

**H.4950 CONFERENCE COMMITTEE  
SUMMARY OF PROVISO CHANGES FOR FY 2018-19  
DIFFERENCES FOR DISCUSSION**

**SECTION 1 - H630 - DEPARTMENT OF EDUCATION**

**1.3** (EFA Formula/Base Student Cost Inflation Factor) States the General Assembly’s intent to fully implement the EFA including an inflation factor to match the inflation wages of public school employees in the southeast; states that for FY 17-18, the base student cost has been determined to be \$2,425; that the per pupil count is projected to be 721,401, and projects the average per pupil funding. Provides for the distribution of funds to the SC Public Charter School District. Requires the Revenue and Fiscal Affairs Office post each school district’s projections on their website and for each school district to also post their numbers. Requires the department and the EOC provide links to this information on their websites. Provides pupil classification weightings. **WMC:** AMEND proviso to define students in poverty as students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care. Require districts to use dual credit weighting funds to defray all possible costs of dual credit courses for students and to offset the costs of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other higher education institution. Require school districts to report the number of students that participate in dual credit courses and specify the cost borne by each entity. Delete specific directives pertaining to school district student counts. **HOU:** AMEND FURTHER to delete new language for defining students in poverty as those who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care. Direct the department to determine student’s eligibility for the poverty add-on using data elements to include students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care. Sponsors: Reps. Henderson, Elliott and Allison.

**1.3.** (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the Revenue and Fiscal Affairs Office to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be \$2,425. For the current fiscal year, the total pupil count is projected to be 721,401. The average per pupil funding is projected to be \$6,120 state, of which \$2,339 comes from the EFA, \$1,294 federal, and \$5,726 local. This is an average total funding level of \$13,140 excluding revenues of local bond issues. For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year’s base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

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

- (1) K-12 pupils or base students including homebound students 1.00

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Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10.

(2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c) Special Programs

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|--|------|
| (3) Precareer and Career Technology                  | 1.29 |
| (4) Additional weights for personalized instruction: |      |
| (A) Gifted and Talented                              | 0.15 |
| (B) Academic Assistance                              | 0.15 |
| (C) Limited English Proficiency                      | 0.20 |
| (D) Pupils in Poverty                                | 0.20 |
| (E) Dual Credit Enrollment                           | 0.15 |

No local match is required for the additional weightings for personalized instruction in the current school year. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

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

Funds received by a school district pursuant to the dual credit weighting must be used to defray all possible costs of dual credit courses for students. Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must utilize these funds to offset the cost of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other institution of higher education. Each school district shall report to the department the number of students participating in dual credit courses and specify the cost borne by each entity. School districts must assist students in accessing Lottery Tuition Assistance when applicable.

For the current school year, the Department of Education will continue to use counts from the prior school year to determine poverty funding for the add-on weighting. The Department of Education will ~~continue to~~ work with school districts to determine students eligible for the poverty add-on using the following data elements: ~~used to determine USDA community eligibility to be used in future years~~ students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

~~Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty five day student average daily membership for all classifications. During the current fiscal year the department will update PowerSchool calculations, reports, screen development,~~

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~~documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30, 2017.~~ The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

**SFC:** AMEND FURTHER to update base student cost and average per pupil funding; reinsert new definition for students in poverty as those who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care; and delete requirement that the department continue to use counts from the prior school year to determine poverty funding for the add-on weighting and to work with districts to determine eligible students.

**SEN:** AMEND FURTHER to reinsert specific directives pertaining to school district student counts. Sponsor: Sen. Sheheen.

**1.3.** (SDE: EFA Formula/Base Student Cost Inflation Factor) To the extent possible within available funds, it is the intent of the General Assembly to provide for one hundred percent of full implementation of the Education Finance Act to include an inflation factor projected by the Revenue and Fiscal Affairs Office to match inflation wages of public school employees in the Southeast. The base student cost for the current fiscal year has been determined to be ~~\$2,425~~ \$2,485. For the current fiscal year, the total pupil count is projected to be ~~721,401~~ 727,513. The average per pupil funding is projected to be ~~\$6,120~~ \$6,198 state, of which ~~\$2,339~~ \$2,372 comes from the EFA, ~~\$1,294~~ \$1,281 federal, and ~~\$5,726~~ \$5,982 local. This is an average total funding level of ~~\$13,140~~ \$13,461 excluding revenues of local bond issues. For the current fiscal year the South Carolina Public Charter School District and any institution of higher education sponsoring a public charter school shall receive and distribute state EFA funds to the charter school as determined by one hundred percent of the current year's base student cost, as funded by the General Assembly multiplied by the weighted students pupils enrolled in the charter school, which must be subject to adjustment for student attendance.

The Revenue and Fiscal Affairs Office, must post in a prominent place on their website for each school district projections, including the per pupil state, federal and local revenues, excluding revenues of local bond issues, for the current fiscal year. Also, as soon as practicable, upon determining the exact numbers regarding pupil count and funding, the Revenue and Fiscal Affairs Office, shall also post on their website the one hundred thirty-five day average daily membership for each school district and per pupil state, federal and local revenues, excluding revenues of local bond issues, based on the most recent audited financial statement as reported annually pursuant to Section 59-17-100. The Department of Education and the Education Oversight Committee shall provide in a prominent place on their internet websites a link to the information posted by the Revenue and Fiscal Affairs Office, including the projected numbers and the exact numbers.

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

- |  |      |
|--|------|
| (1) K-12 pupils or base students including homebound students  | 1.00 |
| Students served in licensed residential treatment facilities (RTFs) for children and adolescents as defined under Section 44-7-130 of the 1976 Code shall receive a weighting of 2.10. |      |
| (2) Weights for students with disabilities as prescribed in Section 59-20-40(1)(c)   |      |
| Special Programs   |      |
| (3) Precareer and Career Technology  | 1.29 |
| (4) Additional weights for personalized instruction:   |      |
| (A) Gifted and Talented  | 0.15 |
| (B) Academic Assistance  | 0.15 |
| (C) Limited English Proficiency  | 0.20 |
| (D) Pupils in Poverty  | 0.20 |

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(E) Dual Credit Enrollment 0.15

No local match is required for the additional weightings for personalized instruction in the current school year. Charter school per pupil calculations for locally sponsored charters will continue to be calculated according to Section 59-40-140 of the 1976 Code. Students may receive multiple weights for personalized instruction; however, within each weight, students should only be counted once. These weights are defined below:

Students in poverty are students who qualify for Medicaid, SNAP, TANF, or are homeless, transient, or in foster care.

Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school. Districts shall set-aside twelve percent of the funds for serving artistically gifted and talented students in grades three through twelve.

Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades three through eight and high school assessments for grades nine through twelve. The additional weight generates funds needed to provide additional instructional services to these students.

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

Funds received by a school district pursuant to the dual credit weighting must be used to defray all possible costs of dual credit courses for students. Students identified for dual credit enrollment must be identified in PowerSchool as taking a course that will lead to both high school credit and post-secondary credit. Districts must utilize these funds to offset the cost of tuition, fees, instructors, and instructional materials for qualifying courses with the local technical college or other institution of higher education. Each school district shall report to the department the number of students participating in dual credit courses and specify the cost borne by each entity. School districts must assist students in accessing Lottery Tuition Assistance when applicable.

~~For the current school year, the Department of Education will continue to use counts from the prior school year to determine poverty funding for the add-on weighting. The Department of Education will continue to work with school districts to determine students eligible for the poverty add-on using the data elements used to determine USDA community eligibility to be used in future years.~~

Further, the Department of Education may use school district student counts for personalized instruction as collected in the same manner as the prior fiscal year, PowerSchool or other available existing data sources as determined by the department to calculate the school district add on weightings for the personalized instruction classifications and the determination of the school districts monetary entitlement. End of year adjustments shall be based on the one hundred thirty-five day student average daily membership for all classifications. During the current fiscal year the department will update PowerSchool calculations, reports, screen development, documentation, and training to incorporate the new pupil classification weightings and to make final district allocation adjustments by June 30, 2017. The department must provide districts with technical assistance with regard to student count changes in PowerSchool.

**1.26** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion EIA proviso is 1A.14.*

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**WMC:** AMEND proviso to add “funds provided for technology” to the list of funds which may not be flexed. Delete the requirement that schools that do not have an internet website transmit all required information to the Comptroller General for posting on their website. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**1.26.** (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, and Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, funds provided for technology, nor funds required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district’s per pupil expenditures.

“In\$ite” means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district’s board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district’s board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school

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board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

~~School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.~~

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, *of* the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

**SFC:** AMEND FURTHER to delete “funds provided for technology” from the list of funds which may not be flexed.

**SEN:** ADOPT proviso as amended.

**1.26.** (SDE: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, *and* Education Lottery Act funds, and funds received from the Children's Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and

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Economic Development Act, funds provided for Career and Technology Education, nor *funds* required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district's per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

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The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

~~School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.~~

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, *of* the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

**1.47** (Student Health and Fitness) Provides for the allocation of Student Health and Fitness funds to school districts to increase the number of Physical Education teachers and to provide licensed nurses for elementary schools.

**WMC:** AMEND proviso to change the percentage of funds to be allocated to districts for physical education teachers from 27% to 21%. *The proviso was not changed when Student Health and Fitness funding was consolidated into one line item, which unintentionally caused less funds to be allocated for nurses.* Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**1.47.** (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education teachers to the extent possible and to provide licensed nurses for elementary public schools. ~~Twenty-seven~~ Twenty-one percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. The remaining funds will be made available for school nurses and shall be distributed to the school districts on a per school basis. Schools that provide instruction in grades K-5 are eligible to apply for the school nurse funds.

**SFC:** AMEND proviso further to direct that marching band instruction is equivalent to physical education instruction and may be accepted in lieu of physical education instruction under certain conditions.

**SEN:** AMEND FURTHER to delete the directive that marching band instruction is equivalent to physical education instruction and instead authorize public schools to offer instruction in marching band based on certain academic standards and allow schools to accept march band instruction in lieu of physical education instruction. Sponsor: Sen. Sheheen.

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**1.47.** (SDE: Student Health and Fitness) Funds appropriated for Student Health and Fitness shall be allocated to school districts to increase the number of physical education teachers to the extent possible and to provide licensed nurses for elementary public schools. ~~Twenty-seven~~ Twenty-one percent of the funds shall be allocated to the districts based on average daily membership of grades K-5 from the preceding year for physical education teachers. A public school is authorized to offer instruction in marching band based on the South Carolina Academic Standards for the Visual and Performing Arts that also incorporates the South Carolina Academic Standards for Physical Education provided such instruction is equivalent to that of physical education instruction and may be accepted in lieu of physical education instruction for all purposes. The remaining funds will be made available for school nurses and shall be distributed to the school districts on a per school basis. Schools that provide instruction in grades K-5 are eligible to apply for the school nurse funds.

**1.60** (Interscholastic Athletic Association Dues) Provides criteria which an interscholastic athletic association, body or entity must meet in order for a state supported school district or school within that district to be permitted to use funds to associate with the organization.

**SFC:** AMEND proviso to require the association to evaluate the prospect of adding the sport of bass fishing as a sanctioned interscholastic athletic program beginning in school year 2019-2020 and to provide a report on their findings to the General Assembly before January 1, 2019.

**SEN:** AMEND FURTHER to delete the new requirement that the association evaluate adding the sport of bass fishing as a sanctioned interscholastic athletic program. Sponsor: Sen. Martin.

**1.60.** (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2) (a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3) (a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

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(b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices; and

(5) provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

**1.62** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion EIA proviso is 1A.57.*

**WMC:** AMEND proviso item (A) to delete previous distribution criteria and instead direct that school districts shall be eligible to receive up to \$62,730 for each primary and elementary school. Amend item (B) to authorize a district to use these funds to employ reading/literacy coaches in a primary, elementary, or middle school, or combination of schools depending on the districts area of highest need. Require the district to align placement of coaches to their approved district reading plan. Amend item (C) to add primary and/or middle schools. Amend item (K) to delete previous directive for targeting areas of greatest need based on certain criteria and instead authorize the department to fund a coach at the full time rate based on certain criteria.

**HOU:** ADOPT proviso as amended.

**1.62.** (SDE: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows: ~~(1) for each primary and elementary school in which twenty percent or more of the students scored below “meets expectations” on the reading sub score of the English language arts test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of up to \$62,730, or the actual cost of salary and benefits for a full-time reading/literacy coach; and~~

~~(2) for each elementary school in which fewer than twenty percent of the students scored as referenced in (A)(1), the school district shall be eligible to receive the lesser of up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full-time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.~~

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may, ~~however,~~ assign a reading/literacy coach to a primary school rather than to the elementary school to

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~~improve the early literacy skills of young children~~ only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(E) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist; or

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding under subsection ( G) to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

~~(K) For Fiscal Year 2017-18, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment~~ the current fiscal year, and if funds are available, the department may fund a coach at the full time rate if the district's reading scores show that less than 20% of the students scored below "meets expectations" on the reading sub score of the English language arts test in the

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most recent year for which such data are available, but for the past two year the district qualified for a full time coach based on the assessment scores.

**SFC:** AMEND FURTHER to reinsert the directive that school districts shall receive up to \$62,730, “or the actual cost of salary and benefits for full time reading/literacy coach;” and delete item (K) authorization for the department to fund a coach at the full time rate based on certain criteria.

**SEN:** ADOPT proviso as amended.

**1.62.** (SDE: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows: ~~(1) for each primary and elementary school in which twenty percent or more of the students scored below “meets expectations” on the reading sub score of the English language arts test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach; and~~

~~(2) for each elementary school in which fewer than twenty percent of the students scored as referenced in (A)(1), the school district shall be eligible to receive the lesser of up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.~~

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may, ~~however, assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children~~ only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(E) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor’s degree or higher and an add-on endorsement for literacy coach or literacy specialist; or

(2) holds a bachelor’s degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master’s degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

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(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding under subsection ( G) to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

~~(K) For Fiscal Year 2017-18, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment.~~

- 1.70** (Teacher Certification Exemption) Directs that a teacher who is certified at the secondary level does not have to have the add on certification to teach those courses in grades 7 through 12. Requires districts to report the use of this exemption to the department and CERRA.  
**SFC:** AMEND proviso to direct that a teacher who is certified in elementary education does not have to have the add on certification to teach first grade.  
**SEN:** ADOPT proviso as amended.

