, contact, or locate a single person or can be used with other sources to uniquely identify a single individual, including, but not limited to, social security numbers, debit card numbers, and credit card numbers.

SECTION 100 - E24-OFFICE OF ADJUTANT GENERAL

100.13 AMEND (Emergency Commodities) Allows the Emergency Management Division to rotate and replace water and MREs, housed at the state's logistics center, through commodities to neighboring states, counties municipalities or state agencies.

WMC: AMEND proviso to include "other essential" commodities in the rotation and replacement authorization. *Expands emergency commodities to include other essential items such as blue tarps, sand bags, toilet paper, and other life care products.* Requested by Adjutant General's Office.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

100.13. (ADJ: Emergency Commodities) The Emergency Management Division shall be allowed to rotate and replace water, ~~and~~ Meals Ready to Eat (MREs), and other essential emergency commodities housed in the state's Logistic Center through the provision of said commodities to neighboring states, counties, municipalities and other state agencies, and shall be allowed to accept compensation for said commodities not to exceed replacement costs. Revenues from this exchange shall be utilized solely for the replacement of state emergency commodities.

SECTION 101 - E28-ELECTION COMMISSION

101.1 AMEND (~~County Registration Board and County Election Commission~~ Boards of Voter Registration and Elections Compensation) Authorizes compensation for each county registration board and county election commission member at the rate of \$1,500 annually and limits each county to \$12,500 per year for purposes of commission member supplement. Exempts funds appropriated for this purpose from budget reductions.

WMC: AMEND proviso to change references to "County Registration Board Members and County Election Commissioners" to "County Boards of Voter Registration and Elections." *Name*

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change conforms to Act 196 of 2014 which combined all boards of voter registration and elections. Requested by Election Commission.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

101.1. (ELECT: County ~~Registration Board and County Election Commission~~ Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for “County ~~Registration Board Members and County Election~~ Boards of Voter Registration and Elections Commissioners,” shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$12,500 per county. The County Treasurer shall use these funds only for the compensation of County ~~Registration Board Members and County Election~~ Boards of Voter Registration and Elections Commissioners. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County ~~Registration Board Members and County Election~~ Boards of Voter Registration and Elections Commissioners shall be excluded from the agency’s base budget.

101.2 **AMEND** (Elections Managers & Clerks Per Diem) Authorizes per diem of \$60 per day for poll managers not to exceed two days per election and for clerks not to exceed three days per election. For statewide elections, allows commission to adjust per diem to the extent the appropriation is sufficient to cover the cost. Allows for up to three additional managers to be appointed to assist county registration boards in the absentee/fail safe process at a rate of \$60 per day for no more than a total of fifteen days.

WMC: AMEND proviso to change references to “county registration board(s)” to “county boards of voter registration and elections.” *Name change conforms to Act 196 of 2014 which combined all boards of voter registration and elections. Requested by Election Commission.*

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

101.2. (ELECT: Elections Managers & Clerks Per Diem) Managers and clerks of state and county elections shall receive a per diem of \$60.00; but managers shall not be paid for more than two days for any election and clerks for not more than three days for any election. The commission may adjust the per diem of \$60.00 for the managers and clerks of the statewide election to a higher level only to the extent that the appropriation for the statewide election is sufficient to bear the added cost of increasing the per diem and the cost of the statewide election. Up to three additional managers per county may be appointed to assist ~~county registration boards~~ county boards of voter registration and elections with the absentee/fail safe voting process prior to, on Election Day, and immediately following statewide elections. Managers assisting the ~~registration board~~ county boards of voter registration and elections in the absentee/fail safe process may receive a per diem of \$60.00 per day for not more than a total of fifteen days regardless of whether one, two, or three additional managers are used.

101.7 **AMEND** (Training & Certification Program) Requires all members and staff of County Boards of Voter Registration and County Election Commissions to receive a common curriculum of courses on their duties and responsibilities. Allows the Election Commission to charge a fee for the courses and to retain up to \$35,000 of the revenue to help cover the costs of providing the training. Allows unexpended funds to be retained, carried forward and used for the same purpose. Requires the Election Commission to withhold member’s stipends if they do not complete the

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required training and certification program and provides for member replacement for noncompliance.

