

**SENATE FINANCE COMMITTEE  
CONSTITUTIONAL SUBCOMMITTEE  
PROVISO RECOMMENDATIONS FOR FY 2016-17**

**SECTION 59 - E200 - OFFICE OF THE ATTORNEY GENERAL**

- 59.5 CONFORM TO FUNDING / DELETE** (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 \$400,000 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:** DELETE proviso. *See new proviso 59.10.*  
**HOU:** ADOPT deletion of proviso.  
**SFC SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / ADOPT deletion of proviso.

~~**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 \$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.~~

- 59.10 CONFORM TO FUNDING / ADD** (Securities Fee and Litigation Recovery Revenue) **WMC:** ADD new proviso to authorize the Attorney General to retain the first \$12,000,000 in Securities Fee revenue for litigation and other operating expenses as determined by the Attorney General. Direct that the next \$200,000 be transferred to SLED for the State Grand Jury and for other purposes as determined by the director of SLED. Direct that all additional Securities Fee revenue be remitted to the General Fund. Require all monies received from litigation recovery be deposited into the Litigation Recovery Account at the Office of State Treasurer and prohibit the Attorney General's Office from retaining any portion of these funds beyond reasonable costs incurred as defined in Section 1-7-85. Authorize these funds to be carried forward and used for the same purpose. Fiscal Impact: RFAO states this provision would reduce general fund departmental securities fee revenue by approximately \$10,100,000 in FY 2016-17.  
**HOU:** ADOPT new proviso.  
**SFC SUBCOMMITTEE RECOMMENDATION:** CONFORM to funding recommendation / ADOPT new proviso.

**59.10.** (AG: Securities Fee and Litigation Recovery Revenue) The Office of the Attorney General shall retain the first twelve million dollars in Securities Fee revenue generated by the Attorney General's Office for litigation and other operating expenses as determined by the Attorney General. The next two hundred thousand in Securities Fee revenue shall be transferred to the State Law Enforcement Division for the purposes of the State Grand Jury and other purposes as determined by the director of the State Law Enforcement Division. All Securities Fee revenue collected in excess of twelve million two hundred thousand shall be remitted to the General Fund. In addition, all monies received from litigation recovery must be deposited into the Litigation Recovery Account at the Office of the State Treasurer and the Office of the Attorney General shall not retain any portion of these funds beyond reasonable costs incurred as defined

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*in Section 1-7-85, of the 1976 Code. These funds may be carried forward from the prior fiscal year into the current fiscal year and be utilized for the same purpose.*

**SECTION 91 - A990 - LEGISLATIVE DEPARTMENT**

**91.21**     **AMEND** (DMV Audit Review) Suspends, for FY 2015-16, 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 change "Fiscal Year 2015-16" to "the current fiscal year."

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**91.21.** (LEG: DMV Audit Review) For ~~Fiscal Year 2015-16~~ *the current fiscal year*, 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.

**91.22**     **AMEND** (Electronic Correspondence) Prohibits the House of Representatives, during FY 2015-16, 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 change "Fiscal Year 2015-16" to "the current fiscal year."

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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

**91.23**     **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, 2016.

**WMC:** AMEND proviso to update report due date to June 1, "2017."

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**91.23.** (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

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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, ~~2016~~ 2017.

- 91.25 DELETE** (Act 388 Study Committee) Establishes a Senate study committee to review and study the effects of Act 388 of 2006 on various classes of property and require findings and recommendations be submitted to the General Assembly by June 30, 2016.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**91.25.** (LEG: Act 388 Study Committee) ~~Of the funds appropriated to the Senate, a study committee shall be established to review and study the effects of Act 388 of 2006 on the various classes of property.~~

~~Membership of the committee shall be comprised of five members as follows:~~

~~(1) one member of the Senate appointed by the President Pro Tempore of the Senate;~~

~~(2) one member of the Senate appointed by the Chairman of the Senate Finance Committee;~~

~~(3) one member of the Senate appointed by the Chairman of the Senate Judiciary Committee;~~

~~(4) one member of the Senate appointed by the Senate Majority Leader; and~~

~~(5) one member of the Senate appointed by the Senate Minority Leader.~~

~~The study committee shall provide a report with findings and recommendations to the General Assembly by June 30, 2016, at which time the study committee shall be dissolved.~~