**1.70.** (SDE: Teacher Certification Exemption) For the current fiscal year, a teacher certified at the secondary level may teach such courses in grades seven through twelve without having the add on certification for middle-level education. *A teacher certified in elementary education may teach first grade without having the add on certification in early childhood education.* Districts must report to the Department of Education and the Center for Educator Recruitment Retention and Advancement on the teachers and courses that utilize this exemption.

- 1.71** (Digital Instructional Materials) Directs the department to create an instructional materials list of print and digital items that have received State Board approval through the normal adoption process. Directs the department to continue to work with publishers to ensure that districts have the option to receive both print and digital versions of materials. Provides for the use of instructional materials funds to refurbish existing or purchase new science kits. Authorizes instructional materials funds to be carried forward and used for the same purposes. Directs that instructional materials funds are not subject to flexibility. *Note: Companion EIA proviso is 1A.58.*

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**WMC:** AMEND proviso to require the department continue to work with publishers to ensure that districts have options for print/digital student materials to include class sets of print student editions, if needed. Direct the department to determine a per pupil amount for unfunded state-adopted digital instructional materials and unvetted digital student materials using the prior year's 135-ADM and to make these funds available to schools for one-year access to the unfunded or unvetted materials. Direct that the use of unvetted digital student materials shall be the responsibility of the school district. Direct the department to create a digital instructional materials list of approved, unfunded items. Provide guidelines for districts to request an allocation for one-year digital access. Provide guidelines for publishers/vendors to request to have digital student materials added to an unvetted list and for districts to request an allocation for using unvetted instructional materials. Direct the department to use digital instructional materials funds that are unencumbered by January 15 to purchase unfunded state adopted instructional materials. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**1.71.** (SDE: Digital Instructional Materials) The Department of Education shall *continue to* create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts ~~who wish to receive both the digital version and~~ *have options for print/digital student materials to include* class sets of ~~textbooks may be awarded that option~~ *print student editions, if needed*. Funds appropriated for the purchase of ~~textbooks and other~~ instructional materials (*print/digital*) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted ~~textbook~~ *instructional materials* inventory, purchasing new kits *or those adopted as supplemental* from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. ~~Digital Instructional Materials shall include the digital equivalent of materials and devices.~~

*Utilizing the designated funds, the department shall determine a per pupil amount using the prior year's 135-Day Average Daily Membership for unfunded state-adopted digital instructional materials and unvetted digital student materials. These funds shall be made available to all schools to allow one-year access to unfunded digital state-adopted student materials or one-year access to unvetted digital student materials from publishers/vendors and are subject to the procedures outlined below. The use of the unvetted digital student materials shall be the responsibility of the school district.*

*Unfunded State Adopted Digital Student Materials: The department shall create a digital instructional materials list composed of those items which have received board approval through the normal adoption process but are unfunded. Districts shall use the form available on the department's Instructional Materials website, to request an allocation for one-year digital access by denoting the number of students, grade level, and subject for which the digital materials will be used.*

*Unvetted Materials: Publishers/vendors shall use the form available on the department's Instructional Materials website to request to have digital student materials added to an unvetted list of instructional materials that have not been evaluated through the instructional materials adoption process or approved by the board. Publishers/vendors are required to register and*

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submit to the department the one-year cost with product information, a completed brief, and correlations of the digital student materials to the appropriate academic standards, career and technology education course standards, or other program areas which are not addressed within the standards. Information in the brief shall include the intended course or subject area with the assigned Instructional Activity Code, the readability level, documentation of compliance to ensure the digital instructional materials are accessible to students with disabilities, and other specific descriptive information as required by the State Superintendent of Education. Failure to provide completed brief and correlation will automatically exclude the digital materials from the unvetted list. Previously reviewed instructional materials will be excluded from the list of unvetted digital materials. Should the publisher/vendor submit the unvetted materials for review as part of a call for bids for instructional materials, the bid materials will be removed from the unvetted listing.

A district shall use the form available on the department's Instructional Materials website to request an allocation for which the unvetted digital materials will be used by denoting the number of students, grade level, and subject with the assigned Instructional Activity Code. The department shall not be responsible for the use by schools of the unvetted digital materials including the content, alignment to standards, lack of accessibility for students with disabilities, quality, or any other aspect of the digital materials. The unvetted digital materials shall not be placed on state contract; therefore, the availability and cost of these materials will not be assured.

Any funds appropriated for digital instructional materials which have not been encumbered by January 15, shall be used by the department to purchase unfunded state adopted instructional materials.

**SFC:** AMEND FURTHER to delete the new directives pertaining to unfunded state adopted digital student materials and unvetted materials.

**SEN:** ADOPT proviso as amended.

**1.71.** (SDE: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts ~~who wish to receive both the digital version and~~ have options for print/digital student materials to include class sets of ~~textbooks may be awarded that option~~ print student editions, if needed. Funds appropriated for the purchase of ~~textbooks and other~~ instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted ~~textbook~~ instructional materials inventory, purchasing new kits or those adopted as supplemental from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. ~~Digital Instructional Materials shall include the digital equivalent of materials and devices.~~

**1.73** (Technology Technical Assistance) Authorizes the department to withhold up to \$350,000 of K-12 Technology Initiative funds to provide technology assistance to school districts.

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**WMC:** DELETE proviso. *Deleted in order to roll-up technology lines. Language merged into Proviso 1A.30.*

**HOU:** ADOPT deletion of proviso.

**1.73.** (SDE: Technology Technical Assistance) ~~Of the funds appropriated for the K-12 Technology Initiative, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school districts.~~

**SFC:** REINSERT proviso.

**SEN:** ADOPT original proviso.

**1.73.** (SDE: Technology Technical Assistance) Of the funds appropriated for the K-12 Technology Initiative, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school districts.

**1.84** (School Leadership) Directs the department to use \$400,000 of Professional Development funds to contract with a non-profit leadership development provider that specializes in multiple assessments, executive coaching, and leadership development that provides school leadership progressive career path skills.

**WMC:** AMEND proviso delete reference to contracting with a non-profit leadership development provider and instead direct that the funds be allocated to South Carolina Foundation for Educational Leadership for Executive Education Leadership (CEEL) to provide professional development. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**1.84.** (SDE: School Leadership) Of the funds appropriated to and retained by the department for Professional Development, \$400,000 shall be ~~used to contract with a non-profit leadership development provider. The provider must specialize~~ allocated to South Carolina Foundation for Educational Leadership for Center for Executive Education Leadership (CEEL) which shall provide professional development that specializes in multiple assessments, executive coaching, and leadership development that provides the skills necessary for a progressive career path in school leadership.

**SFC:** RESTORE original proviso.

**SEN:** ADOPT original proviso.

**1.84.** (SDE: School Leadership) Of the funds appropriated to and retained by the department for Professional Development, \$400,000 shall be used to contract with a non-profit leadership development provider. The provider must specialize in multiple assessments, executive coaching, and leadership development that provides the skills necessary for a progressive career path in school leadership.

**1.86** (Poverty) Directs that students who were eligible to receive funds in the prior fiscal year according to the EFA Poverty weighting pursuant to proviso 1.3 are eligible to receive those funds for FY 2017-18.

**WMC:** AMEND proviso to update fiscal year reference to “2018-19.”

**HOU:** ADOPT proviso as amended.

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**1.86.** (SDE: Poverty) Students eligible in the prior fiscal year to receive funding according to the Poverty weighting in the Education Finance Act pursuant to proviso 1.3 in this Act, are eligible to receive those funds for Fiscal Year ~~2017-18~~ 2018-19.

**SFC:** DELETE proviso.

**SEN:** ADOPT deletion of proviso.

~~**1.86.** (SDE: Poverty) Students eligible in the prior fiscal year to receive funding according to the Poverty weighting in the Education Finance Act pursuant to proviso 1.3 in this Act, are eligible to receive those funds for Fiscal Year 2017-18.~~

**1.92** (Special Education Minutes Requirement) **WMC:** ADD new proviso to waive the required 250 minutes of specialized instruction a student is required to receive in order to qualify for the EFA special education weighting. Allow a special education weighting to be applied for any public school child who has an Individualized Education Program, regardless of the number of minutes of instruction.

**HOU:** ADOPT new proviso.

*1.92. (SDE: Special Education Minutes Requirement) For the current fiscal year the required two-hundred fifty minutes of specialized instruction a student is required to receive in order to qualify for the special education weighting in the EFA is waived. A special education weighting may be applied for any public school child with an Individualized Education Program in effect, regardless of the number of minutes of instruction.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of proviso.

*1.92. (SDE: Special Education Minutes Requirement) DELETED*

**1.95** (Teacher Salaries Increase) **WMC:** ADD new proviso to direct the department to increase the statewide salary schedule by 2%; require a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specify that districts are to use the prior year's district salary schedule as its base; and direct school districts to use the additional funds from the EFA to provide 1% of the required 2% increase. *Note: Companion EIA proviso is 1A.89.*

**HOU:** ADOPT new proviso.

*1.95. (SDE: Teacher Salaries Increase) For Fiscal Year 2018-19, the Department of Education is directed to increase the statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Education Finance Act appropriation to provide one percent of the required two percent increase.*

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

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**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of proviso.

**1.95. (SDE: Teacher Salaries Increase) DELETED**

- 1.96** (School District Residence Boundaries) **HOU:** ADD new proviso to allow a student residing in an area impacted by school district boundary reestablishment to continue attending a school in the district until graduation from high school as long as the student resides in the same property until graduation. Allow a school district to draw down state and federal funding for students enrolled under this provision. Sponsor: Rep. Felder.

*1.96. (SDE: School District Residence Boundaries) For Fiscal Year 2018-19, and with funds appropriated to local school districts, upon the reestablishment of a portion or entirety of a county boundary that impacts the school district boundary, persons residing on the impacted property may continue to enroll their children who previously attended a school in the district until such time as the child graduates from high school, as long as the child continuously resides at the same property until graduation. For the purposes of this section, "children" includes those children who are residing with their legal guardians whose property is impacted by a county boundary reestablishment in conflict with the immediate prior school district boundary. This proviso only applies to those persons residing on the impacted property and their children who reside with them. Once those persons move from the property or no longer have children living in the residence who are attending or will attend schools in the South Carolina K-12 public education system, this proviso no longer applies to that property. A district may draw down State and Federal funding for students enrolled under this section. A local board of trustees of the district where a student is being allowed to attend pursuant to this proviso shall determine the charge a student must pay for any bonded indebtedness that student would normally pay if they resided in the district. This proviso does not require the former resident of a county to continue enrollment of their children in school in the county in which their property was located before the reestablishment.*

**SFC:** ADOPT new proviso.

**SEN:** DELETE new proviso. *Ruled out of order.*

**1.96. (SDE: School District Residence Boundaries) DELETED**

- 1.97** (Charter School Sponsors) **HOU:** ADD new proviso to limit higher education institutions and the SC Public Charter School District from sponsoring more than sixty schools. Sponsor: Rep. Allison.

*1.97. (SDE: Charter School Sponsors) For Fiscal Year 2018-19, and with funds provided to charter school authorizers, institutions of higher education and the South Carolina Public Charter School District may not sponsor more than a combined total of sixty schools.*

**SFC:** DELETE new proviso.

**SEN:** DELETE new proviso.

**1.97. (SDE: Charter School Sponsors) DELETED**

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**1.98** (Crisis Intervention Team) **HOU:** ADD new proviso to direct the Department of Education and SLED to develop a Crisis Intervention Team to coordinate, collect and compile each school district's Crisis Intervention & School Safety Plans into a report and direct that recommendations for safety measures and associated costs be included in the report. Direct the Department of Education and SLED to include any additional funding requirements in their FY 2019-20 agency budget plans. Direct that the report be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees and the Governor by December 31, 2018. Sponsors: Reps. Erickson, Pitts, Govan and Mace.

**HOU2:** AMEND House version to direct the department to allocate the lottery funds they received for School Safety - Facility and Infrastructure Safety Upgrades to school districts to fund life safety infrastructure for school facilities projects that include, but are not limited to door locks, security cameras, metal detectors, lifesaving medical equipment, and equipment for school resource officers. Direct the department to develop and maintain an application process for requesting the funds. Require the department submit an annual report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees on the activities funded in the prior fiscal year. Sponsor: Rep. White.

*1.98. (SDE: Crisis Intervention Team) (A) For the current fiscal year, the Department of Education and the State Law Enforcement Division must develop, within existing staff, a Crisis Intervention Team to coordinate, collect and compile Crisis Intervention & School Safety Plans from each school district with their input. The report shall include recommendations for the General Assembly to consider which may include, but are not limited to, physical building security, bullet proof and access controlled doors, RFID chip in student identification cards, mental health services, school resource officers, and other school safety measures. Total costs associated with each recommendation shall be included in the report. If additional funding is required to implement the recommendations, the Department of Education and the State Law Enforcement Division are directed to include the recommended funds in their Fiscal Year 2019-20 agency budget plan. The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Governor by December 31, 2018.*

*(B) Of the lottery funds appropriated to the Department of Education for School Safety - Facility and Infrastructure Safety Upgrades, the department shall allocate the funds to school districts for the purpose of funding life safety infrastructure for school facilities projects. Eligible school facility projects shall include, but not necessarily be limited to items such as: (a) door locks, (b) security cameras, (c) metal detectors, (d) lifesaving medical equipment and (e) equipment related to school resource officers, excluding vehicles. For purposes of this provision, school facilities shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.*

*The department shall develop and maintain an application process for school districts to request funding for qualified school projects and establish policies, procedures, and priorities for the making of grants pursuant to this provision. In establishing these procedures, the department shall utilize the school facilities report among other sources. At least twice a year and upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need and shall submit a list of recommended grant awards to the State Board of Education. Grants shall be awarded upon an affirmative vote of the State Board.*

*The financial assistance provided to school districts pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision.*

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Following the close of the fiscal year, the department shall submit an annual report of its activities for the preceding year to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

**1.98.** (SDE: Crisis Intervention Team) For the current fiscal year, the Department of Education and the State Law Enforcement Division must develop within existing staff a Crisis Intervention Team to coordinate, collect and compile Crisis Intervention & School Safety Plans from each school district with their input. The report shall include recommendations for the General Assembly to consider which may include, but are not limited to, physical building security, bullet proof and access controlled doors, RFID chip in student identification cards, mental health services, school resource officers, and other school safety measures. Total costs associated with each recommendation shall be included in the report. If additional funding is required to implement the recommendations, the Department of Education and the State Law Enforcement Division are directed to include the recommended funds in their Fiscal Year 2019-20 agency budget plan. The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Governor by December 31, 2018.