WMC: AMEND proviso to change references to “county registration boards and county election commissions” to “county boards of voter registration and elections.” Delete reference to Sections 7-5-35 and 7-13-70. *Name change and deletion of the code sections conforms to Act 196 of 2014 which combined all boards of voter registration and elections.* Requested by Election Commission.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

101.7. (ELECT: Training & Certification Program) All members and staff of County Boards of Voter Registration and ~~County Election Commissions~~ Elections will receive a common curriculum to include core courses on the duties and responsibilities of county boards of voter registration ~~boards and county election commissions~~ elections and electives to promote quality service and professional development. The State Election Commission shall make these courses available in various locations, including but not be limited to, the upstate, coastal, and midlands areas of the state. Up to \$35,000 of revenue generated by charging a fee to attend these courses may be retained and expended by the South Carolina Election Commission to help cover the cost of providing the training. Any balance in the training and certification account on June thirtieth, of the prior fiscal year may be carried forward and expended for the same purpose during the current fiscal year.

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in ~~Sections~~ Section 7-5-10, ~~7-5-35 and 7-13-70~~ of the 1976 Code. Additionally, funds will also be withheld if a board or commission member completes the training and certification program, but fails to complete at least one training course per year. The board or commission member and members of that county’s legislative delegation will be notified of the withholding of the stipend and the requirements needed to bring the member into compliance with the law. If a board or commission member cannot complete the program or complete the required continuing education due to extenuating circumstances, the board or commission member must submit a written request to the county legislative delegation for approval or funds will continue to be withheld as described in this proviso. If a board or commission member does not become compliant with the law within eighteen months of initial notification of stipend withholding, the county’s legislative delegation must replace that person on the board or commission.

101.13 DELETE (Voting Procedures Changes) Requires the Election Commission publish voting procedure changes enacted by state or local governments on its website; and for state and local governments to file a notice of any voting procedure change with the Election Commission. Requires changes to remain on the Election Commission’s website at least through the next general election, however requires changes made within 3 months of the next general election to remain on the commission’s website through the following general election.

WMC: DELETE proviso. *Requirements are contained in Act 196 of 2014.* Requested by Election Commission.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

101.13. (ELECT: Voting Procedures Changes) ~~The State Election Commission shall publish on the commission’s website each change to voting procedures enacted by State or local governments. State and local governments shall file notice of all changes in voting procedures, including but not limited to, changes to precincts with the State Election Commission upon~~

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~~adoption. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election then the changes shall remain on the commission's website through the date of the following general election.~~

- 101.14 DELETE** (Election and Referendum Dates Standardization) Directs the Election Commission to work with appropriate entities to develop a plan to standardize all election and ballot referendum dates across the state. Directs that the plan be submitted to the Chairmen of the Senate Finance, Senate Judiciary, House Ways and Means and House Judiciary Committees by January 13, 2015 for General Assembly approval.

WMC: DELETE proviso. *Report has been submitted.* Requested by Election Commission.

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**101.14. (ELECT: Election and Referendum Dates Standardization)**~~ ~~The Election Commission shall work with the appropriate entities to develop a plan to standardize all election and ballot referendum dates across the state. The plan shall include, but not be limited to, a cost benefit analysis and a proposed timeline for implementation. Every effort should be made such that all elections are held on the first Tuesday following the first Monday of November. The plan shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Judiciary Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Judiciary Committee by January 13, 2015 for approval by the General Assembly.~~

SECTION 102 - E50-REVENUE AND FISCAL AFFAIRS OFFICE

- 102.5 ADD** (E911 PSAPs) **HOU:** ADD new proviso to direct the Revenue and Fiscal Affairs Office to use E911 program funds to ensure that new plans or proposed amendments to existing plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. Require new plans or amendments to include the written agreement of all affected jurisdictions as well as state and local level cost savings. Encourage Local Public Safety Answering Points to cooperate in finding ways to continue to improve cost effectiveness and efficiencies. Sponsor: Rep. Bingham

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

102.5. (RFAO: E911 PSAPs) The Revenue and Fiscal Affairs Office, utilizing the funds appropriated and or authorized herein for the E911 program, must ensure that any new plans or proposed amendments to existing plans maintain comprehensive coverage for the full Public Safety Answering Points area as well as improve cost effectiveness. No new plans or amendments may be considered by Revenue and Fiscal Affairs that do not include the written agreement of all jurisdictions affected by the new plan or proposed change as well as provide cost savings on the state and local level. Local Public Safety Answering Points are encouraged to cooperate to find ways to continue to improve cost effectiveness and efficiencies for all affected entities.