- 91.27 DELETE** (Voting System Research Committee) Establishes a ten legislative member Joint Voting System Research Committee to identify, evaluate and make an analysis regarding voting systems to be implemented state-wide and directs the committee to determine the level of funding required to acquire and fully implement the system. Directs a report be submitted by January 30, 2016, to the Chairmen of the Senate Finance, Senate Judiciary, House Ways and Means, and Judiciary Committees.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**91.27.** (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 ten 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;~~

~~(6) the Chairman of the House Judiciary Committee, or his designee;~~

~~(7) the Majority Leader of the Senate, or his designee;~~

~~(8) the Majority Leader of the House of Representatives or his designee;~~

~~(9) the Minority Leader of the Senate, or his designee; and~~

~~(10) the Minority Leader of the House of Representatives or his designee.~~

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

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The committee shall identify and evaluate current voting system technologies that meet the standards established by Title 7 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, ability to conduct random audits of election results, 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 States Election Assistance Commission; and~~

~~(3) an analysis as to which technology should be implemented in South Carolina. This analysis shall include costs to acquire and fully implement the recommended technology for a statewide uniform voting system. The analysis 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.~~

**91.lpi**     **ADD** (Lawsuit Party of Interest) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that the Senate President Pro Tempore be automatically substituted as the party representing the Senate when the Lieutenant Governor is named as a party to a lawsuit that challenges Senate actions. Direct the Lieutenant Governor to immediately notify the Senate President Pro Tempore and the Clerk of the Senate when served with such lawsuit. Direct the President Pro Tempore, upon receipt of such notice, to notify the court and plaintiff/petitioner that this provision is being invoked and direct the Court to make the necessary changes. Direct that if the lawsuit is based solely on the actions taken by the Lieutenant Governor, these provisions are not effective.

**91.lpi.** (LEG: Lawsuit Party of Interest) When the Lieutenant Governor is named as a party to a lawsuit challenging actions taken by the Senate, the President Pro Tempore shall be automatically substituted as the party representing the Senate as the Lieutenant Governor is not a party in interest. Upon being served with the lawsuit, the Lieutenant Governor shall immediately notify the President Pro Tempore of the Senate and the Clerk of the Senate. Upon receiving notice from the Lieutenant Governor, the President Pro Tempore shall notify the court and the plaintiff/petitioner that the President Pro Tempore of the Senate is invoking the provisions of this proviso and substituting himself as the party representing the Senate. The Court shall make necessary changes to the caption of the lawsuit and otherwise. However, the provisions of this proviso are not effective if the actions challenged are solely the actions taken by the Lieutenant Governor.

**SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION**

**93.13**     **DELETE** (Outside Legal Counsel) Requires DOA to follow procurement code procedures if OEPP hires outside legal counsel.  
**WMC:** DELETE proviso.

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**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**93.13.** (DOA: Outside Legal Counsel) ~~In the event circumstances necessitate that the Department of Administration, Office of Executive Policy and Programs acquire the services of outside legal counsel, the Department of Administration must follow procedures established by the SC Consolidated Procurement Code.~~

- 93.16 DELETE** (Wireless Communications Tower) Directs the Department of Administration to coordinate tower and antenna operations, approve all leases regarding antenna placement on state-owned property, coordinate new tower construction on state owned property, market excess capacity, generate revenue by leasing or selling excess capacity, and construct new facilities pm state owned property related to communications. Directs the revenue from the leases to be transferred to ETV which shall retain and carry forward revenue to support statewide public safety communications system. Directs DOA to report to the Senate Finance and House Ways and Means Committees annually on revenue collections and disbursements.

**WMC:** DELETE proviso. *Note: Moved to ETV section, proviso 8.4.*

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**93.16.** (DOA: Wireless Communications Tower) ~~The Department of Administration is directed to coordinate tower and antenna operations within South Carolina state government. The department shall (1) approve all leases regarding antenna placement on state-owned towers and buildings, (2) coordinate all new tower construction on state-owned property, (3) promote and market excess capacity on the State's wireless communications infrastructure, (4) generate revenue by leasing, licensing, or selling excess capacity on the State's wireless communications infrastructure, and (5) construct new communications assets on appropriate state-owned property for the purpose of generating revenue pursuant to this proviso. All revenue from tower and antenna leases and contracts after July 1, 2001 must be remitted to a separate fund established by the department and shall be transferred to the Educational Television Commission which shall retain and expend such funds for agency operations. The commission shall be authorized to carry forward unexpended funds from the prior fiscal year into the current fiscal year. Agencies owning tower and antenna assets will be allowed to recover expenses associated with implementing this proviso from this fund. The department shall annually report to the Chairmen of the Senate Finance and House Ways and Means Committees by October first of each year all revenue collected and disbursed. This report shall also include a summary of each agency's overall revenues, whether retained by the agency or remitted to the separate fund.~~

- 93.21 DELETE** (Antenna and Tower Placement) Directs that antenna and tower leases on a higher education institution's property must conform to the institution's master plan.