- 1.99** (School Holidays) **HOU:** ADD new proviso to require local school districts to observe Martin Luther King, Jr. Day and Memorial Day as legal holidays; require schools, offices, and school to be closed; and prohibit make-up days from being scheduled on those days. Allow any funds realized from school closures to be used to provide educational training related to those holidays. Sponsors: Reps. King and Atwater.

**1.99.** (SDE: School Holidays) For Fiscal Year 2018-19 local school districts must observe Martin Luther King, Jr. Day and Memorial Day as legal holidays and schools and offices of the school districts must be closed on those dates. Districts may not schedule make-up days on either day. Schools and school districts may utilize the funds realized from observing those holidays to provide educational training related to the Martin Luther King Jr. Day and Memorial Day observance.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

**1.99.** (SDE: School Holidays) DELETED

- 1.100** (Alternative Certification Programs) **SFC:** ADD new proviso to authorize the department, through the State Board of Education, to award a conditional teaching certificate to a person enrolled in an approved alternative certification program provided certain conditions are met. **SEN:** ADOPT new proviso.

**1.100.** (SDE: Alternative Certification Programs) For the current fiscal year, the department, through the State Board of Education, is authorized to award a conditional teaching certificate to a person who is enrolled in an approved alternative certification program provided the person has earned a bachelor's degree from a regionally accredited college or university

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with a major, or major equivalence, as defined by the State Board of Education in guidelines developed by the department in a certification area for which the board has determined there exists a critical shortage of teachers, and the person has passed the appropriate teaching examination.

- 1.101** (Student Meals) **SFC:** ADD new proviso to direct school districts to identify students in poverty and increase their access to free school meals and to use the criteria in proviso 1.3 to directly certify pupils eligible for free and reduced price school meals. Direct local boards of trustees, if their schools are eligible to receive the free federal reimbursement rate for school breakfasts and lunches, to adopt a resolution indicating that they are participating and if their schools are not eligible, to adopt a resolutions stating they are unable to participate and why. Direct school districts to ensure parents and guardians of eligible students receive applications, instructions, and assistance in completing the paperwork. Prohibit schools from publicly identifying these students. Require meal debt information be communicated directly to the parent or guardian and not be sent home through the student.  
**SEN:** ADOPT new proviso.

**1.101.** (SDE: Student Meals) For the current fiscal year, all school districts shall identify students in poverty according to the provisions in Proviso 1.3 of this Act and increase access to free school meals for these students. School districts shall use the criteria to directly certify pupils eligible for free and reduced-price school meals to the extent permitted under federal law. The local board of trustees of a district in which all schools are eligible to receive the free federal reimbursement rate for all reimbursable school breakfasts and lunches served, pursuant to the Community Eligibility Provision in Section 1759(a) of Title 42 of the United States Code, shall adopt a resolution indicating participation. If a district is unable to participate, the local board of trustees shall adopt a resolution stating that it is unable to participate in CEP and demonstrate the reasons why. The resolution shall be published on a public meeting agenda concurrently with the proposed district budget as an action item and shall be approved by a majority of the board. School districts shall ensure that the parents or guardians of students eligible for free and reduced lunch receive the necessary applications and instructions and upon request are provided with assistance in completing the paperwork. Schools shall not publically identify a student who is unable to pay for a meal for any reason. Communications from the district regarding any meal debt owed must only be directed to the parent or guardian and may be sent home through the student.

- 1.102** (Consolidate Administrative Functions) **SFC:** ADD new proviso to allow the State Superintendent of Education, under certain circumstances, to consolidate administrative and professional services of a school district with one or more other school districts. Provide a timeline for a plan to be implemented and direct that if the district fails to comply, the department shall withhold 1% of the district's EFA allocation until they are in compliance.  
**SEN:** ADOPT new proviso.

**1.102.** (SDE: Consolidate Administrative Functions) For the current fiscal, any school district that has an average daily membership of less than 1,500 students, has been designated in Fiscal Watch, Caution or Emergency status, has a risk assessment of medium or high, has a school or is a district with an accreditation status of probation or denied, or has a school or schools that have been in improvement status for three years may be directed by the State Superintendent of Education to consolidate administrative and professional services with one or

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more school districts. Administrative and professional services may include, but are not limited to: finance, human resources, procurement, administrative functions, transportation and collaboration on increasing instructional offerings. The Superintendent shall notify a district in writing that they meet one or more of the criteria. The district then has thirty business days from receipt of the notification to deliver a plan to the Superintendent for her approval. The Superintendent must either approve or amend the plan within fifteen days. Plans must be implemented within sixty days of approval. If a district fails to submit a plan, the Superintendent shall direct the consolidation of services with another school district and if the district fails to comply, the department shall withhold one percent of the district's EFA allocation until the district does comply. At that time, the EFA payments shall resume and any EFA funds withheld shall be allocated to the district.

- 1.103** (Extracurricular Activities Participation) **SFC:** ADD new proviso to direct that any school that receives state funds must allow private school students to participate in interscholastic activities offered by the school if certain criteria is met. Define "private school" for purposes of this provision.  
**SEN:** ADOPT new proviso.

**1.103.** (SDE: Extracurricular Activities Participation) In the current fiscal year and with the funds appropriated to the Department of Education, any school receiving state funds shall allow private school students to participate in interscholastic activities offered by the school if it is located in the attendance zone in which the student resides, if the private school he attends does not offer a similar activity, and if he satisfies the requirements that charter school students must satisfy to participate in such interscholastic activities as provided in Section 59-63-100. For purposes of this proviso, 'private school', means a school established by an entity other than the State or a subdivision of the State, supported primarily by private or nonpublic funds, and operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school.

- 1.104** (Paperwork and Reporting Consolidation) **SEN:** ADD new proviso to direct the department to provide the General Assembly with a report by January 15, 2019, that outlines recommendations to reduce and streamline paperwork and reporting requirements for teachers, schools and school districts. Require the report include information on federal reporting requirements and include any potential loss of funds if the reports are not completed. Sponsor: Sen. Hembree.

**1.104.** (SDE: Paperwork and Reporting Consolidation) From the funds appropriated, the department shall provide the General Assembly with a report by January 15, 2019, outlining recommendations to reduce and streamline the amount of paperwork and reporting required of teachers, schools, and school districts. The report must include information on required reporting and administrative paperwork at the classroom, school, district, and state level, the entity requiring the data or report, the method of reporting, and frequency of the report. The department also shall include information on federal reporting requirements and include information on the potential loss of funding at the state and district level if the reports are not completed.

- 1.105** (School Safety Program) **HOU2:** Amend House version to ADD new proviso to direct that School Safety Program funds be used to hire certified law enforcement officers to serve as school

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resource officers for school districts without adequate resources to hire their own resource officers. Provide eligibility requirements; authorize a maximum of four SROs per district; and direct the department to provide funding directly to the local law enforcement agency for the SRO. Sponsor: Rep. White. *Note: Proviso was 1.100 in HOU2 version.*

*1.105. (SDE: School Safety Program) Funds appropriated for the School Safety Program shall be utilized by the department for the purpose of hiring certified law enforcement officers to serve as a school resource officer for school districts that otherwise would lack the adequate resources to hire their own school resource officers. In making determinations of eligibility the department shall use the most recent index of taxpaying ability as the district's indicator of ability to pay, with districts of the lowest index of taxpaying ability receiving priority consideration. Districts must apply for funding through the department and no districts shall receive an award of more than four certified school resource officer positions. In making awards the department shall provide funding directly to the local law enforcement agency to pay for the cost of the law enforcement officer that will serve as a full-time school resource officer.*

**SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA**

**1A.14** (School Districts and Special Schools Flexibility) Grants maximum transferability and expenditure of appropriated State funds for operations of school districts and special schools within certain guidelines; prohibits school districts from transferring specific funds allocated for certain purposes; and suspends specific requirements and assessments. *Note: Companion General Education proviso is 1.26.*

**WMC:** AMEND proviso to add “funds provided for technology” to the list of funds which may not be flexed. Delete the requirement that schools that do not have an internet website transmit all required information to the Comptroller General for posting on their website. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**1A.14.** (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, *and* Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, *funds provided for technology*, nor *funds* required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership

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services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district's per pupil expenditures.

"In\$ite" means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district's board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

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The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

~~School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.~~

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, *of* the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

**SFC:** AMEND FURTHER to delete “funds provided for technology” from the list of funds which may not be flexed.

**SEN:** ADOPT proviso as amended.

**1A.14.** (SDE-EIA: School Districts and Special Schools Flexibility) All school districts and special schools of this State may transfer and expend funds among appropriated state general fund revenues, Education Improvement Act funds, *and* Education Lottery Act funds, and funds received from the Children’s Education Endowment Fund for school facilities and fixed equipment assistance, to ensure the delivery of academic and arts instruction to students. However, a school district may not transfer funds allocated specifically for state level maintenance of effort requirements under IDEA, funds allocated specifically for state level maintenance of effort requirement for federal program, funds provided for the Education and Economic Development Act, funds provided for Career and Technology Education, nor *funds* required for debt service or bonded indebtedness. All school districts and special schools of this State may suspend professional staffing ratios and expenditure regulations and guidelines at the sub-function and service area level, except for four-year old programs and programs serving students with disabilities who have Individualized Education Programs.

In order for a school district to take advantage of the flexibility provisions, at least seventy-five percent of the school district’s per pupil expenditures must be utilized within the In\$ite categories of instruction, instructional support, and only transportation, food service, and safety within non-instruction pupil services. No portion of the seventy-five percent may be used for facilities, business services, debt service, capital outlay, program management, and leadership services, as defined by In\$ite. The school district shall report to the Department of Education the actual percentage of its per pupil expenditures used for classroom instruction, instructional support, and transportation, food service, and safety within non-instruction pupil services for the current school year ending June thirtieth. Salaries of on-site principals must be included in the calculation of the district’s per pupil expenditures.

“In\$ite” means the financial analysis model for education programs utilized by the Department of Education.

School districts are encouraged to reduce expenditures by means, including, but not limited to, limiting the number of low enrollment courses, reducing travel for the staff and the school district’s board, reducing and limiting activities requiring dues and memberships, reducing transportation costs for extracurricular and academic competitions, restructuring administrative staffing, and expanding virtual instruction.

School districts and special schools may carry forward unexpended funds from the prior fiscal year into the current fiscal year.

Prior to implementing the flexibility authorized herein, school districts must provide to Public Charter Schools the per pupil allocation due to them for each categorical program.

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Quarterly throughout the current fiscal year, the chairman of each school district's board and the superintendent of each school district must certify where non-instructional or nonessential programs have been suspended and the specific flexibility actions taken. The certification must be in writing, signed by the chairman and the superintendent, delivered electronically to the State Superintendent of Education, and an electronic copy forwarded to the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Education and Public Works Committee. Additionally, the certification must be presented publicly at a regularly called school board meeting, and the certification must be conspicuously posted on the internet website maintained by the school district.

For the current fiscal year, Section 59-21-1030 is suspended. The foreign language program assessment, and the physical education assessment must be suspended. School districts and the Department of Education are granted permission to purchase the most economical type of bus fuel.

For the current fiscal year, savings generated from the suspension of the assessments enumerated above must be allocated to school districts based on weighted pupil units.

School districts must maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the district's internet website and made available for public viewing and downloading. The register must include for each expenditure:

- (i) the transaction amount;
- (ii) the name of the payee; and
- (iii) a statement providing a detailed description of the expenditure.

The register must not include an entry for salary, wages, or other compensation paid to individual employees. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each school district must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

The Comptroller General must establish and maintain a website to contain the information required by this section from a school district that does not maintain its own internet website. The internet website must be organized so that the public can differentiate between the school districts and search for the information they are seeking.

~~School districts that do not maintain an internet website must transmit all information required by this provision to the Comptroller General in a manner and at a time determined by the Comptroller General to be included on the internet website.~~

The provisions contained herein do not amend, suspend, supersede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, *of* the South Carolina Freedom of Information Act. Nothing in this proviso shall be interpreted as prohibiting the State Board of Education to exercise its authority to grant waivers under Regulation 43-261.

- 1A.25** (Professional Development) Allows up to \$500,000 of professional development funds to be used for gifted and talented teacher endorsement and certification activities and provides for the allocation of the remainder of the funds. Authorizes the department to retain up to 25% for

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administration and for providing professional development services targeted to the original Abbeville law suite trial and plaintiff school districts. Requires the department to post professional development standards on its website and provide training through telecommunication methods. Authorizes unexpended professional development funds to be carried forward and used for the same purpose.

**WMC:** AMEND proviso to direct that \$485,000 be allocated to the Youth Learning Institute at Clemson University to implement two professional development programs in four middle schools to assist educators in teaching students how to become self-regulated and self-directed learners. Require the institute provide the department with evidence of the impact of the program and information on how to scale the model statewide. Delete the directive for allocating the remainder of professional development funds and the authorization for the department to retain up to 25% for administration and for providing professional development services targeted to the Abbeville law suit plaintiff districts.