SECTION 104 - E55-STATE FISCAL ACCOUNTABILITY AUTHORITY

- 104.8 ADD** (IT Planning Transfer) **WMC:** ADD new proviso to direct the State Fiscal Accountability Authority to transfer \$400,000 from information technology contract administration fees to the Department of Administration to support the state's IT planning program. Requested by State Fiscal Accountability Authority.

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HOU: ADOPT new proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT new proviso.

104.8. (SFAA: IT Planning Transfer) The State Fiscal Accountability Authority shall transfer \$400,000 from revenue generated from contract administration fees on information technology contracts to the Department of Administration to support the state's information technology planning program.

SECTION 112 - V04-DEBT SERVICE

112.1 AMEND FURTHER (Excess Debt Service Funds Carry Forward) Authorizes excess Debt Service funds to be carried forward from FY 2013-14 and be spent for debt service purposes in FY 2014-15.

WMC: AMEND proviso to update fiscal year references to "2014-15" and "2015-16."

HOU: AMEND FURTHER to direct that excess debt service funds carried forward be used to pay down the bond debt for which the state is paying the highest rate of interest. Sponsor: Rep. White.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as further amended.

112.1. (DS: Excess Debt Service Funds Carry Forward) Excess Debt Service funds from Fiscal Year ~~2013-14~~ 2014-15 ~~may~~ must be carried forward and expended for ~~debt service purposes~~ in Fiscal Year ~~2014-15~~ 2015-16 to pay down bond debt for which the state is paying the highest rate of interest.

SECTION 113 - X22-AID TO SUBDIVISIONS, STATE TREASURER

113.2 AMEND (Quarterly Distributions) Provides for the quarterly distribution of Aid to Subdivisions Local Government Fund.

WMC: AMEND proviso to update fiscal year references to "2015-16."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2014-15~~ 2015-16, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year ~~2014-15~~ 2015-16 Part IA appropriation for the Local Government Fund.

113.5 CONFORM TO FUNDING (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2014-15.

WMC: AMEND proviso to update fiscal year reference to "2015-16."

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION.

113.5. (AS-TREAS: LGF) For Fiscal Year ~~2014-15~~ 2015-16, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

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- 113.7 AMEND** (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has been reduced compared to the amount required to be funded by law, but excludes the court system from the reductions.

WMC: AMEND proviso to update fiscal year reference to “2015-16.”

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2014-15~~ 2015-16, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

SECTION 117 - X90-GENERAL PROVISIONS

- 117.2 AMEND** (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2014-15.

WMC: AMEND proviso to update fiscal year reference to “2015-16.”

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2014-15~~ 2015-16, and for other purposes specifically designated.

- 117.3 AMEND** (Fiscal Year Definitions) Defines current and prior fiscal year time frames.

WMC: AMEND proviso to update fiscal year references from “2014” to “2015;” “2015” to “2016;” and “2013” to “2014.”

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, “current fiscal year” means the fiscal year beginning July 1, ~~2014~~ 2015, and ending June 30, ~~2015~~ 2016, and “prior fiscal year” means the fiscal year beginning July 1, ~~2013~~ 2014, and ending June 30, ~~2014~~ 2015.

- 117.20 AMEND** (Travel - Subsistence Expenses & Mileage) Provides travel and subsistence guidelines.

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WMC: AMEND proviso to change references to “State Fiscal Accountability Authority” to the “Office of the Comptroller General” in subsections (A), (K), and (M). *Guidelines are published by the Comptroller General.* Requested by State Fiscal Accountability Authority.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.20. (GP: Travel - Subsistence Expenses & Mileage) Travel and subsistence expenses, whether paid from state appropriated, federal, local or other funds, shall be allowed in accordance with the following provisions:

(A) Unless otherwise provided in paragraphs B through H of this section, all employees of the State of South Carolina or any agency thereof including employees and members of the governing bodies of each technical college while traveling on the business of the State shall, upon presentation of a paid receipt, be allowed reimbursement for actual expenses incurred for lodging, not to exceed the current maximum lodging rates, excluding taxes, established by the U.S. General Services Administration. The lodging reimbursement for employees of a school district must also conform to these rates when that employee’s travel reimbursement is paid by state funds that are transferred to the school district. Agencies may contract with lodging facilities to pay on behalf of an employee. Failure to maintain proper control of direct payments for lodging may result in the revocation of the agency’s authority by the Comptroller General or the State Auditor. The employee shall also be reimbursed for the actual expenses incurred in the obtaining of meals except that such costs shall not exceed \$25 per day within the State of South Carolina. For travel outside of South Carolina the maximum daily reimbursement for meals shall not exceed \$32. Agencies may contract with food or dining facilities to pay for meals on behalf of employees in accordance with rules and regulations established by the ~~State Fiscal Accountability Authority~~ *Office of Comptroller General*. It shall be the responsibility of the agency head to monitor the charges for lodging which might be claimed by his employees in order to determine that such charges are following maximum lodging rates as established by the U.S. General Services Administration. Any exceptions must have the written approval of the agency head, taking into consideration location, purpose of travel or other extenuating circumstances. The provisions of this item shall not apply to Section 42-3-40 of the 1976 Code, and when pertaining to institutions of higher learning, for travel paid with funds other than General Funds.

(B) That employees of the State, when traveling outside the United States, Canada, and Puerto Rico upon promotional business for the State of South Carolina shall be entitled to actual expenses for both food and lodging.

(C) The Governor, Lieutenant Governor, Secretary of State, Comptroller General, Attorney General, State Treasurer, Adjutant General, Superintendent of Education and the Commissioner of Agriculture shall be reimbursed actual expenses for subsistence.

(D) Non-legislative members of committees appointed pursuant to Acts and Resolutions of the General Assembly whose membership consists solely of members of the General Assembly or members of the General Assembly and other personnel who are not employees of the State of South Carolina shall be allowed subsistence expenses of \$35 per day while traveling on official business, unless otherwise designated by law. Members of such committees may opt to receive actual expenses incurred for lodging and actual expenses incurred in the obtaining of meals in lieu of the allowable subsistence expense.

(E) Members of the state boards, commissions, or committees whose duties are not full-time and who are paid on a per diem basis, shall be allowed reimbursement for actual expenses incurred at the rates provided in paragraph A and I of this section while away from their places of residence on official business of the State. One person accompanying a handicapped member of a state board, commission, or committee on official business of the State shall be allowed the

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same reimbursement for actual expenses incurred at the rates provided in paragraph A through I of this section.

(F) No subsistence reimbursement shall be allowed to a Justice of the Supreme Court or Judge of the Court of Appeals while traveling in the county of his official residence. When traveling on official business of said court within fifty miles outside the county of his official residence, a Supreme Court Justice and a Judge of the Court of Appeals shall be allowed subsistence expenses in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. When traveling on official business of said court fifty or more miles outside the county of his official residence, each Justice and Judge of the Court of Appeals shall be allowed subsistence expenses in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State. The Chief Justice, or such other person as the Chief Justice designates, while attending the Conference of Chief Justices and one member of the Supreme Court while attending the National Convention of Appellate Court Judges, and three Circuit Judges while attending the National Convention of State Trial Judges shall be allowed actual subsistence and travel expenses.

Upon approval of the Chief Justice, Supreme Court Justices, Judges of the Court of Appeals, Circuit Judges, and Family Court Judges shall be reimbursed for actual expenses incurred for all other official business requiring out-of-state expenses at the rate provided in paragraph A of this section.

(G) No subsistence reimbursements are allowed to a Circuit Judge, a Family Court Judge, or an Administrative Law Judge while holding court within the county in which he resides. While holding court or on other official business outside the county, within fifty miles of his residence, a Circuit Court Judge, Family Court Judge, or an Administrative Law Judge is entitled to a subsistence allowance in the amount of \$35 per day plus such mileage allowance for travel as is provided for other employees of the State. While holding court or on other official business at a location fifty miles or more from his residence, a Circuit Court, Family Court or Administrative Law Judge is entitled to a subsistence allowance in the amount as provided in this act for members of the General Assembly plus such mileage allowance for travel as is provided for other employees of the State.

(H) Any retired Justice, Circuit Court Judge or Family Court Judge or Master-in-Equity appointed by the Supreme Court to serve as a Special Circuit Judge, Family Court Judge, Appeals Court Judge, or Acting Associate Justice shall serve without pay but shall receive the same allowance for subsistence, expenses, and mileage as provided in Part I for Circuit Court Judges.