**WMC:** DELETE proviso. *Note: Moved to ETV section, proviso 8.3.*

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**93.21.** (DOA: Antenna and Tower Placement) ~~All leases for antenna and tower operations within institutions of higher learning campuses must conform to master plans for such property, as determined solely by the institution of higher learning.~~

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- 93.24 DELETE** (Compensation - Agency Head Salary) Provides a process for establishing the compensation for agency heads and technical college presidents. Requires DOA contract for a compensation study of agency heads and technical college presidents every four years.  
**WMC:** DELETE proviso. *Technical. Moved to the State Fiscal Accountability Authority section, proviso 104.10 since the Agency Head Salary Commission is under the purview of SFAA.* Requested by Department of Administration and State Fiscal Accountability Authority.  
**HOU:** ADOPT deletion of proviso.  
**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**93.24.** (DOA: Compensation - Agency Head Salary) In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The Department of Administration shall contract every four years for a study of agency head and technical college president compensation. The cost of the study must be shared by the participating agencies. The staff of the State Fiscal Accountability Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president shall be paid less than the minimum of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range.~~

- 93.30 AMEND** (Emerging Leaders Program) Directs DOA, Office of Human Resources to establish an Emerging Leaders Program designed to identify and develop the next generation of state government leaders by attracting and/or retaining imminent or recent graduates to careers in public services. Requires the program to be cohort-based and for participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery and other appropriate/elective fields. Requires the plans for the program be completed in time for the first cohort of participants to be selected by June 30, 2016.  
**WMC:** AMEND proviso to update calendar year reference to "2017." *DOA is still working on the plan.*  
**HOU:** ADOPT proviso as amended.  
**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**93.30.** (DOA: Emerging Leaders Program) (A) With the funds appropriated to the Office of Human Resources, the Department of Administration shall establish an Emerging Leaders Program (ELP) that is designed to identify and develop the next generation of South Carolina state government's leaders by attracting and/or retaining imminent or recent graduates of relevant post-baccalaureate programs to careers in public service. In order to cultivate effective and innovative leaders with demonstrated problem-solving capabilities, the program shall be cohort-based and require participants to complete rotations in a variety of functional roles that focus on

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budgeting, policymaking, operations/service delivery, and other appropriate/elective fields. These rotations shall be augmented by and interspersed with classroom-based modules on organizational behavior, decision-making processes, principles of leadership, and other appropriate topics. The program's ultimate design shall reflect the department's assessment of best practices in both public-sector and private-sector management and/or leadership development programs.

(B) Plans for the program shall be completed in time for the first cohort of participants to be selected by June 30, ~~2016~~ 2017.

- 93.33 DELETE NEW PROVISO** (Confederate Relic Room Relocation Analysis) **WMC:** ADD new proviso to direct the department to conduct an analysis of building space that is available in the Charleston area that is large enough to house the Confederate Relic Room and Military Museum and if such space is found, to prepare an cost estimate for the relocation and submit it to the Governor, and the Chairmen of the Senate Finance and House Ways and Means Committees by January 10, 2017.

**HOU:** ADOPT new proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~93.33. (DOA: Confederate Relic Room Relocation Analysis) From the funds appropriated or authorized to the department, the Department of Administration shall conduct an analysis of available building space in the Charleston area sufficient in size to house the Confederate Relic Room and Military Museum. If available property with sufficient space is identified, the department shall prepare an estimate of the cost to relocate the Confederate Relic Room and Military Museum from its current location to the available space in the Charleston area. The department shall present its analysis to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by January 10, 2017.~~

**SECTION 97 - E120 - OFFICE OF COMPTROLLER GENERAL**

- 97.1 AMEND** (Signature Authorization) Authorizes the Comptroller General to designate signature authority to certain employees for the approval of warrants for payment to the State Treasurer.