**HOU:** ADOPT proviso as amended.

**1A.25.** (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to \$500,000 may be expended for gifted and talented teacher endorsement and certification activities. Additionally, \$485,000 shall be allocated to the Youth Learning Institute at Clemson University to implement two professional development programs in four middle schools in school year 2018-19 to assist educators in teaching students how to become self-regulated and self-directed learners. The institute must provide to the department evidence of the impact of the program and information on how the model may be scaled statewide. ~~The balance of EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty five day count of the prior school year. The funds must be expended on professional development for certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts and using technology in classroom instruction. No more than twenty five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of other professional development services which must be targeted to districts who are or were the original trial and plaintiff school districts in the Abbeville law suit to increase the capacity of educators and leaders in those districts. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards. The department is authorized to carry forward and expend professional development funds for the same purpose.~~

**SFC:** AMEND FURTHER to delete the directive that \$485,000 be allocated to the Youth Learning Institute at Clemson University.

**SEN:** ADOPT proviso as amended.

**1A.25.** (SDE-EIA: Professional Development) Of the funds appropriated for professional development, up to \$500,000 may be expended for gifted and talented teacher endorsement and certification activities. ~~The balance of EIA funds appropriated for professional development must be allocated to districts based on the number of weighted pupil units in each school district in proportion to the statewide weighted pupil units using the one hundred thirty five day count of the prior school year. The funds must be expended on professional development for~~

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~~certificated instructional and instructional leadership personnel in grades kindergarten through twelve across all content areas, including teaching in and through the arts and using technology in classroom instruction. No more than twenty five percent of the funds appropriated for professional development may be retained by the Department of Education for the administration and provision of other professional development services which must be targeted to districts who are or were the original trial and plaintiff school districts in the Abbeville law suit to increase the capacity of educators and leaders in those districts. The Department of Education must provide professional development on assessing student mastery of the content standards through classroom, formative and end-of-year assessments. The Department of Education also must post on the agency's website the South Carolina Professional Development Standards and provide training through telecommunication methods to school leadership on the professional development standards. The department is authorized to carry forward and expend professional development funds for the same purpose.~~

**1A.30** (Aid to Districts) Directs that Aid to Districts funds in program VII.A.1 be dispersed to school districts based on the number of weighted pupil units.

**WMC:** AMEND proviso to direct that the funds be dispersed "at least quarterly." Authorize the department to withhold up to \$350,000 to provide school districts with technology technical assistance and to allocate the remaining funds based on the number of wpu with no district receiving less than they received the prior fiscal year due to consolidating the Aid to Districts-Technology, Reading, and Professional Development line items into the Aid to Districts line item.

**HOU:** ADOPT proviso as amended.

**1A.30.** (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, VIII.A.1. Aid to Districts shall be dispersed at least quarterly to school districts ~~based on the number of weighted pupil units.~~ Of the funds appropriated for Aid to Districts, the department is authorized to withhold up to \$350,000 in order to provide technology technical assistance to school districts. For the current fiscal year, the remaining funds shall be allocated to districts based on the number of weighted pupil units with no district receiving less funds than the district received in the prior fiscal year as a result of consolidating the following EIA line items into the Aid to Districts line item: Aid to Districts-Technology; Reading; and Professional Development.

**SFC:** AMEND FURTHER to direct the funds be dispersed "monthly" rather than "at least quarterly;" delete the authorization for the department to withhold up to \$350,000 to provide school districts with technology technical assistance and the directive that no district receive less than they received the prior fiscal year as a result of consolidating specific line items into the Aid to Districts line item.

**SEN:** ADOPT proviso as amended.

**1A.30.** (SDE-EIA: Aid to Districts) Funds appropriated in Part IA, Section 1, VIII.A.1. Aid to Districts shall be dispersed monthly to school districts ~~based on the number of weighted pupil units.~~ For the current fiscal year, the remaining funds shall be allocated to districts based on the number of weighted pupil units.

**1A.36** (Teacher Salaries/SE Average) States the projected Southeastern average teacher salary for FY 2017-18 is \$51,966. Directs the department to continue to use the FY 2016-17 statewide

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minimum teacher salary schedule in FY 2017-18. Requires a local district board of trustees to provide a step increase for all eligible certified teachers.

**WMC:** AMEND proviso to change “\$51,966” to “\$51,152” and change “2017-18” to “2018-19.”

**HOU:** ADOPT proviso as amended.

**1A.36.** (SDE-EIA: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers’ salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be ~~\$51,966~~ \$51,152. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

The statewide minimum teacher salary schedule used in Fiscal Year 2016-17 will continue to be used in Fiscal Year ~~2017-18~~ 2018-19.

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

Funds appropriated in Part IA, Section 1, VIII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

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

**SFC:** AMEND FURTHER to change the Southeastern average teacher salary from “\$51,152” to “\$52,152.” Direct the department to continue to use the “FY 2017-18” statewide minimum teacher salary schedule in FY 2018-19; direct that the starting teacher salary shall be increased to \$32,000 with the remaining salary schedule increased by 1 percent; and direct that if additional state funds fill the gap, the requirement that school districts maintain local salary supplements per teacher at no less than their prior year level is suspended.

**SEN:** ADOPT proviso as amended.

**1A.36.** (SDE-EIA: Teacher Salaries/SE Average) The projected Southeastern average teacher salary shall be the average of the average teachers’ salaries of the southeastern states as projected by the Revenue and Fiscal Affairs Office. For the current school year the Southeastern average teacher salary is projected to be ~~\$51,966~~ \$52,152. The General Assembly remains desirous of raising the average teacher salary in South Carolina through incremental increases over the next few years so as to make such equivalent to the national average teacher salary.

The statewide minimum teacher salary schedule used in Fiscal Year ~~2016-17~~ 2017-18 will continue to be used in Fiscal Year ~~2017-18~~ 2018-19 and the starting salary shall be increased to \$32,000 with the remaining salary schedule increased by one percent.

Additionally, for the current fiscal year, a local school district board of trustees must increase the salary compensation for all eligible certified teachers employed by the district by no less than one year of experience credit using the district salary schedule utilized the prior fiscal year as the basis for providing the step. Application of this provision must be applied uniformly for all eligible certified teachers. For Fiscal Year 2018-19, the requirement that school districts

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*maintain local salary supplements per teacher no less than their prior fiscal year level is suspended if additional State funds fill the gap.*

Funds appropriated in Part IA, Section 1, VIII.C.2. for Teacher Salaries must be used to increase salaries of those teachers eligible pursuant to Section 59-20-50(4)(b), to include classroom teachers, librarians, guidance counselors, psychologists, social workers, occupational and physical therapists, school nurses, orientation/mobility instructors, and audiologists in the school districts of the state.

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

- 1A.41** (EOC Partnerships for Innovation) Directs the EOC to participate in public-private partnerships to promote innovative ways to transform how public education is assessed that supports increased student achievement in reading and college and career readiness. Allows the funds to also be used for innovative delivery of science, technology, and genetic education and exposure to career opportunities in science to students in the Abbeville equity school districts and in high poverty schools. Directs the committee to work to expand the engagement of stakeholders and annually report to the General Assembly on measurement results. Directs the EOC and the department to recommend a plan to develop and implement a strategic grants process to review, award, and monitor innovative education strategies in schools and districts and directs that the plan be submitted to the Senate Finance and House Ways and Means Committees by January 15, 2018. **WMC:** AMEND proviso to update plan submission due date to January 15, “2019.” **HOU:** ADOPT proviso as amended.

**1A.41.** (SDE-EIA: EOC Partnerships for Innovation) Of the funds appropriated or carried forward from the prior fiscal year, the Education Oversight Committee is directed to participate in public-private partnerships to promote innovative ways to transform the assessment of public education in South Carolina that support increased student achievement in reading and college and career readiness. The Education Oversight Committee may provide financial support to districts and to public-private partnerships for planning and support to implement, sustain and evaluate the innovation and to develop a matrix and measurements of student academic success based on evidence-based models. These funds may also be used to support the innovative delivery of science, technology, and genetic education and exposure to career opportunities in science, including mobile science laboratory programs, to students enrolled in the Abbeville equity school districts and students in high poverty schools. These funds may also focus on creating public-private literacy partnerships utilizing a 2:1 matching funds provision when the initiative employs research-based methods, has demonstrated success in increasing reading proficiency of struggling readers, and works directly with high poverty schools and districts. The committee will work to expand the engagement of stakeholders including state agencies and boards like the Educational Television Commission, businesses, and higher education institutions. The committee shall annually report to the General Assembly on the measurement results.

The Education Oversight Committee and the Department of Education shall recommend to the Senate Finance Committee and to the House Ways and Means Committee a plan to develop and implement a strategic grants process for reviewing, awarding, and monitoring innovative education strategies in schools and districts. The plan would identify the process and priority areas for funding that address the educational needs of the state. The plan must be submitted by January 15, ~~2018~~ 2019.

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**SFC:** AMEND FURTHER to delete the requirement that the EOC and the department submit a plan by January 15, 2018 to develop and implement a strategic grants process.

**SEN:** ADOPT proviso as amended.

**1A.41.** (SDE-EIA: EOC Partnerships for Innovation) Of the funds appropriated or carried forward from the prior fiscal year, the Education Oversight Committee is directed to participate in public-private partnerships to promote innovative ways to transform the assessment of public education in South Carolina that support increased student achievement in reading and college and career readiness. The Education Oversight Committee may provide financial support to districts and to public-private partnerships for planning and support to implement, sustain and evaluate the innovation and to develop a matrix and measurements of student academic success based on evidence-based models. These funds may also be used to support the innovative delivery of science, technology, and genetic education and exposure to career opportunities in science, including mobile science laboratory programs, to students enrolled in the Abbeville equity school districts and students in high poverty schools. These funds may also focus on creating public-private literacy partnerships utilizing a 2:1 matching funds provision when the initiative employs research-based methods, has demonstrated success in increasing reading proficiency of struggling readers, and works directly with high poverty schools and districts. The committee will work to expand the engagement of stakeholders including state agencies and boards like the Educational Television Commission, businesses, and higher education institutions. The committee shall annually report to the General Assembly on the measurement results.

~~The Education Oversight Committee and the Department of Education shall recommend to the Senate Finance Committee and to the House Ways and Means Committee a plan to develop and implement a strategic grants process for reviewing, awarding, and monitoring innovative education strategies in schools and districts. The plan would identify the process and priority areas for funding that address the educational needs of the state. The plan must be submitted by January 15, 2018.~~

**1A.42** (Aid to Districts Draw Down) Requires school districts, the Palmetto Unified District and DJJ, in order to draw down Aid to Districts funds, to work with local, and if necessary, state law enforcement agencies to ensure that they have an updated school safety plan. Requires updated plans be submitted to the department by September 1st, and requires the department report to the Chairmen of specific committees by September 30th, on any districts that did not submit an updated plan.

**SFC:** AMEND proviso to allow school districts to continue to negotiate with local law enforcement to provide School Resource Officers.

**SEN:** ADOPT proviso as amended.

**1A.42.** (SDE-EIA: Aid to Districts Draw Down) For the current fiscal year, in order to draw down funds appropriated in Part IA, Section 1, VIII.A.1, Aid to Districts, school districts, Palmetto Unified District and the Department of Juvenile Justice must work with local law enforcement agencies, and when necessary, state law enforcement agencies in order to ensure that the district has an updated school safety plan in place. The safety plan must include safety directives in the classroom, a safe student and staff exit strategy and necessary safety staff. Notice of completion of the updated plan must be submitted to the Department of Education no later than September first, of the current fiscal year. *In the current fiscal year, school districts may continue to negotiate with local law enforcement for the provision of School Resource Officers.* The department must report to the Chairman of the House Ways and Means Committee, the

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Chairman of the House Education and Public Works Committee, the Chairman of the Senate Finance Committee and the Chairman of the Senate Education Committee by September thirtieth, of the current fiscal year, on any districts that failed to submit an updated plan.

**1A.48** (Surplus) Requires EIA funds carried forward from the prior fiscal year that are not appropriated or authorized to be carried forward and spent for specified purposes. Directs the department to disburse the K-12 Funding Gap funds to school districts that are cumulatively appropriated and allocated at least 8% less state funds than they received in FY 2016-17.

**WMC:** AMEND proviso to update fiscal year reference to "2018-19;" delete items 1, 4, 5, and 6; change EOC Partnership from "\$6,281,500" to "\$4,559,000;" and delete the directive for disbursing funds for the K-12 Funding Gap.

**HOU:** ADOPT proviso as amended.

**1A.48.** (SDE-EIA: Surplus) For Fiscal Year ~~2017-18~~ 2018-19, EIA cash funds from the prior fiscal year and EIA funds not otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed:

- ~~1. Computer Science Task Force - \$400,000;~~
- ~~2. 1. EOC-Partnerships - \$6,281,500~~ \$4,559,000; and
- ~~3. 2. Industry Certification - \$3,000,000;~~
- ~~4. SDE School Districts Capital Improvement Plan - \$55,828,859;~~
- ~~5. SDE Technical Assistance - \$1,308,500; and~~
- ~~6. SDE K-12 Funding Gap - \$450,000.~~

~~The Department of Education shall disburse the funds for the K-12 Funding Gap proportionately to school districts that, in the current fiscal year, are cumulatively appropriated and allocated at least eight percent less state funds than the school district was appropriated and allocated in Fiscal Year 2016-17. For purposes of this proviso, state funds includes Education Improvement Act funds. Further, the amounts appropriated and allocated in Part IA and Sections 1 and 1A of this Part IB, shall be considered for purposes of determining whether a school district received less state funds.~~

**SFC:** AMEND FURTHER to change EOC Partnerships from "\$4,559,000" to "\$5,109,000" and change Industry Partnerships from "\$3,000,000" to "\$2,450,000."