(I) No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed except as provided in paragraph E, of this section. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities or sections of the State, expenses may be allowed for the necessary travel to his official headquarters. The members of the Workers' Compensation Commission may be reimbursed at the regular mileage rate of one round trip each week from their respective homes to Columbia. No subsistence reimbursement shall be allowed to a member of the Workers' Compensation Commission while traveling in the county of his official residence. When traveling on official business of the commission outside the county of his official residence, a member of the Workers' Compensation Commission shall be allowed subsistence expenses in the amount of \$35 per day. When traveling on official business of the commission fifty or more miles outside the county of his official residence, each member shall be allowed a subsistence allowance in the amount as provided in this act for members of the General Assembly. When out-of-state, members of the Workers' Compensation Commission and the members of the Appellate Panel of the Department of Employment and Workforce may claim the established amount of per diem, as stated in the General Appropriation

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Act, or actual expenses as deemed reasonable by the Comptroller General. The members of the Appellate Panel of the Department of Employment and Workforce may be reimbursed at the regular mileage rate when the member is on official business fifty miles or more outside of Columbia. The members of the Appellate Panel of the Department of Employment and Workforce shall be allowed subsistence allowance in the amount as provided in this act for members of the General Assembly when the member is on official business fifty miles or more outside of Columbia.

(J) When an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge to equal the standard business mileage rate as established by the Internal Revenue Service will be allowed for the use of such automobile and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. Whenever state provided motor pool vehicles are reasonably available and their use is practical and an employee of the State shall request for his own benefit to use his or her personal vehicle in traveling on necessary official business, a charge of four cents per mile less than the standard business mileage rate as established by the Internal Revenue Service will be allocated for the use of such vehicle and the employee shall bear the expense of supplies and upkeep thereof. The standard business mileage rate used in this calculation shall be the current rate established by the Internal Revenue Service. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof but no mileage will be allowed. Agencies and employees are directed to use state fueling facilities to the maximum extent possible, when such use is cost beneficial to the State. When using commercial fueling facilities, operators of State-owned vehicles are directed to use self-service pumps. In traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules and like factors.

Mileage between an employee's home and his/her place of employment is not subject to reimbursement. However, when an employee leaves on a business trip directly from his/her home, and does not go by the employee's headquarters, the employee shall be eligible for reimbursement for actual mileage beginning at his/her residence.

(K) That a state agency may advance travel and subsistence expense monies to employees of that agency for the financing of ordinary and necessary travel required in the conducting of the business of the agency. The ~~State Fiscal Accountability Authority~~ Office of Comptroller General is directed to develop and publish rules and regulations pertaining to the advancing of travel expenses and no state agency shall make such advances except under the rules and regulations as published. All advances for travel and subsistence monies shall be repaid to the agency within thirty days after the end of the trip or by July fifteenth, whichever comes first.

(L) That the state institutions of higher learning are authorized to reimburse reasonable relocation expenses for new employees when such reimbursements are considered by the agency head to be essential to successful recruitment of professionally competent staff members.

(M) The ~~State Fiscal Accountability Authority~~ Office of Comptroller General is authorized to promulgate and publish rules and regulations governing travel and subsistence payments.

(N) No state funds may be used to purchase first class airline tickets.

- 117.56 AMEND (FEMA Flexibility)** Allows any state share of funds which are used for a federally declared disaster to be carried forward and used for the same purpose by the Emergency Management Division in the event of additional federally declared disasters. Authorizes the State Fiscal Accountability Authority to borrow from any internal accounts if necessary to maximize federal matching funds through EMD; and requires the borrowing be reported to the General

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Assembly within 5 days. Directs the General Assembly to replenish any borrowed funds as soon as practicable.

WMC: AMEND proviso to allow the carried forward funds to also be used during a Governor's state of emergency to supplement existing Emergency Management Division state appropriations and direct that the Governor will allocate the funds after the event based on the recommendation of the Adjutant General and the Director of the Emergency Management Division. *Flexibility is needed to have funds available in the event of state emergencies such as the 2014 ice storms.* Requested by Adjutant General's Office.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.56. (GP: FEMA Flexibility) Any appropriation designated as the state share for a federally declared disaster may be carried forward and used for the same purpose by the Emergency Management Division of the Adjutant General's Office in the event of additional federally declared disasters. Unallocated funds from established state accounts may be used as the state share in any federally declared disaster. ~~Such funds may not be expended for any purpose other than for the state share for a federally declared disaster.~~ *These funds may also be used during a Governor's state of emergency to augment existing state appropriations of the South Carolina Emergency Management Division (SCEMD). When these funds are used during a Governor's state of emergency, the allocation of those funds following the event will be determined by the Governor based on the recommendation of the Adjutant General and the Director of the South Carolina Emergency Management Division.*

In the event there is a federally declared disaster and state match funds are unavailable, the State Fiscal Accountability Authority may borrow from any internal account or accounts necessary to maximize federal matching funds through the Emergency Management Division. Any such borrowing must be reported to the General Assembly within five days. Funds borrowed from accounts shall be replenished by the General Assembly as soon as practicable.