**WMC:** AMEND proviso to authorize designated employees to approve disbursement documents authorizing payment. *Updates the language to reflect current practices and disbursement processes under SCEIS.* Requested by Office of the Comptroller General.

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**97.1.** (CG: Signature Authorization) The Comptroller General is hereby authorized to designate certain employees to ~~sign~~ approve, in his stead, ~~warrants drawn against the State Treasurer~~ disbursement documents authorizing payment, and the State Treasurer is hereby authorized to accept such ~~signatures~~ approved disbursement documents when notified by the Comptroller General. This provision shall in no way relieve the Comptroller General of responsibility.

- 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.

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**WMC:** AMEND proviso to change the payroll deduction processing fee from 20 cents to 25 cents and specify that this cost is borne by vendors and other third parties receiving the deductions and not by state employees. Fiscal Impact: RFAO indicates that the additional 5 cents would generate an additional \$45,434 in agency revenue. Requested by Office of the Comptroller General.

**HOU:** ADOPT proviso as amended.

**SFC 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~~ twenty-five cents, for insurance plans, credit unions, deferred compensation plans, benefit providers, and professional associations per deduction per pay day. This fee shall not be applied to charitable deductions. Vendors and other third parties receiving payroll deductions shall bear the entire cost of this fee, at no cost to state employees. The revenues generated from these fees and those provided for child support deductions in accordance with Section 63-17-1460(C), South Carolina Code of Laws, 1976, as amended, may be used to support the operations of the Office of Comptroller General and any unexpended balance may be carried forward from the prior fiscal year to the current fiscal year and utilized for the same purposes.

**97.ipd** **ADD** (Insurance Payroll Deductions) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that for insurance premium payroll deduction purposes any plan that was in force in the prior fiscal year may remain a member of the payroll deduction system regardless of the number of state employee plan participants.

**97.ipd.** (CG: Insurance Payroll Deductions) For purposes of payroll deductions for payment of premiums for life, hospital and other types of insurance plan, any plan that was in force in the prior fiscal year may remain a member of the deduction system regardless of the number of state employees participating in the plan.

**SECTION 98 - E160 - OFFICE OF STATE TREASURER**

**98.12** **DELETE** (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.* Fiscal Impact: The current balance in the fund is \$400,000. Requested by State Treasurer's Office.

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of 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.~~



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~~(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 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.~~

**98.14 DELETE** (Early Literacy Partnership) Provides for the transfer of all funds in Subfund 4019 Governor's Teaching School Loan Program to Save the Children for the statewide partnership with local public schools to serve children who are age 3-12 in areas of persistent rural poverty through early childhood literacy development. Requires measured success of the partnerships be provided to the General Assembly by June 30th. Authorizes the transferred funds to be carried forward.

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**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**98.14.** (TREAS: Early Literacy Partnership) ~~The State Treasurer's Office is directed to transfer all the funds from Subfund 4019 Governor's Teaching School Loan Program to Save the Children for the statewide partnership with local public schools to serve children ages 3—12 in areas of persistent rural poverty through early childhood literacy development. Services, directly or indirectly, are intended to support each school's efforts in supporting pre-kindergarten and kindergarten readiness, accelerating the literacy achievement of children currently reading below grade level and in increasing reading proficiency of struggling readers to ensure all children have the literacy skills they need to succeed. Measured success of the partnerships must be provided to the General Assembly no later than June thirtieth of the current fiscal year. Funds transferred to Save the Children may be carried forward.~~

**SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL**

**100.18** **ADD** (State Guard Activation) **WMC:** ADD new proviso to authorize the Adjutant General to compensate State Guard personnel at a rate of \$150 per day and to compensate for meal per diem according to National Guard and State policy in the event they are called into State Active Duty. Requested by Office of Adjutant General.

**HOU:** ADOPT new proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

***100.18.** (ADJ: State Guard Activation) In the event of activation of the State Guard of the South Carolina National Guard to State Active Duty, the Office of the Adjutant General is authorized to compensate State Guard personnel at a rate of \$150 per day and to also compensate such personnel for meal per diem as authorized by National Guard and State policy.*

**100.cp** **ADD** (Service Member and Family Care Programs) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that if federal funds for programs for service members and family care are reduced the state shall use excess revenue to replace the reduced funds, up to \$2,500,000.