**SEN:** AMEND FURTHER to allow additional funds carried forward and not otherwise appropriated be used for transportation and bus purchases. Sponsor: Sen. Sheheen.

**1A.48.** (SDE-EIA: Surplus) For Fiscal Year ~~2017-18~~ 2018-19, EIA cash funds from the prior fiscal year and EIA funds not otherwise appropriated or authorized must be carried forward and expended on the following items in the order listed:

- ~~1. Computer Science Task Force - \$400,000;~~
- ~~2. 1. EOC-Partnerships - \$6,281,500~~ \$5,109,000; and
- ~~3. 2. Industry Certification - \$3,000,000;~~ \$2,450,000.
- ~~4. SDE School Districts Capital Improvement Plan - \$55,828,859;~~
- ~~5. SDE Technical Assistance - \$1,308,500; and~~
- ~~6. SDE K-12 Funding Gap - \$450,000.~~

~~The Department of Education shall disburse the funds for the K-12 Funding Gap proportionately to school districts that, in the current fiscal year, are cumulatively appropriated and allocated at least eight percent less state funds than the school district was appropriated and allocated in Fiscal Year 2016-17. For purposes of this proviso, state funds includes Education Improvement Act funds. Further, the amounts appropriated and allocated in Part IA and Sections~~

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~~1 and 1A of this Part IB, shall be considered for purposes of determining whether a school district received less state funds.~~

*Any additional funds carried forward and not otherwise appropriated or authorized may be used for transportation and bus purchases.*

- 1A.51** (Low Achieving Schools) Directs the EOC to use \$500,000 of the Partnerships for Innovation funds to support up to 3 low-achieving schools to design and plan for implementing innovative, research-based strategies that are focused on recruiting and retaining highly effective teachers and on increasing time-on task. Directs the EOC to assist schools to determine the evidence to be collected to measure initiative effectiveness and to identify resources to support the initiative and to collaborate with TransformSC.  
**WMC:** DELETE proviso.  
**HOU:** ADOPT deletion of proviso.

~~**1A.51.** (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$500,000 must be allocated to support up to three low-achieving schools in designing and planning for implementation innovative, research-based strategies focused on recruiting and retaining highly effective teachers and on increasing time-on-task through the amount of time, the quality of instruction and the engagement of students. The committee will assist the schools in determining the evidence that will be collected to measure the effectiveness of the initiative and in identifying resources to support the initiative and in collaborating with TransformSC.~~

**SFC:** REINSERT proviso and AMEND to change “\$500,000” to “\$375,000.”  
**SEN:** ADOPT proviso as amended.

**1A.51.** (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$500,000~~ \$375,000 must be allocated to support up to three low-achieving schools in designing and planning for implementation innovative, research-based strategies focused on recruiting and retaining highly effective teachers and on increasing time-on-task through the amount of time, the quality of instruction and the engagement of students. The committee will assist the schools in determining the evidence that will be collected to measure the effectiveness of the initiative and in identifying resources to support the initiative and in collaborating with TransformSC.

- 1A.52** (TransformSC) Requires at least \$400,000 of Partnerships for Innovation funds to the EOC be allocated to the TransformSC public-private project.  
**WMC:** DELETE proviso.  
**HOU:** ADOPT deletion of proviso.

~~**1A.52.** (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least \$400,000 shall be allocated to the TransformSC public-private project.~~

**SFC:** REINSERT proviso and AMEND to change “\$400,000” to “\$300,000.”  
**SEN:** ADOPT proviso as amended.

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**1A.52.** (SDE-EIA: TransformSC) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, at least ~~\$400,000~~ \$300,000 shall be allocated to the TransformSC public-private project.

**1A.55** (Rural Teacher Recruiting Incentive) Creates a program within CERRA to recruit and retain classroom educators in rural and underserved districts that annually experience excessive teacher turnover. Requires CERRA report by July 31st to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House on the incentives that have been developed and to make recommendations for attracting and retaining high quality teachers. Authorizes Rural Teacher Recruiting Incentive funds to be carried forward and used for the same purpose.

**WMC:** AMEND proviso (B)(1) to change teacher turnover of “eleven” to “ten” percent. Amend (C) to delete item (1) pertaining to the SC Teachers Loan forgiveness rate of 1 year for every 2 years of service. *CHE is currently pursuing changes to the loan statute to provide loan forgiveness for all teachers in all districts and the Student Loan Corporation states it is operationally difficult and expensive to implement different loan forgiveness rates.* Requested by Center for Educator Recruitment, Retention, and Advancement.

**HOU:** ADOPT proviso as amended.

**1A.55.** (SDE-EIA: Rural Teacher Recruiting Incentive) (A) There is created a program within the South Carolina Center for Educator Recruitment, Retention, and Advancement (CERRA) to recruit and retain classroom educators in rural and underserved districts experiencing excessive turnover of classroom teachers on an annual basis.

(B) During the current fiscal year CERRA shall publish eligibility requirements and applications for individual educators, school districts, and institutions of higher education not inconsistent with existing licensure requirements for each, but also including:

(1) Eligible districts identified by CERRA as experiencing greater than ~~eleven~~ ten percent average annual teacher turnover, as reported on the districts’ five most recent district report cards issued by the South Carolina Department of Education, may make application to participate in the program.

(2) Individuals eligible for incentives shall be willing to provide instructional services in an eligible district in exchange for participation in an incentive detailed in item (C) of this section, pursuant to the obligations and restrictions stated for each.

(3) Institutions of higher education eligible to receive education funding as a component of recruiting incentives created pursuant to item (C) of this section shall not be excluded from participation in Teaching Fellows Program.

(4) Any incentives requiring individuals to relocate into an eligible district to provide instructional services shall not be made available to individuals providing instructional services in other eligible districts.

(C) Pursuant to item (A), CERRA shall develop a set of incentives including, but not limited to, salary supplements, education subsidies, loan forgiveness, professional development, and mentorship to be provided to classroom educators that offer instructional services in eligible districts and shall provide incentive options for eligible individuals at all stages of their careers, including high-school and college or university students interested in entering the teaching profession and including individuals entering the field through an alternative certification pathway to include, but not limited to, PACE, ABCTE, Teach for American and CATE Work-Based Certification.

At a minimum, the incentives shall include:

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~~(1) South Carolina Teachers Loan forgiveness at a rate of one year for every two years of service as a teacher in an eligible district, unless otherwise eligible for a greater forgiveness rate under the guidelines of the South Carolina Teachers Loan Program.~~

(2) Development of a program for forgiveness of undergraduate student loans, not to exceed \$5,000 per year, for up to 7 years, for teachers participating in this incentive that achieve certification through an alternative pathway or who have a loan from an institution other than the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

(3) Development of a forgivable loan program for individuals pursuing graduate coursework in furtherance of a teaching career, including enrollment in graduate-level coursework necessary to seek additional credentialing or certification relevant to the participant's teaching practice, or individuals seeking an alternative pathway to certification as a teacher.

(4) Support for the establishment and maintenance of a teaching mentorship program, including salary supplements for teaching mentors not to exceed \$2,500 per year.

(5) Other technical support and recruiting incentives as developed by CERRA in conjunction with the Department of Education and the Education Oversight Committee consistent with the objectives of this section.

(D) In addition to eligibility and application requirements, CERRA shall develop a process for recovering an amount equal to the incentives given to individual participants who fail to comply with the obligations associated with a relevant incentive in which they participate including, but not limited to, failure to complete a prescribed course of study, failure to obtain a relevant certification or licensure upon completion of a course of study, or failure to provide instructional services in an eligible district for a prescribed period of time.

(E) CERRA shall report by July thirty-first of the current fiscal year to the Governor, President pro Tempore of the Senate, and Speaker of the House on the incentives developed pursuant to item (C) of this section and make recommendations for attracting and retaining high quality teachers in rural and underserved districts. The report shall contain at a minimum eligibility requirements and application processes for districts and individuals, descriptions of and proposed budgets for each incentive program and an analysis of the number and demographics of individuals potentially eligible for each.

(F) Funds appropriated or transferred for use in the Rural Teacher Recruiting Incentive may be carried forward from prior fiscal years and used for the same purpose.

**SFC:** AMEND FURTHER to change “ten” percent back to original “eleven” percent.

**SEN:** ADOPT proviso as amended.

**1A.55.** (SDE-EIA: Rural Teacher Recruiting Incentive) (A) There is created a program within the South Carolina Center for Educator Recruitment, Retention, and Advancement (CERRA) to recruit and retain classroom educators in rural and underserved districts experiencing excessive turnover of classroom teachers on an annual basis.

(B) During the current fiscal year CERRA shall publish eligibility requirements and applications for individual educators, school districts, and institutions of higher education not inconsistent with existing licensure requirements for each, but also including:

(1) Eligible districts identified by CERRA as experiencing greater than eleven percent average annual teacher turnover, as reported on the districts' five most recent district report cards issued by the South Carolina Department of Education, may make application to participate in the program.

(2) Individuals eligible for incentives shall be willing to provide instructional services in an eligible district in exchange for participation in an incentive detailed in item (C) of this section, pursuant to the obligations and restrictions stated for each.

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(3) Institutions of higher education eligible to receive education funding as a component of recruiting incentives created pursuant to item (C) of this section shall not be excluded from participation in Teaching Fellows Program.

(4) Any incentives requiring individuals to relocate into an eligible district to provide instructional services shall not be made available to individuals providing instructional services in other eligible districts.

(C) Pursuant to item (A), CERRA shall develop a set of incentives including, but not limited to, salary supplements, education subsidies, loan forgiveness, professional development, and mentorship to be provided to classroom educators that offer instructional services in eligible districts and shall provide incentive options for eligible individuals at all stages of their careers, including high-school and college or university students interested in entering the teaching profession and including individuals entering the field through an alternative certification pathway to include, but not limited to, PACE, ABCTE, Teach for American and CATE Work-Based Certification.

At a minimum, the incentives shall include:

~~(1) South Carolina Teachers Loan forgiveness at a rate of one year for every two years of service as a teacher in an eligible district, unless otherwise eligible for a greater forgiveness rate under the guidelines of the South Carolina Teachers Loan Program.~~

(2) 1 Development of a program for forgiveness of undergraduate student loans, not to exceed \$5,000 per year, for up to 7 years, for teachers participating in this incentive that achieve certification through an alternative pathway or who have a loan from an institution other than the South Carolina Student Loan Corporation or program other than the South Carolina Teachers Loan Program.

~~(3)~~ 2 Development of a forgivable loan program for individuals pursuing graduate coursework in furtherance of a teaching career, including enrollment in graduate-level coursework necessary to seek additional credentialing or certification relevant to the participant's teaching practice, or individuals seeking an alternative pathway to certification as a teacher.

~~(4)~~ 3 Support for the establishment and maintenance of a teaching mentorship program, including salary supplements for teaching mentors not to exceed \$2,500 per year.

~~(5)~~ 4 Other technical support and recruiting incentives as developed by CERRA in conjunction with the Department of Education and the Education Oversight Committee consistent with the objectives of this section.

(D) In addition to eligibility and application requirements, CERRA shall develop a process for recovering an amount equal to the incentives given to individual participants who fail to comply with the obligations associated with a relevant incentive in which they participate including, but not limited to, failure to complete a prescribed course of study, failure to obtain a relevant certification or licensure upon completion of a course of study, or failure to provide instructional services in an eligible district for a prescribed period of time.

(E) CERRA shall report by July thirty-first of the current fiscal year to the Governor, President pro Tempore of the Senate, and Speaker of the House on the incentives developed pursuant to item (C) of this section and make recommendations for attracting and retaining high quality teachers in rural and underserved districts. The report shall contain at a minimum eligibility requirements and application processes for districts and individuals, descriptions of and proposed budgets for each incentive program and an analysis of the number and demographics of individuals potentially eligible for each.

(F) Funds appropriated or transferred for use in the Rural Teacher Recruiting Incentive may be carried forward from prior fiscal years and used for the same purpose.

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**1A.57** (Reading/Literacy Coaches) Provides for the allocation and use of funds appropriated for Reading/Literacy Coaches to school districts. Requires the department publish guidelines defining reading/literacy coach minimum qualifications; develop procedures to monitor the use of these funds; and requires the funds to be retained and carried forward for the same purpose and not flexed. *Note: Companion General Education proviso is 1.62.*

**WMC:** AMEND proviso item (A) to delete previous distribution criteria and instead direct that school districts shall be eligible to receive up to \$62,730 for each primary and elementary school. Amend item (B) to authorize a district to use these funds to employ reading/literacy coaches in a primary, elementary, or middle school, or combination of schools depending on the districts area of highest need. Require the district to align placement of coaches to their approved district reading plan. Amend item (C) to add primary and/or middle schools. Amend item (K) to delete previous directive for targeting areas of greatest need based on certain criteria and instead authorize the department to fund a coach at the full time rate based on certain criteria.

**HOU:** ADOPT proviso as amended.

**1A.57.** (SDE-EIA: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows: ~~(1) for each primary and elementary school in which twenty percent or more of the students scored below “meets expectations” on the reading sub-score of the English language arts test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of up to \$62,730, or the actual cost of salary and benefits for a full time reading/literacy coach; and~~

~~(2) for each elementary school in which fewer than twenty percent of the students scored as referenced in (A)(1), the school district shall be eligible to receive the lesser of up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full time reading/literacy coach. A school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.~~

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may, ~~however,~~ assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(E) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor’s degree or higher and an add-on endorsement for literacy coach or literacy specialist; or

(2) holds a bachelor’s degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

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(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding under subsection ( G) to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

~~(K) For Fiscal Year 2017-18, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment~~ the current fiscal year, and if funds are available, the department may fund a coach at the full time rate if the district's reading scores show that less than 20% of the students scored below "meets expectations" on the reading sub score of the English language arts test in the most recent year for which such data are available, but for the past two year the district qualified for a full time coach based on the assessment scores.