117.75 **AMEND** (Fines and Fees Report) Requires each state agency to publish on its website by September 1, a report of all aggregate amounts of fines and fees charged and collected by that state agency in the prior fiscal year and specifies the information to be included in the reporting. Requires the report also be delivered to the Chairmen of the Senate Finance and House Ways and Means Committees by September 1.

WMC: AMEND proviso to also require the amount of the fine or fee be listed.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.75. (GP: Fines and Fees Report) In order to promote accountability and transparency, each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that were charged and collected by that state agency in the prior fiscal year. The report shall include, but not be limited to: (1) the code section, regulation, or proviso that authorized the fines and fees to be charged, collected, or received; (2) *the amount of the fine or fee*; (3) the amount received by source; ~~(3)~~ (4) the purpose for which the funds were expended by the agency; (4) ~~(5)~~ the amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place; and ~~(5)~~ (6) the amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place, as well as the name of the entity to which the funds were transferred. The report must be posted online by September first. Additionally, the report must be delivered to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first.

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Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive.

117.82 AMEND (Deficit Monitoring) Provides procedures for the Executive Budget Office regarding quarterly deficit monitoring.

WMC: AMEND proviso to direct that if the Executive Budget Office or a state agency, department, or institution determines that it is likely that the state entity will run a deficit in the current fiscal year, the state entity must notify the General Assembly within 15 days of that determination and request EBO to work with them to develop a deficit avoidance plan. Direct EBO to report to the General Assembly within 15 days of the completion of the plan to either request the General Assembly to recognize the deficit or to advise how the deficit will be avoided based on the deficit avoidance plan. Authorize the General Assembly, by joint resolution, to make a finding that the cause or likelihood of a deficit is unavoidable due to factors which are outside the control of the state entity and recognize the deficit. Require deficit recognition to be in a separate joint resolution and require an affirmative vote of each branch of the General Assembly. Direct that if the deficit is recognized, it must be reduced from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available in the General Reserve and Capital Reserve Funds. Require the state entity, once the General Assembly has recognized a deficit, to limit travel and conference attendance to that deemed essential by the entity's director. Authorize the General Assembly to direct that pay increases and equipment and vehicle purchases be approved by the Executive Budget Office once it has recognized a deficit. *Conforms to Act 121 of 2014 (Restructuring Act).* Requested by Department of Administration.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.82. (GP: Deficit Monitoring) It is the responsibility of each state agency, department, and institution to operate within the limits of its authorized appropriations. All agencies, departments, and institutions are to budget, allocate and manage its authorized appropriations in a way to avoid an operating deficit for the fiscal year. ~~If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive Budget Office or an agency that the likelihood of a deficit for the current fiscal year exists, the agency shall submit to the 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 Department of Administration within thirty days of such determination that the agency is requesting that a deficit be recognized. Once a deficit has been recognized by the Department of Administration, 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 Executive Budget Office.~~

If at the end of each quarterly deficit monitoring review by the Executive Budget Office, it is determined by either the Executive Budget Office or a state agency, department, or institution that the likelihood of a deficit for the current fiscal year exists, the state agency shall notify the General Assembly within fifteen days of this determination and shall further request the Executive Budget Office to work with it to develop a plan to avoid the deficit. Within fifteen days of the deficit avoidance plan being completed, the Executive Budget Office shall either request the General Assembly to recognize the deficit if it determines the deficit avoidance plan will not be sufficient to avoid a deficit or notify the General Assembly of how the deficit will be avoided

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based on the deficit avoidance plan if the Executive Budget Office determines the plan will be sufficient to avoid a deficit.

Upon notification from the Executive Budget Office that an agency will run a deficit and requesting that it be recognized, the General Assembly, by joint resolution, may make a finding that the cause of, or likelihood of, a deficit is unavoidable due to factors which are outside the control of the state agency, department, or institution, and recognize the deficit. Any legislation to recognize a deficit must be in a separate joint resolution enacted for the sole purpose of recognizing the deficit of a particular state agency, department, or institution. A deficit may only be recognized by an affirmative vote of each branch of the General Assembly.