***100.cp.** (ADJ: Service Member and Family Care Programs) In the event that funding for federal programs for service members and family care are reduced, the State of South Carolina shall utilize excess revenues to replace such funding dollar for dollar, up to \$2,500,000.*

**SECTION 101 - E280 - ELECTION COMMISSION**

**101.7** **AMEND** (Training & Certification Program) Requires all members and staff of County Boards of Voter Registration and Elections to receive training on their duties and responsibilities; allows the Election Commission to charge a fee for the courses; to retain up to \$35,000 of the revenue to help cover the costs of providing the training; and to retain and carry forward unexpended revenue to be used for the same purpose. Requires the Election Commission to withhold member's stipends if they do not complete the required training and certification program and provides for member replacement for noncompliance.

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**WMC:** AMEND proviso to delete reference to “commission.” *All county boards of voter registration and election commissions were combined per Act 196 of 2014 and there are no longer any separate county election commissions.* Requested by Election Commission.

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

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

The State Election Commission is required to withhold the stipend of members who do not complete the training and certification program as required in Section 7-5-10 of the 1976 Code. Additionally, funds will also be withheld if a board ~~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~~.

**SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY**

**104.10** **ADD** (Compensation - Agency Head Salary) **WMC:** ADD new proviso to provide a process for establishing the compensation for agency heads and technical college presidents. Require SFAA contract for a compensation study of agency heads and technical college presidents every four years. *Technical. Moved proviso 93.24 from the Department of Administration since the Agency Head Salary Commission is under the purview of SFAA.* Requested by Department of Administration and State Fiscal Accountability Authority.

**HOU:** ADOPT new proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

**104.10.** (SFAA: Compensation - Agency Head Salary) *In the event of an agency head or technical college president vacancy, the governing board of the agency or the Governor, or the appointing authority of a technical college president, must have the prior favorable recommendation of the Agency Head Salary Commission to set, discuss, offer, or pay a salary for the agency head or technical college president at a rate that exceeds the minimum of the range established by the Agency Head Salary Commission. No agency head or technical college president shall be paid a salary higher than that recommended by the commission. Boards and commissions, or the Governor if he is the appointing authority, of newly created agencies or*

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technical colleges shall not offer or pay a salary to a prospective agency head until a salary range has been established and the salary approved by the Agency Head Salary Commission. The funding of the salaries of any agency head or technical college president should come from resources within the agency. The State Fiscal Accountability Authority shall contract every four years for a study of agency head and technical college president compensation. The cost of the study must be shared by the participating agencies. The staff of the State Fiscal Accountability Authority shall serve as the support staff to the Agency Head Salary Commission. Limited only by the maximum of the respective salary range, the General Assembly authorizes the respective appointing authority for an agency head or technical college president to provide salary increases for an agency head or technical college president not to exceed that recommended by the Agency Head Salary Commission. No agency head or technical college president shall be paid less than the minimum of the pay range nor receive an increase that would have the effect of raising the salary above the maximum of the pay range.

**SECTION 112 - V040 - DEBT SERVICE**

- 112.1**    **AMEND** (Excess Debt Service) Directs that excess debt service funds from FY 2014-15 be carried forward and spent in FY 2015-16 to pay down general obligation bond debt (1) with the highest interest rate, (2) will achieve relief in constrained debt capacity, or (3) will reduce the amount of debt issued.

**WMC:** AMEND proviso to update fiscal year references.

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**112.1.** (DS: Excess Debt Service) Excess debt service funds from Fiscal Year ~~2014-15~~ 2015-16 must be carried forward and expended in Fiscal Year ~~2015-16~~ 2016-17 to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest, (2) will achieve relief in constrained debt capacity, or (3) reduce the amount of debt issued.

**SECTION 113 - X220 - 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 “2016-17.”

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**113.2.** (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2015-16~~ 2016-17, 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 ~~2015-16~~ 2016-17 Part IA appropriation for the Local Government Fund.

- 113.5**    **AMEND** (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 “2016-17.”

**HOU:** ADOPT proviso as amended.

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**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**113.5.** (AS-TREAS: LGF) For Fiscal Year ~~2015-16~~ 2016-17, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

**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 "2016-17."

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**113.7.** (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2015-16~~ 2016-17, 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.