**SFC:** AMEND FURTHER to reinsert the directive that school districts shall receive up to \$62,730, "or the actual cost of salary and benefits for full time reading/literacy coach," and delete item (K) authorization for the department to fund a coach at the full time rate based on certain criteria.

**SEN:** ADOPT proviso as amended.

**1A.57.** (SDE-EIA: Reading/Literacy Coaches) (A) Funds appropriated for Reading/Literacy Coaches must be allocated to school districts by the Department of Education as follows: ~~(1) for each *primary and* elementary school in which twenty percent or more of the students scored below "meets expectations" on the reading sub score of the English language arts test in the most recent year for which such data are available, the school district shall be eligible to receive the lesser of up to \$62,730 or the actual cost of salary and benefits for a full-time reading/literacy coach; and~~

~~(2) for each elementary school in which fewer than twenty percent of the students scored as referenced in (A)(1), the school district shall be eligible to receive the lesser of up to \$31,365 or fifty percent of the actual cost of salary and benefits for a full time reading/literacy coach. A~~

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~~school district must provide local support for state funds provided under this paragraph. School districts may use existing local funds currently used for reading assistance as the local support.~~

(B) By accepting these funds, a school district warrants that they will not be used to supplant existing school district expenditures, except for districts that either are currently, or in the prior fiscal year, were paying for reading/literacy coaches with local funds. A district may, ~~however, assign a reading/literacy coach to a primary school rather than to the elementary school to improve the early literacy skills of young children~~ only utilize these funds to employ reading/literacy coaches that may serve in a primary, elementary, or middle school or a combination of these schools depending on the area of highest need in the district. The school district must align the placement of coaches to the district reading plan that is approved by the department.

(C) Funds appropriated for reading/literacy Coaches are intended to be used to provide primary, elementary, and/or middle schools with reading/literacy coaches who shall serve according to the provisions in Chapter 155 of Title 59.

(D) Schools and districts accepting funding to support a coaching position agree that the reading/literacy coach must not serve as an administrator. If the department finds that school districts are using these funds for administrative costs as defined in statute they must withhold that districts remaining balance of funds allocated pursuant to this proviso.

(E) The Department of Education must publish guidelines that define the minimum qualifications for a reading/literacy coach. These guidelines must deem any licensed/certified teacher qualified if, at a minimum, he or she:

(1) holds a bachelor's degree or higher and an add-on endorsement for literacy coach or literacy specialist; or

(2) holds a bachelor's degree or higher and is actively pursuing the literacy coach or literacy specialist endorsement; or

(3) holds a master's degree or higher in reading or a closely-related field.

Within these guidelines, the Department of Education must assist districts in identifying a reading/literacy coach in the event that the school is not successful in identifying and directly employing a qualified candidate. The provisions of subsection (A), including the local support requirements, shall also apply to any allocations made pursuant to this paragraph.

(F) The Department of Education must develop procedures for monitoring the use of funds appropriated for reading/literacy coaches to ensure they are applied to their intended uses and are not redirected for other purposes. The Department of Education may receive up to \$100,000 of the funds appropriated for reading/literacy coaches in order to implement this program, provided that this allocation does not exceed the department's actual costs.

(G) Prior to the close of the current fiscal year, any unspent or unallocated funds for reading/literacy coaches shall be used to fund Summer Reading Camps.

(H) The Department of Education shall require:

(1) any school district receiving funding under subsection (A) to identify the name and qualifications of the supported reading/literacy coach; as well as the school in which the coach is assigned; and

(2) any school district receiving funding under subsection ( G) to account for the specific amounts and uses of such funds.

(I) With the data reported by the school districts, the department shall report by January fifteenth of the current fiscal year on the hiring of and assignment of reading/literacy coaches by school. The department shall also report the amount of funds that will be used for Summer Reading Camps.

(J) Funds appropriated for reading/literacy coaches shall be retained and carried forward to be used for the same purpose but may not be flexed.

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~~(K) For Fiscal Year 2017-18, if increased funding for reading/literacy coaches is not sufficient to provide additional reading/literacy coaches at each elementary school then the funding must be targeted to the areas of greatest need based on the number of students substantially failing to demonstrate reading proficiency as indicated on the prior year's state assessment.~~

**1A.58** (Digital Instructional Materials) Directs the department to create an instructional materials list of print and digital items that have received State Board approval through the normal adoption process. Directs the department to continue to work with publishers to ensure that districts have the option to receive both print and digital versions of materials. Provides for the use of instructional materials funds to refurbish existing or purchase new science kits. Authorizes instructional materials funds to be carried forward and used for the same purposes. Directs that instructional materials funds are not subject to flexibility. *Note: Companion General Education proviso is 1.71.*

**WMC:** AMEND proviso to require the department continue to work with publishers to ensure that districts have options for print/digital student materials to include class sets of print student editions, if needed. Direct the department to determine a per pupil amount for unfunded state-adopted digital instructional materials and unvetted digital student materials using the prior year's 135-ADM and to make these funds available to schools for one-year access to the unfunded or unvetted materials. Direct that the use of unvetted digital student materials shall be the responsibility of the school district. Direct the department to create a digital instructional materials list of approved, unfunded items. Provide guidelines for districts to request an allocation for one-year digital access. Provide guidelines for publishers/vendors to request to have digital student materials added to an unvetted list and for districts to request an allocation for using unvetted instructional materials. Direct the department to use digital instructional materials funds that are unencumbered by January 15 to purchase unfunded state adopted instructional materials. Requested by Department of Education.

**HOU:** ADOPT proviso as amended.

**1A.58.** (SDE-EIA: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts ~~who wish to receive both the digital version and~~ have options for print/digital student materials to include class sets of ~~textbooks may be awarded that option~~ print student editions, if needed. Funds appropriated for the purchase of ~~textbooks and other~~ instructional materials (print/digital) may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted ~~textbook~~ instructional materials inventory, purchasing new kits or those adopted as supplemental from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. ~~Digital Instructional Materials shall include the digital equivalent of materials and devices.~~

Utilizing the designated funds, the department shall determine a per pupil amount using the prior year's 135-Day Average Daily Membership for unfunded state-adopted digital instructional

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materials and unvetted digital student materials. These funds shall be made available to all schools to allow one-year access to unfunded digital state-adopted student materials or one-year access to unvetted digital student materials from publishers/vendors and are subject to the procedures outlined below. The use of the unvetted digital student materials shall be the responsibility of the school district.

Unfunded State Adopted Digital Student Materials: The department shall create a digital instructional materials list composed of those items which have received board approval through the normal adoption process but are unfunded. Districts shall use the form available on the department's Instructional Materials website, to request an allocation for one-year digital access by denoting the number of students, grade level, and subject for which the digital materials will be used.

Unvetted Materials: Publishers/vendors shall use the form available on the department's Instructional Materials website to request to have digital student materials added to an unvetted list of instructional materials that have not been evaluated through the instructional materials adoption process or approved by the board. Publishers/vendors are required to register and submit to the department the one-year cost with product information, a completed brief, and correlations of the digital student materials to the appropriate academic standards, career and technology education course standards, or other program areas which are not addressed within the standards. Information in the brief shall include the intended course or subject area with the assigned Instructional Activity Code, the readability level, documentation of compliance to ensure the digital instructional materials are accessible to students with disabilities, and other specific descriptive information as required by the State Superintendent of Education. Failure to provide completed brief and correlation will automatically exclude the digital materials from the unvetted list. Previously reviewed instructional materials will be excluded from the list of unvetted digital materials. Should the publisher/vendor submit the unvetted materials for review as part of a call for bids for instructional materials, the bid materials will be removed from the unvetted listing.

A district shall use the form available on the department's Instructional Materials website to request an allocation for which the unvetted digital materials will be used by denoting the number of students, grade level, and subject with the assigned Instructional Activity Code. The department shall not be responsible for the use by schools of the unvetted digital materials including the content, alignment to standards, lack of accessibility for students with disabilities, quality, or any other aspect of the digital materials. The unvetted digital materials shall not be placed on state contract; therefore, the availability and cost of these materials will not be assured.

Any funds appropriated for digital instructional materials which have not been encumbered by January 15, shall be used by the department to purchase unfunded state adopted instructional materials.

**SFC:** AMEND FURTHER to delete the new directives pertaining to unfunded state adopted digital student materials and unvetted materials.

**SEN:** ADOPT proviso as amended.

**1A.58.** (SDE-EIA: Digital Instructional Materials) The Department of Education shall continue to create an instructional materials list composed of those items (print and/or digital) that have received State Board of Education approval through the normal adoption process. The department shall continue to work with the publishers of instructional materials to ensure that districts ~~who wish to receive both the digital version and~~ have options for print/digital student materials to include class sets of ~~textbooks may be awarded that option~~ print student editions, if needed. Funds appropriated for the purchase of ~~textbooks and other~~ instructional materials

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*(print/digital)* may be used for reimbursing school districts to offset the costs of refurbishing science kits on the state-adopted ~~textbook~~ *instructional materials* inventory, purchasing new kits *or those adopted as supplemental* from the central textbook depository, or a combination of refurbishment and purchase. The refurbishing cost of kits may not exceed the cost of the state-adopted refurbishing kits plus a reasonable amount for shipping and handling. Costs for staff development, personnel costs, equipment, or other costs associated with refurbishing kits on state inventory are not allowable costs. Funds provided for Instructional Materials may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department, school districts, and special schools. These funds are not subject to flexibility. ~~Digital Instructional Materials shall include the digital equivalent of materials and devices.~~

- 1A.65** (Digital Learning) Directs that at least \$1,300,000 of Partnerships for Innovation funds be authorized for schools or school districts that have poverty indices of 80% or greater based on certain poverty indices or who are an Abbeville equity lawsuit trial or plaintiff district and direct the EOC to pilot a program to provide these districts with digital learning tools and resources, curriculum foundry, technical support, and professional development.  
**WMC:** AMEND proviso to change “\$1,300,000” to “\$1,900,000.”  
**HOU:** ADOPT proviso as amended.

**1A.65.** (SDE-EIA: Digital Learning) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$1,300,000~~ \$1,900,000 must be authorized for schools or school districts that have poverty indices of eighty percent or greater based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced price lunch program and Medicaid, or are a trial or plaintiff district in the Abbeville equity lawsuit. In these districts, the EOC will pilot a program that provides school districts with digital learning tools, digital resources, the curriculum foundry, technical support, and professional development.

**SFC:** AMEND FURTHER to change “\$1,900,000” to “\$1,425,000.”  
**SEN:** ADOPT proviso as amended.

**1A.65.** (SDE-EIA: Digital Learning) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$1,300,000~~ \$1,425,000 must be authorized for schools or school districts that have poverty indices of eighty percent or greater based on the poverty index utilized the prior fiscal year that was student eligibility for the free or reduced price lunch program and Medicaid, or are a trial or plaintiff district in the Abbeville equity lawsuit. In these districts, the EOC will pilot a program that provides school districts with digital learning tools, digital resources, the curriculum foundry, technical support, and professional development.

- 1A.68** (Low Achieving Schools) Directs that \$500,000 of Partnerships for Innovation funds appropriated to the EOC be allocated to parent support initiatives and afterschool programs in historically underachieving communities.  
**WMC:** AMEND proviso to change “\$500,000” to “\$409,000.”  
**HOU:** ADOPT proviso as amended.

**1A.68.** (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$500,000~~ \$409,000 shall be allocated to parent support initiatives and afterschool programs in historically underachieving communities.

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**SFC:** AMEND proviso to change “\$409,000” to “306,750.”

**SEN:** ADOPT proviso as amended.

**1A.68.** (SDE-EIA: Low Achieving Schools) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$500,000~~ \$306,750 shall be allocated to parent support initiatives and afterschool programs in historically underachieving communities.

**1A.69** **AMEND** (EOC Military-Connected Children) Directs the EOC to use \$300,000 of Partnerships for Innovation funds to initiate a pilot program in at least two school districts that have a high military density that will provide training, services, resources and research to various educational and mental health professionals, service providers, and military parents. Requires training and services be provided by a non-profit entity with specific credentials. Directs the EOC to report on the expenditures of these funds and post-training evaluation in its annual report on the education performance of military-connected children as required by Act 289 of 2014.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

~~**1A.69.** (SDE-EIA: EOC Military-Connected Children) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend \$300,000 to initiate in at least two school districts with high military density, a pilot program that will provide training, services, resources and research to teachers, counselors, mental health professionals, school nurses, service providers and military parents. The objective of the pilot is to increase the level of educational quality and support for military-connected children. The training and services must be provided by a non profit entity that is an NBCC Approved Continuing Education Provider and is an authorized provider by the international Association for Continuing Education and Training (IACET). Pursuant to its responsibilities under Act 289 of 2014, the Education Oversight Committee will report on the expenditure of these funds and post training evaluations in its annual report on the educational performance of military-connected children.~~

**SFC:** REINSERT proviso and AMEND to change “\$300,000” to “\$225,000.”

**SEN:** ADOPT proviso as amended.

**1A.69.** (SDE-EIA: EOC Military-Connected Children) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend ~~\$300,000~~ \$225,000 to initiate in at least two school districts with high military density, a pilot program that will provide training, services, resources and research to teachers, counselors, mental health professionals, school nurses, service providers and military parents. The objective of the pilot is to increase the level of educational quality and support for military-connected children. The training and services must be provided by a non-profit entity that is an NBCC-Approved Continuing Education Provider and is an authorized provider by the international Association for Continuing Education and Training (IACET). Pursuant to its responsibilities under Act 289 of 2014, the Education Oversight Committee will report on the expenditure of these funds and post-training evaluations in its annual report on the educational performance of military-connected children.