If the General Assembly recognizes the deficit, then the actual deficit at the close of the fiscal year must be reduced as necessary from surplus revenues or surplus funds available at the close of the fiscal year in which the deficit occurs and from funds available in the General Reserve Fund and the Capital Reserve Fund, as required by the Constitution of this State.

Once a deficit has been recognized by the General Assembly, the state agency, department, or institution shall limit travel and conference attendance to that which is deemed essential by the director of the agency, department, or institution. In addition, the General Assembly, when recognizing a deficit may direct that any pay increases and purchases of equipment and vehicles must be approved by the Executive Budget Office.

- 117.84 AMEND** (Bank Account Transparency and Accountability) Requires each state agency, except higher education institutions, which have composite reservoir bank accounts or other accounts that contain public funds which are not included in the Comptroller General's Statewide Accounting and Reporting System or the South Carolina Enterprise Information System to prepare a report on each account disclosing every transaction in the prior fiscal year and specifies what information is to be included. Directs that the report be submitted by October 1st each year. Provides for a reporting exemption to be granted, upon majority vote of the State Fiscal Accountability Authority, if the release of the information would be detrimental to the state or the agency.

WMC: AMEND proviso to delete reference to the "Statewide Accounting and Reporting System." *The South Carolina Enterprise Information System (SCEIS) is the official book of record for the State.* Requested by Office of Comptroller General.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.84. (GP: Bank Account Transparency and Accountability) Each state agency, except state institutions of higher learning, which has composite reservoir bank accounts or any other accounts containing public funds which are not included in the Comptroller General's ~~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 State Fiscal Accountability Authority by October first of each fiscal year. The report shall include the name(s) and title(s) of each person authorized to sign checks or make withdrawals from each account, the name and title of each person responsible for reconciling each account, the beginning and year-end balance of funds in each account, and data related to both deposits and expenditures of each account. The report shall include, but not be limited to, the date, amount, and source of each deposit transaction and the date, name of the payee, the transaction amount, and a description of the goods or services purchased for each expenditure transaction. To facilitate review, the State Fiscal Accountability Authority shall prescribe a common format for the report which agencies must use. In order to promote accountability and transparency, a link to the report shall be posted on the Comptroller General's website as well as the agency's homepage.

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

If an agency determines that the release of the information required in this provision would be detrimental to the state or the agency, the agency may petition the State Fiscal Accountability Authority to grant the agency an exemption from the reporting requirements for the detrimental portion. The meeting to determine whether an exemption should be granted shall be closed. However, the exemption may only be granted upon a majority vote of the State Fiscal Accountability Authority in a public meeting.

- 117.117 DELETE** (Information Technology Disaster Recovery Plan) Directs the Department of Administration to perform or issue a RFP to select a vendor to perform a study to develop recommendations for a statewide IT disaster recovery plan. Authorizes the department to use excess statewide employer contribution funds for the study. Directs that recommendations and estimated implementation costs be submitted to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by March 1, 2015. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the scope of the study.

WMC: DELETE proviso. *Report is due March 1, 2015.*

HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

~~**117.117.** (GP: Information Technology Disaster Recovery Plan) The Department of Administration shall perform, or issue a Request for Proposals (RFP) for purposes of selecting a vendor to perform, a study to develop recommendations for a statewide information technology disaster recovery plan. If the Department of Administration issues an RFP, the Executive Director shall designate a coordinator to work with the vendor chosen in the RFP process. If the Department of Administration performs the study, advice should be sought from private and public sector resources on best practices for disaster recovery management. In making recommendations, cloud backup technology, warm site locations (specifically including the Clemson University Data Center in Anderson, South Carolina), and hybrid data replication and backup solutions should be considered. The Department of Administration is authorized to use as funding for the study excess appropriations for the current fiscal year, as determined by the Executive Director of the Department of Administration, designated for statewide employer contributions for other statewide purposes. A report of recommendations and estimated costs for implementation of a statewide disaster recovery plan shall be submitted to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by March 1, 2015.~~

~~The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies shall not be included within the scope of the study commissioned by this proviso. The study shall consider the data protection needs of all other state agencies in developing recommendations and note any agency that should be excluded from participation in statewide disaster recovery management services.~~

- 117.118 AMEND** (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2014-15 to the Department of Administration by October 1, 2014; to submit updates to the plan if changes are made after initial submission; and specifies information required to be included in the plans. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this provision.