**113.8** **DELETE NEW PROVISO** (Withholding Funds) **WMC:** ADD new proviso to direct that if any political subdivision collects fines from enforcement of any local ordinance, rule, or regulation that alters, amends, or conflicts with Chapter 5 of Title 56 [Uniform Act Regulating Traffic on Highways], the State Treasurer must withhold from that political subdivision's Local Government Fund distribution an amount equal to any amount that is in excess of the amounts authorized by Chapter 5 of Title 56. Direct that the withholding provision also applies to fines collected from enforcement of any local ordinance, rule or regulation that is similar to a provision of Chapter 5 of Title 56.

**HOU:** ADOPT new proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** DELETE new proviso.

~~*113.8. (AS-TREAS: Withholding Funds) In the current fiscal year, if any political subdivision of this State collects fines from the enforcement of any local ordinance, rule, or regulation which alters, amends, or otherwise conflicts with Chapter 5, Title 56 of the 1976 Code, the State Treasurer must withhold an amount of the political subdivision's Local Government Fund distribution equal to the amount of the fines the political subdivision has collected that are in excess of the amounts authorized by Chapter 5 of Title 56. The withholding provision contained in this paragraph also applies to fines collected from the enforcement of a local ordinance, rule, or regulation that is similar to a provision of Chapter 5 of Title 56.*~~

**SECTION 114 - X440 - AID TO SUBDIVISIONS-DEPARTMENT OF REVENUE**

**114.1** **DELETE** (Homestead Exemption Fund Reduction and CTC Road Program) Reduces the FY 15-16 appropriation to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties-Homestead Exemption Fund(X44) by \$20,425,000. Directs that

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the first \$10,000,000 of the Homestead Exemption Fund carried forward from FY 2014-15 be credited to DOT for distribution pursuant to Section 12-28-2740 [DISTRIBUTION OF GASOLINE USER FEE AMONG COUNTIES; REQUIREMENTS FOR EXPENDITURE OF FUNDS; COUNTY TRANSPORTATION COMMITTEES]. Directs CTCs to use the funds only on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction and bridge repair, replacement or reconstruction. Prohibits these funds from being used for any road, bridge, or highway that is not part of the state-owned system.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

**114.1.** (AS-DOR: Homestead Exemption Fund Reduction and CTC Road Program) ~~The Fiscal Year 2015-16 appropriation to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties Homestead Exemption Fund (X440) is reduced by \$20,425,000.~~

~~The first \$10,000,000 carried forward from Fiscal Year 2014-15 annual appropriations to Aid to Subdivisions Department of Revenue for Distribution to Subdivisions: Aid to Counties Homestead Exemption Fund (X440) shall be credited to the Department of Transportation for distribution pursuant to Section 12-28-2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state-owned secondary road system for paving, rehabilitation, resurfacing, and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.~~

**SECTION 117 - X900 - 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 2015-16.

**WMC:** AMEND proviso to update fiscal year reference to "2016-17."

**HOU:** ADOPT proviso as amended.

**SFC 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 ~~2015-16~~ 2016-17, 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 "2015" to "2016," "2016" to "2017," and "2014" to "2015."

**HOU:** ADOPT proviso as amended.

**SFC 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, ~~2015~~ 2016, and ending June 30, ~~2016~~ 2017, and "prior fiscal year" means the fiscal year beginning July 1, ~~2014~~ 2015, and ending June 30, ~~2015~~ 2016.

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- 117.58 AMEND** (Year-End Financial Statements - Penalties) Provides timeframes for submission of annual audited financial statements by agencies and other reporting entities to the Comptroller General for inclusion in the State's CAFR. Requires agencies not in compliance to appear before the Comptroller General and provide an explanation for the delay.

**WMC:** AMEND proviso to specify that "institutions" are included in the requirement to submit annual audited financial statements for inclusion in the CAFR. Specify that if an entity's fiscal year-end is June 30th, the due date is October 1st and if an institution or entity's fiscal year-end is other than June 30th, the statement must be submitted within 120 days of that fiscal year-end. Delete the requirement that if noncompliant, the agency must appear before the Comptroller General and explain the delay. Require the Comptroller General to provide a report to SFFA by November 30th of each noncompliant agency, institution, or other reporting entity. Requested by Office of Comptroller General.