**1A.70** (STEM Labs) Directs the EOC to spend \$300,000 of Partnerships for Innovation funds for customized STEM labs. Directs the EOC to work with the department’s Office of Standards and

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Learning to solicit middle schools from the Abbeville trial and plaintiff districts to participate in implementing a STEM based curriculum customized for 6<sup>th</sup> - 8<sup>th</sup> grade designed to address local industry needs. Requires the curriculum be aligned to state standards and certified by ACT WorkKeys.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

~~**1A.70.** (SDE-EIA: STEM Labs) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend \$300,000 for customized STEM labs. The Education Oversight Committee shall work with the Department of Education, Office of Standards and Learning to solicit interested middle schools from the Abbeville trial and plaintiff districts to participate in implementing a STEM based curriculum. The pilot sites will receive a customized 6<sup>th</sup> – 8<sup>th</sup> grade STEM curriculum designed to address the needs of local industry. The curriculum provided will be aligned to state standards and certified by ACT WorkKeys and will include hands on, problem based student labs. The curriculum will also be certified by ACT WorkKeys. Teachers in the pilot sites will receive ongoing, year long professional development on cross curricular STEM implementation that will be aligned to state standards as well and the district strategic plan.~~

**SFC:** REINSERT proviso and AMEND to change “\$300,000” to “\$225,000.”

**SEN:** ADOPT proviso as amended.

**1A.70.** (SDE-EIA: STEM Labs) Of the funds allocated for Partnerships for Innovation, the Education Oversight Committee is directed to expend ~~\$300,000~~ \$225,000 for customized STEM labs. The Education Oversight Committee shall work with the Department of Education, Office of Standards and Learning to solicit interested middle schools from the Abbeville trial and plaintiff districts to participate in implementing a STEM based curriculum. The pilot sites will receive a customized 6<sup>th</sup> - 8<sup>th</sup> grade STEM curriculum designed to address the needs of local industry. The curriculum provided will be aligned to state standards and certified by ACT WorkKeys and will include hands-on, problem based student labs. The curriculum will also be certified by ACT WorkKeys. Teachers in the pilot sites will receive ongoing, year-long professional development on cross curricular STEM implementation that will be aligned to state standards as well and the district strategic plan.

**1A.72** (National Board Certification Incentive) Directs that a \$7,500 salary supplement be paid to public school classroom teachers, including special schools, who are certified by the State Board of Education and the National Board for Professional Teaching Standards if they completed the application process before July 1, 2010 and a \$5,000 salary supplement if they completed the application process after July 1, 2010 as long as they maintain their national board certification. Directs that FY 2017-18 will be the final year for eligible teachers to submit initial application and fee for the incentive program and be eligible to receive the state supplement when they achieve certification. Direct that excess funds be distributed to school districts based on the EFA formula.

**WMC:** AMEND proviso to delete the directive that FY 2017-18 will be the final year that eligible teachers can submit their initial application and fee to participate in the program. Direct that to receive the state supplement, teachers must have submitted their initial application and fee in FY 2017-18.

**HOU:** ADOPT proviso as amended.

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**HOU2:** AMEND House version FURTHER to authorize these funds to be carried forward.  
Sponsor: Rep. Whitmire.

**1A.72.** (SDE-EIA: National Board Certification Incentive) Public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

For the current fiscal year the salary supplement will be \$5,000 for public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010, beginning in the year of achieving certification and applies uniformly to all teachers covered under Section 59-26-85(A)(2) of the 1976 Code. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed the lesser of, the length of one national certificate cycle. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure.

~~Fiscal Year 2017-18 shall be the final year for eligible teachers to submit the initial application and fee for NBPTS and be eligible to receive the state supplement upon achieving certification. *Teachers eligible to receive the state supplement upon achieving certification must have submitted the initial application and fee for NBPTS in Fiscal Year 2017-18. The department is authorized to carry forward funds and only expend them for the same purpose.*~~ Appropriations in excess of applicable expenditures shall be distributed to school districts based on the EFA formula.

**SFC:** AMEND FURTHER to reinsert the directive that FY 2017-18 will be the final year that eligible teachers can submit their initial application and fee to participate in the program and change “2017-18” to “2018-19.” Delete the new requirement that to receive the state supplement, teachers must have submitted their initial application and fee for NBPTS in FY 2017-18.

**SEN:** ADOPT proviso as amended.

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**1A.72.** (SDE-EIA: National Board Certification Incentive) Public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July first in the year following the year of achieving certification, beginning with 2009 applicants. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure. In addition, teachers who have applied prior to July 1, 2010 and are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

For the current fiscal year the salary supplement will be \$5,000 for public school classroom teachers, to include teachers employed at the special schools or classroom teachers who work with classroom teachers, to include teachers employed at the special schools who are certified by the State Board of Education and who complete the application process on or after July 1, 2010, beginning in the year of achieving certification and applies uniformly to all teachers covered under Section 59-26-85(A)(2) of the 1976 Code. The special schools include the Governors School for Science and Math, Governors School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Department of Juvenile Justice and Palmetto Unified School District 1. The \$5,000 salary supplement shall be added to the annual pay of the teacher, not to exceed the lesser of, the length of one national certificate cycle. However, the \$5,000 supplement shall be adjusted on a pro rata basis for the teachers FTE and paid to the teacher in accordance with the districts payroll procedure.

Fiscal Year ~~2017-18~~ *2018-19* shall be the final year for eligible teachers to submit the initial application and fee for NBPTS and be eligible to receive the state supplement upon achieving certification. Appropriations in excess of applicable expenditures shall be distributed to school districts based on the EFA formula.

**1A.73** (Revolving Student Loan Program Transfer) Directs the State Treasurer to transfer \$16,000,000 from the EIA Revolving Student Loan Program, Fund 41L1, to the department for the School Districts Capital Improvement Plan.

**SEN:** DELETE proviso. Sponsor: Sen. Sheheen.

~~**1A.73.** (SDE-EIA: Revolving Student Loan Program Transfer) The State Treasurer shall transfer \$16,000,000 from the EIA Revolving Student Loan Program, Fund 41L1, to the Department of Education. The department shall utilize these funds for the School Districts Capital Improvement Plan as set forth in this act.~~

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**1A.74** (Abbeville Equity School Districts Capital Improvement Plan) Directs that funds appropriated for the Abbeville Equity School Districts Capital Improvement Plan be allocated by the department to eligible school districts to fund school facility upgrades. Directs the department to prepare an annual report on plan activities for the preceding year and submit the report to the Governor and the Chairmen of the Senate Finance, House Ways and Means, Senate Education, and House Education and Public Works Committees.  
**SEN:** DELETE proviso. Sponsor: Sen. Sheheen.

~~**1A.74.** (SDE-EIA: Abbeville Equity School Districts Capital Improvement Plan) The funds appropriated for the Abbeville Equity School Districts Capital Improvement Plan in Part 1A, Section 1, VIII, I, Abbeville Equity School Districts Capital Improvements and by provisos 1.85, 1A.48, 1A.73, and 1A.77 shall be allocated by the Department of Education to eligible school districts for the purpose of funding school facility upgrades. Eligible school districts include any school district that is a plaintiff in the Abbeville law suit or districts with a poverty index of eighty percent or higher. For the purpose of this provision, “school facility” means only facilities necessary for instructional and related supporting purposes including, but not limited to, classrooms, libraries, media centers, laboratories, cafeterias, physical education spaces, related interior and exterior facilities, and the conduit, wiring, and powering of hardware installations for classroom computers or for area network systems. Eligible school facility projects shall include: (a) health and safety upgrades; (b) technology upgrades inside school facilities; (c) upgrades associated with career and technology education programs; and (d) deferred maintenance needs as described in the district’s capital improvement plan. For purposes of this provision, school facilities shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.~~

~~The department shall develop and maintain an application process for school districts to request funding for qualified school projects and establish policies, procedures, and priorities for the making of grants pursuant to this provision. At least twice a year and upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need and shall submit a list of recommended grant awards to the State Board of Education. Grants shall be awarded upon an affirmative vote of the State Board.~~

~~The financial assistance provided to school districts pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision.~~

~~Following the close of the fiscal year, the department shall submit an annual report of its Abbeville Equity School Districts Capital Improvement Plan activities for the preceding year to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Education Committee, and the Chairman of the House Education and Public Works Committee.~~

**1A.76** (Aid to Districts-Technology) Directs that Aid to Districts - Technology funds be distributed to public school districts, special schools, and the SC Public Charter School District per pupil, based on the previous year’s 135 day ADM based on specific calculations. Allows the department to adjust the per-ADM rates to conform to actual levels of student attendance and available appropriations. Directs that funds are to be used to improve external and internal connections and develop or expand 1-1 computing initiatives. Allows a school district that has achieved each goal to submit a plan to the K-12 Technology Committee for permission to use the funds for other technology-related uses and provide an appeals process. Directs each school district that receives

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these funds to provide an itemized report by June 30, 2018, on the amounts and uses of these funds.

**WMC:** DELETE proviso. *Technology line items are being rolled up. See proviso 1A.30.*

**HOU:** ADOPT deletion of proviso.

~~1A.76. (SDE-EIA: Aid to Districts-Technology) Funds appropriated to the Department of Education for Aid to Districts - Technology shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district with a poverty index of greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add on weight in Proviso 1.3 of this Act.~~

~~The Department of Education may adjust the per ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per ADM rate for each class is adjusted by the same percentage.~~

~~Funds distributed to a school district may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by 2017; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by 2017; or (3) To develop or expand one-to-one computing initiatives.~~

~~A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Committee for permission to expend its allocation on other technology related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.~~

~~Funds appropriated may not be used to supplant existing school district expenditures on technology. By June 30, 2018, each school district that receives funding during Fiscal Year 2017-18 must provide the K-12 Technology Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Committee shall support school districts' efforts to obtain these reimbursements.~~

**SFC:** REINSERT & AMEND proviso to update year references to "2019" and fiscal year to "2018-19."

**SEN:** ADOPT proviso as amended.

**1A.76. (SDE-EIA: Aid to Districts-Technology)** Funds appropriated to the Department of Education for Aid to Districts - Technology shall be distributed to the public school districts of the state, the special schools of the state and the South Carolina Public Charter School District, per pupil, based on the previous year's one hundred thirty-five day average daily membership, according to the below calculations: (1) For a school district with a poverty index of less than 75: \$35 per ADM; (2) For a school district with a poverty index of at least 75 but no more than 85: \$50 per ADM; or (3) For a school district with a poverty index of greater than 85 or a special school with no defined poverty index: \$70 per ADM. Poverty will be defined as determined for the poverty add on weight in Proviso 1.3 of this Act.

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The Department of Education may adjust the per-ADM rates for each of the three classes defined above in order to conform to actual levels of student attendance and available appropriations, provided that the per-ADM rate for each class is adjusted by the same percentage.

Funds distributed to a school district may only be used for the following purposes: (1) To improve external connections to schools, with a goal of reaching at least 100 kilobits per second, per student in each school by ~~2017~~ 2019; (2) To improve internal connections within schools, with a goal of reaching at least 1 megabit per second, per student in each school by ~~2017~~ 2019; or (3) To develop or expand one-to-one computing initiatives.

A school district that has achieved each of the above goals may submit a plan to the K-12 Technology Committee for permission to expend its allocation on other technology-related uses; such permission shall not be unreasonably withheld and the K-12 Technology Committee must permit districts to appeal any process should a district not receive approval and must provide technical assistance to districts in developing plans should the district request such.

Funds appropriated may not be used to supplant existing school district expenditures on technology. By June 30, ~~2018~~ 2019, each school district that receives funding during Fiscal Year ~~2017-18~~ 2018-19 must provide the K-12 Technology Committee with an itemized report on the amounts and uses of these funds, using a form developed by the Education Oversight Committee. In this report, a school district must provide information on its efforts to obtain reimbursements through the "E-Rate" Schools and Libraries Program administered by the Universal Service Administrative Company. Within its available resources, the K-12 Technology Committee shall support school districts' efforts to obtain these reimbursements.

**1A.80** (Teacher Academy Pilot) Directs the EOC to use \$100,000 of Teacher Academy funds to pilot a program to improve teacher recruitment and retention. Directs the academy to provide intensive professional development to beginning, novice, and struggling teachers during the summer. Directs the EOC to evaluate the academy's impact using the Effective Learning Environments Observation Tool.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

~~**1A.80.** (SDE-EIA: Teacher Academy Pilot) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$100,000 shall be utilized to pilot a Teacher Academy project to improve teacher recruitment and retention. The academy shall provide intensive professional development to beginning, novice, and struggling teachers during the summer prior to the current school year. The Education Oversight Committee shall evaluate the impact of the academy using the state observation tool "Effective Learning Environments Observation Tool" (ELEOT).~~

**SFC:** REINSERT proviso and AMEND to change "\$100,000" to "\$75,000."

**SEN:** ADOPT proviso as amended.

**1A.80.** (SDE-EIA: Teacher Academy Pilot) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$100,000~~ \$75,000 shall be utilized to pilot a Teacher Academy project to improve teacher recruitment and retention. The academy shall provide intensive professional development to beginning, novice, and struggling teachers during the summer prior to the current school year. The Education Oversight Committee shall evaluate the impact of the academy using the state observation tool "Effective Learning Environments Observation Tool" (ELEOT).

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**1A.81** (Kinesthetic Learning Program) Direct the EOC to use \$250,000 of Partnerships for Innovation funds to pilot a kinesthetic learning platform which uses physical activity to teach Pre K through 3<sup>rd</sup> grade math, English/language arts and literacy standards.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

~~**1A.81.** (SDE-EIA: Kinesthetic Learning Platform) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$250,000 must be used to pilot a kinesthetic learning platform using physical activity to teach South Carolina's Math, English/Language Arts and Literacy standards for the Pre K through 3<sup>rd</sup> grade learner to improve academic performance.~~

**SFC:** REINSERT proviso and AMEND to change "\$250,000" to "\$187,500."

**SEN:** ADOPT proviso as amended.

**1A.81.** (SDE-EIA: Kinesthetic Learning Platform) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$250,000~~ \$187,500 must be used to pilot a kinesthetic learning platform using physical activity to teach South Carolina's Math, English/Language Arts and Literacy standards for the Pre K through 3<sup>rd</sup> grade learner to improve academic performance.