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WMC: AMEND proviso to update plan due date to October 1, “2015” and fiscal year reference to “2015-16.”

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

117.118. (GP: Information Technology and Information Security Plans) (A) By October 1, ~~2014~~ 2015, all state agencies must submit an information technology plan and an information security plan for Fiscal Year ~~2014-15~~ 2015-16 to the Department of Administration. State agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation or compliance requirements, newly identified funding sources, or new issues relating to information technology management or business requirements.

The information technology plans required by this section shall be in the form and level of detail required by the department and shall include at least: (1) the information technology objectives of the state agency; (2) an inventory of the state agency’s information technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how the state agency’s development of information technology coordinates with other governmental entities; (5) the state agency’s budget plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology costs, regardless of funding sources; (b) new information technology expenditures for services, hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel, regardless of funding sources; and (6) the state agency’s need for appropriations for information technology.

The information security plans required by this section shall be in the form and level of detail required by the division and shall include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency’s information security technology; (3) a profile of the state agency’s compliance with security policies established by the division; (4) a profile of the state agency’s sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency’s budget plans for information security for the coming fiscal year which must include: (a) all fixed, recurring information security technology costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information security personnel, regardless of funding sources; and (7) the state agency’s need for appropriations for information security.

(B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient use of information technology and best practices.

(C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

117.119 DELETE (Detail Budget Preparation) Directs the Executive Budget Office to prepare the detail budget with provisos to reflect appropriations and provisions contained in this Act to conform to implementation of the S.C. Restructuring Act of 2014.

WMC: DELETE proviso. *Accomplished.* Requested by Department of Administration.

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HOU: ADOPT deletion of proviso.

SUBCOMMITTEE RECOMMENDATION: ADOPT deletion of proviso.

117.119. (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.~~

117.crp ADD (Citizen Retirement Plan) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to establish a twelve member task force to study the extent to which citizens of South Carolina are prepared to retire in a manner which is financially secure. Direct the Governor designate a private entity to staff the task force. Direct the task force to prepare and submit its findings and recommendations to the Governor and General Assembly by June 30, 2016.

117.crp. (GP: Citizen Retirement Plan) A Task Force is established to study the preparedness of South Carolina citizens to retire in a financially secure manner. Membership of the task force shall be comprised of twelve members as follows:

- (1) one member appointed by the Governor; who shall serve as chairperson;
- (2) one member appointed by the President Pro Tempore of the Senate;
- (3) one member appointed by the Speaker of the House of Representatives;
- (4) one member appointed by the Minority Leader of the Senate;
- (5) one member appointed by the Minority Leader of the House of Representatives;
- (6) the state Treasurer, or their designee;
- (7) the state Comptroller General, or their designee;
- (8) the Director of the Department of Employment and Workforce, or their designee;
- (9) the state's retirement system Administrator, or their designee;
- (10) the state's 529 plan Administrator, or their designee;
- (11) one member appointed by the Governor to serve as a senior advocate;
- (12) one member appointed by the Governor to serve as a small business community representative;

The Governor must designate a private entity to staff the task force.

The scope of the task force shall include, but is not limited to:

- (1) determining the number and types of employees in the state not currently participating in an employer-sponsored retirement savings plan or arrangement;
- (2) determining the number and types of employers who do not offer an employer-sponsored retirement savings plans;
- (3) performing an analysis to determine the best model for such a plan;
- (4) developing criteria for participation by employees and employers;
- (5) performing an analysis of the cost to the state to implement such a plan;
- (6) determining the cost to employers for participation in such a plan;
- (7) determining the long-term financial impact to the state's social safety net programs and the general revenue fund if the state fails to act to improve citizen access to retirement savings opportunities at work.

The task force shall submit a report of its findings and recommendations to the Governor and the General Assembly no later than June 30, 2016.

SECTION 118 - X91-STATEWIDE REVENUE

118.1 AMEND (Year End Expenditures Cutoff)) Directs year-end expenditure deadlines.

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WMC: AMEND proviso to change “expenditures” reference to “cutoff” and update calendar year references to “2016.” Requested by Office of Comptroller General.

HOU: ADOPT proviso as amended.

SUBCOMMITTEE RECOMMENDATION: ADOPT proviso as amended.

118.1. (SR: Year End ~~Expenditures~~ Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, ~~2015~~ 2016. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July 14, ~~2015~~ 2016. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.