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.58.** (GP: Year-End Financial Statements - Penalties) Agencies, *institutions*, and other reporting entities required to submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report must ~~comply with the submission dates stipulated in the State Auditor's Office audit contract~~ *submit final audited financial statements to the Comptroller General not later than October 1st for those with fiscal year-end June 30th. For institutions and reporting entities with fiscal year-ends other than June 30th, final audited financial statements must be submitted to the Comptroller General within 120 days of that fiscal year-end.* ~~If the audit was not contracted by the State Auditor's Office, the final audited financial statements are due not later than October tenth for the prior fiscal year. Each agency that does not comply with the provisions of this proviso shall appear before the Comptroller General, providing an explanation for the delay.~~ *The Comptroller General shall provide a written report of each agency, institution, or other reporting entity not in compliance with this provision to the State Fiscal Accountability Authority by November 30th.*

- 117.105 AMEND** (Technology and Remediation) Requires that funds appropriated to DOA, Division of Information Security be used to develop and implement a statewide information security program. Allows a portion of the non-recurring funds to be used for enterprise technology and remediation and be distributed to state agencies to address critical information security vulnerabilities as determined by the Division of Information Security and the Division Technology Operations.

**WMC:** AMEND proviso to exclude Enterprise Technology and Remediation funds from the calculation of any across-the-board base reduction mandated by EBO or the General Assembly. Allow Enterprise Technology and Remediation funds to be carried forward and used for the same purpose.

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.105.** (GP: Technology and Remediation) The funds appropriated to the Department of Administration for the Division of Information Security shall be used to develop and implement a statewide information security program. A portion of the nonrecurring funds may be used for enterprise technology and remediation, and distributed to state agencies to address the State's most serious information security vulnerabilities as determined by the Division of Information Security and the Division of Technology Operations. *Funds appropriated for Enterprise Technology and Remediation shall be excluded from the Department of Administration's base budget calculation of any across-the-board agency base reduction mandated by the Executive*

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*Budget Office or the General Assembly. Unexpended Enterprise Technology and Remediation funds may be carried forward from the prior fiscal year and used for the same purpose.*

**117.114 AMEND** (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2015-16 to the Department of Administration by October 1, 2015; 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.

**WMC:** AMEND proviso to update plan due date to October 1, “2016” and fiscal year reference to “2016-17.”

**HOU:** ADOPT proviso as amended.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**117.114.** (GP: Information Technology and Information Security Plans) (A) By October 1, ~~2015~~ 2016, all state agencies must submit an information technology plan and an information security plan for Fiscal Year ~~2015-16~~ 2016-17 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.



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(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.

**117.126 DELETE** (Grant Funds) Authorizes the funds granted to the Fountain Inn Kiwanis Club in a prior fiscal year to be used by its successor entity for a like purpose.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT deletion of proviso.

~~**117.126.** (GP: Grant Funds) Funds granted to the Fountain Inn Kiwanis Club in a prior fiscal year may be used for a like purpose by its successor entity.~~

**117.133 ADD** (Statewide Strategic Information Technology Plan Implementation) **WMC:** ADD new proviso to direct agencies, in order to ensure uniform implementation of the Statewide Strategic Information Technology Plan: to use shared services from the DOA, Division of Technology Operations (DTO) as services become available; to comply with DTO information technology rules, standards, plans, policies, and directives; to participate and comply with decisions determined by the IT governance advisory groups; to submit all IT budget requests to the Executive Budget Office and DTO which shall review and make recommendations for funding consideration; to create an information technology plan for purchases that exceed \$50,000 with DTO consultation and approval; to develop a 3 year IT strategic plan, updated annually, for approval by the DTO Chief Information Officer; and to enter IT costs into SCEIS. Direct DOA provide an annual agency compliance report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31st. Exempt the Legislative and Judicial Branches, higher education institutions, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this proviso.

**HOU:** ADOPT new proviso.

**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT new proviso.

***117.133.** (GP: Statewide Strategic Information Technology Plan Implementation) To ensure the uniform implementation of the Statewide Strategic Information Technology Plan developed pursuant to the Restructuring Act of 2014 and designed to improve the State's ability to provide reliable, secure, cost-efficient, and innovative information technology services and infrastructure, state agencies are directed as follows:*

*(1) Agencies shall use the shared services from the Department of Administration, Division of Technology Operations as those services become available and in a sequence to be determined by the division. Agencies shall coordinate with the division to accomplish a strategic transition to the shared services environment. Shared services include, but are not limited to, mainframe services, application hosting, servers, storage, network services, desktop services, and disaster recovery services. The State Chief Information Officer may grant an exception, to be revisited on a periodic basis, if the division determines that it cannot immediately satisfy the technical or security capabilities required to support the agency in question;*

*(2) With regard to information technology governance, standards, and enterprise architecture, agencies shall comply with the rules, standards, plans, policies, and directives of the Division of Technology Operations;*

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(3) With regard to information technology governance, standards, and enterprise architecture, agencies shall participate and comply with decisions determined by the information technology governance advisory groups.

(4) With regard to the annual Appropriations Act budget submission, agencies shall submit all information technology budget requests to the Executive Budget Office and the Division of Technology Operations. The Executive Budget Office and the Division of Technology Operations shall jointly review the budget requests and recommend for funding consideration only those proposals that fit into the overall Statewide Strategic Information Technology Plan.

(5) With the consultation and approval of the Division of Technology Operations, agencies must create an information technology plan for purchases that exceed \$50,000 to ensure compliance with the Statewide Strategic Information Technology Plan and the standards defined by the division.

(6) Agencies shall develop a three-year strategic plan for information technology, updated annually, for the Division of Technology Operations, that shall be approved by the Chief Information Officer, that sets forth: (a) operational and project priorities; (b) budget summaries; (c) planned projects and procurements; (d) staffing plans; (e) security initiatives; and (f) risks, issues, and concerns with the agency's information technology.

(7) Agencies shall enter information technology costs into the South Carolina Enterprise Information System (SCEIS) as directed by the Division of Technology Operations and SCEIS.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency compliance no later than December 31st of each calendar year.

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

**117.137 AMEND NEW PROVISO** (State Employee Leave Donation) **HOU:** ADD new proviso to allow a state employee to make a request to their agency, in writing, for a specific number of hours of his accrued annual and/or sick leave to be transferred from his account to a specific leave recipient rather than to be donated to a leave pool account, but require the employee to retain a minimum of 15 days of sick leave in his own account. Direct that once the leave has been transferred, it may not be returned to the original account. Sponsor: Rep. Rutherford.

**SFC SUBCOMMITTEE RECOMMENDATION:** AMEND new proviso to require a state employee to make a written request to DOA, Human Resources Division to transfer a specific number of their accrued annual or sick leave into a statewide leave pool rather than be transferred to a specific individual and direct that the statewide leave pool be established with the Human Resources Division. Delete the minimum leave retention requirements. Direct that if a state employee's request to use their agency's sick leave pool was denied, they may apply to the statewide leave pool for additional sick leave. Direct the DOA, Human Resources Division to promulgate regulations that allows for a state employee to request that their accrued annual and/or sick leave balances that are over the maximum allowed to be carried forward on December 31st, to be swept from that employees account into the statewide leave pool account until the employee rescinds such action.

**117.137. (GP: State Employee Leave Donation)** A state employee may make a written request to the ~~employing agency~~ **Department of Administration, Human Resources Division** that a specified number of hours of his accrued annual and/or sick leave be transferred from his annual and/or sick leave account ~~to a specific leave recipient rather than~~ to a **statewide** leave pool account **which shall be established within the Human Resource Division.** ~~An employee with less than fifteen days in his sick leave account may not transfer any sick leave to the~~

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~~recipient, and an employee with more than fifteen days in his sick leave account may transfer sick leave to the recipient if he retains a minimum of fifteen days in his own sick leave account. Once leave of an employee has been transferred to the recipient, it may not be restored or returned to the leave donor. Any state employee who previously requested sick leave from their employing agency's leave pool and whose request was denied may apply to the Department of Administration, Human Resources Division for additional sick leave. The Department of Administration, Human Resources Division shall promulgate regulations to allow a state employee, whose accrued annual and/or sick leave balances on December 31 each year exceeds the number of days that can be carried forward, to make an election to donate such excess leave to the statewide leave pool program until such time as the employee rescinds such election.~~

- 117.se **ADD** (State Engineer) **SFC SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that the State Engineer is an office located within SFAA.

117.se. (GP: State Engineer) The State Engineer is an office located within the State Fiscal Accountability Authority, all references to the contrary notwithstanding.

**SECTION 118 - X910 - STATEWIDE REVENUE**

- 118.1 **AMEND** (Year End Cutoff) Directs year-end expenditure deadlines.  
**WMC:** AMEND proviso to update calendar year references to "2017." Requested by Office of Comptroller General.  
**HOU:** ADOPT proviso as amended.  
**SFC SUBCOMMITTEE RECOMMENDATION:** ADOPT proviso as amended.

**118.1.** (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, 2016 2017. 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, 2016 2017. 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.