**1A.82** (Algebra) Directs the EOC to use \$1,500,000 of Partnerships for Innovation funds to pilot and evaluate an algebra program for students giving statewide access to various videos, study guides, practice tools and online discussion walls for peer and instructor assistance. Directs teachers to be provided with statewide access to a discussion wall, student progress reports and teaching materials within the same platform.

**SFC:** AMEND proviso to change "\$1,500,000" to "\$1,125,000."

**SEN:** ADOPT proviso as amended.

**1A.82.** (SDE-EIA: Algebra) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$1,500,000~~ \$1,125,000 must be used to pilot and evaluate a program that provides students with statewide access to: (a) algebra videos, online practice tools, and tutoring; (b) algebra videos taught by at least 5 different instructors. The instructors must be from diverse backgrounds and have different teaching styles so students may differentiate their learning; (c) algebra videos, specifically aligned with South Carolina state standards; (d) algebra study guides/notes that follow along explicitly with the algebra videos. Each student must have access to a workbook version of these study guides; (e) algebra practice tool that provides instant feedback to students, as well as solution videos and guidance to review; and (f) online, collaborative discussion wall where students can ask questions and receive assistance from both peers and instructors. The discussion wall must be accessible after school and on weekends.

The pilot must also provide teachers with statewide access to: (a) a professional learning community and discussion wall, where teachers can share best practices and resources; (b) reports on student usage and progress; and (c) teacher materials, answer keys, and resources accessible within the same platform.

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**1A.83** (Kindergarten Readiness Program) Directs that \$300,000 of Partnerships for Innovation funds be allocated to support a home based, technology delivered kindergarten readiness program with specific software.

**WMC:** DELETE proviso.

**HOU:** ADOPT deletion of proviso.

~~**1A.83.** (SDE-EIA: Kindergarten Readiness Program) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$300,000 must be allocated to support a home based, technology delivered kindergarten readiness program with software aligned with NAEYC's 12 Principles of Child Development and Learning that Inform Practice and with Head Start's Early Learning Outcomes framework and with demonstrated RCT results.~~

**SFC:** REINSERT proviso and AMEND to change "\$300,000" to "\$225,000."

**SEN:** ADOPT proviso as amended.

**1A.83.** (SDE-EIA: Kindergarten Readiness Program) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, ~~\$300,000~~ \$225,000 must be allocated to support a home based, technology delivered kindergarten readiness program with software aligned with NAEYC's 12 Principles of Child Development and Learning that Inform Practice and with Head Start's Early Learning Outcomes framework and with demonstrated RCT results.

**1A.85** (Save the Children) **WMC:** ADD new proviso to direct the EOC to use \$500,000 of Partnerships of Innovation funds to provide early learning and literacy support to schools and districts.

**HOU:** ADOPT new proviso.

~~***1A.85.** (SDE-EIA: Save the Children) Of the funds appropriated to the Education Oversight Committee for Partnerships of Innovation, \$500,000 must be used to provide early learning and literacy support to schools and districts.*~~

**SFC:** AMEND new proviso to change "\$500,000" to "\$375,000."

**SEN:** ADOPT new proviso as amended.

~~***1A.85.** (SDE-EIA: Save the Children) Of the funds appropriated to the Education Oversight Committee for Partnerships of Innovation, \$375,000 must be used to provide early learning and literacy support to schools and districts.*~~

**1A.86** (Digital Learning Plan) **WMC:** ADD new proviso to create a study committee to develop a Digital Learning Plan for the K-12 public education system in order to build on public schools existing technology foundation and to develop a long-term strategy that sets directions and priorities, supports innovation, and provides resources for educators and students to fully benefit from digital-age teaching and learning. Direct that the plan provide recommendations for actions the state can take to guide and support transitioning to digital-age education. Direct that the plan address certain district and school issues, include implementation timelines and cost projections and be submitted to the General Assembly by January 1, 2019. Provide for the composition of the study committee. Direct that the EOC shall be responsible for and have control over the pilot program for alternative methods of instruction for make-up days. Direct the EOC to select school districts to pilot a program to use alternative methods of instruction which may include, but are

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not limited to, online or virtual instruction for scheduled make up time. Direct the EOC to publish guidelines by August 1, 2018. Require districts to continue to report all absence data to the department and include any alternative instruction method used. Require the EOC to work with ETV and the State Library to use and coordinate available resources and explore alternate delivery methods to districts that lack access to online instruction. Require school districts to certain information to the EOC by April 1, 2019. Require the EOC to report those findings to the Chairmen of the House Ways and Means and Senate Finance Committees by June 1, 2019.  
**HOU:** ADOPT new proviso.

IA.86. (SDE-EIA: Digital Learning Plan) From funds administered by the K-12 Technology Committee, the following study committee is created to develop a Digital Learning Plan for the state's K-12 public education system. The goal of the Digital Learning Plan is to build upon the existing technology foundation of public schools and develop a coherent long-term strategy that sets directions and priorities, supports innovation, and provides resources to enable educators and students to benefit fully from digital-age teaching and learning. The Digital Learning Plan must provide recommendations for State actions that will guide and support K-12 schools in their transitions to digital-age education. The plan must be submitted to the General Assembly by January 1, 2019 and must address, at a minimum, the following issues for districts and schools: technology, infrastructure, and devices; human capacity; content instruction and assessment; security; regional and state support; policy and funding; local digital learning initiatives; and the use of alternative methods of instruction for scheduled make up time. The Digital Learning Plan must include timelines for implementation and cost projections beginning with the subsequent fiscal year. The study committee shall confer with other states and national experts on developing and implementing the Digital Learning Plan. Staff support shall be provided by the K-12 Technology Committee and agencies represented on the committee. The study committee shall be composed of the following members:

1. Executive Director of the Department of Administration, or his designee, who shall chair the study committee;

2. State Superintendent of Education, or his designee;

3. President of Educational Television Commission, or his designee;

4. Director of the State Library, or his designee;

5. Executive Director of the Education Oversight Committee, or his designee;

6. A representative of the private sector in the field of information technology appointed by the Chairman of the Senate Finance Committee;

7. A representative of the private sector in the field of information technology appointed by the Chairman of the House Ways and Means Committee;

8. One representative of an educator preparation program appointed by the State Board of Education;

9. One member of a local board of education who represents a local education agency that has successfully incorporated technology into its schools, who is appointed by the Education Oversight Committee;

10. One member of a local board of education who represents a local education agency that has limited access to technology, who is appointed by the Education Oversight Committee; and

11. One parent of a public school child appointed by the Education Oversight Committee.

The Education Oversight Committee shall be responsible for and have control over the construct and implementation of the pilot program for alternative methods of instruction for make-up days. For the current fiscal year, the Education Oversight Committee shall select school districts around the state for a pilot program to utilize alternative methods of instruction which

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may include, but are not limited to, online or virtual instruction for scheduled make up time. All make up time must reflect the number of hours of the make-up days the instruction will cover. All make up time must meet state requirements for elementary and secondary school days. The Education Oversight Committee shall provide guidelines to the selected school districts no later than August 1, 2018. All districts shall continue to report to the Department of Education all days missed, reasons for the absences, days made up, and now the alternative method of instruction used. The Education Oversight Committee shall work with the Educational Television Commission (ETV) and the State Library to utilize and coordinate available ETV and State Library resources and explore alternative means of delivery to districts that may lack proper access to online instruction.

The school districts shall report the following information to the Education Oversight Committee by April 1, 2019: method(s) of implementation utilized, advantages and disadvantages of the method(s) used, and any feedback received from parents or guardians.

The Education Oversight shall report those findings to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by June 1, 2019.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of proviso.

**IA.86. (SDE-EIA: Digital Learning Plan) DELETED**

**1A.88** (Value-Added Instrument) **WMC:** ADD new proviso to direct the EOC, through the Revenue and Fiscal Affairs Office (RFAO), to use the education value-added assessment system administered by the Department of Education in the prior fiscal year, to calculate student progress or growth at the school level for purposes of state and federal accountability. Allow local school districts to use the system to evaluate classroom teachers using student progress or growth. Direct that this teacher evaluation is to only be available to the specific teacher, principal and superintendent and shall not be a public record. Direct RFAO to procure a value-added assessment system that calculates student growth and contains specific components of longitudinal student data for use in future school years. Direct the Department of Education to transfer all relevant data types necessary for the release of the annual school and district report cards to RFAO two weeks after the data is received from assessment vendors and to provide certain prior school year non-assessment data to RFAO by August 30th.

**HOU:** ADOPT new proviso.

**IA.88. (SDE-EIA: Value-Added Instrument) With the funds appropriated for a School Value-Added Instrument in the current fiscal year the Education Oversight Committee, through the Revenue and Fiscal Affairs Office, will use the education value-added assessment system that was procured and administered in the prior fiscal year through the Department of Education to calculate student progress or growth at the school level for purposes of state and federal accountability.**

At the discretion of the local school district, a district may use the education value-added assessment system to evaluate classroom teachers using student progress or growth.

The estimates of specific teacher effects on the educational progress of students will not be a public record and will be made available only to the specific teacher, principal, and superintendent.

In the current fiscal year, the Revenue and Fiscal Affairs Office is directed to procure a value-added assessment system which calculates student growth and includes the measurement of magnitude or certainly growth as a component of its longitudinal student data system to be

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used in future school years that meets the requirements of the state and federal accountability system and the longitudinal data system as defined in Chapter 18 of Title 59 of the 1976 Code. The Revenue and Fiscal Affairs Office is directed to review how the value-added assessment system can be used to assist colleges of education in achieving accreditation and in improving the quality of teacher education programs.

All relevant data types necessary for the release of the annual school and district report cards will be transferred from the Department of Education to the Revenue and Fiscal Affairs Office two weeks after receipt of data from relevant assessment vendor (for the testing data elements).

Additionally, the Department of Education will provide the following non-assessment data related to the prior school year to the Revenue and Fiscal Affairs Office by August 30 of the current fiscal year: student enrollment with SUNS identifiers and continuous enrollment indicators; list of schools that will receive school report cards; and student enrollment in courses by teacher.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

**1A.88. (SDE-EIA: Value-Added Instrument) DELETED**

**1A.89** (Teacher Salaries Increase) **WMC:** ADD new proviso to direct the department to increase the statewide salary schedule by 2%; require a local school district board of trustees to provide all certified teachers paid on the teacher salary schedule the 2% increase; specify that districts are to use the prior year's district salary schedule as its base; and direct school districts to use the additional funds from the Teacher Salary Supplement to provide 1% of the required 2% increase. *Note: Companion General Education Proviso is 1.95.*

**HOU:** ADOPT new proviso.

1A.89. (SDE-EIA: Teacher Salaries Increase) For Fiscal Year 2018-19, the Department of Education is directed to increase the statewide salary schedule by two percent. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a two percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Teacher Salary Supplement appropriation to provide one percent of the required two percent increase.

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

**SFC:** AMEND new proviso to change the salary increases from "2%" to "1%" and direct the department to increase the starting salary to \$32,000.

**SEN:** ADOPT new proviso as amended.

1A.89. (SDE-EIA: Teacher Salaries Increase) For Fiscal Year 2018-19, the Department of Education is directed to increase the statewide salary schedule by one percent and increase the starting salary to \$32,000. A local school district board of trustees must provide all certified teachers paid on the teacher salary schedule a one percent salary increase. Districts are to provide this increase using the district salary schedule utilized the prior fiscal year as its base. School districts shall utilize the additional funds made available from the Teacher Salary Supplement appropriation to provide the required one percent increase.

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

- 1A.90** (Reading Partners) **WMC:** ADD new proviso to direct the EOC to allocate \$250,000 of Partnerships for Innovation funds to Reading Partners and direct that the funds be used to increase the number of reading interventions for K-5 students in low-performing schools.  
**HOU:** ADOPT new proviso.

*1A.90. (SDE-EIA: Reading Partners) Of the funds appropriated to the Education Oversight Committee for Partnerships for Innovation, \$250,000 shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low-performing schools in grades K-5.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

*1A.90. (SDE-EIA: Reading Partners) DELETED*

- 1A.91** (Institutions of Higher Learning Charter Schools) **SFC:** ADD new proviso to direct that charter schools sponsored by a public or independent institution of higher learning are responsible for meeting certain requirements which include: the governing board is subject to FOI for purposes related to school operations; not more than two new charters may be granted or more than one existing charter may be replicated in the current fiscal year; maintain a transaction register for each school of all expenditures over \$100; post on the internet a copy of monthly credit card statements; provide the description of school enrollment composition; provide an annual report with student data as the department requires; and report by June 30th to the State Board of Education on compliance with this provision.  
**SEN:** ADOPT new proviso.

*1A.91. (SDE:EIA: Institutions of Higher Learning Charter Schools) For the current fiscal year, in addition to all the requirements of charter schools enumerated in Chapter 40 of Title 59, charter schools sponsored by a public institution of higher learning or an independent institution of higher learning and any public institution of higher learning or an independent institution of higher learning receiving State funding shall:*

*a) have their governing board of the charter schools subject to the Freedom of Information Act for all purposes related to charter school operations, the governing board of the charter schools shall be considered a public body for all purposes related to charter school operations;*

*b) not grant more than two new charters or replicate more than one existing charter in the current fiscal year. If more than two schools apply, the authorizer shall have sole discretion as to which schools are approved;*

*c) maintain a transaction register for each charter school that includes a complete record of all funds expended over one hundred dollars, from whatever source, for whatever purpose. The register must be prominently posted on the charter school's internet website or the authorizer's website and made available for public viewing and downloading. The register must include for each expenditure:*

*(i) the transaction amount;*

*(ii) the name of the payee; and*

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(iii) a statement providing a detailed description of the expenditure indicating whether the expenditure is for administration or instruction.

The register must not include an entry for salary, wages, or other compensation paid to individual employees and instead must aggregate salaries, wages and other compensation. The register must not include any information that can be used to identify an individual employee. The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure. The register must be searchable and updated at least once a month.

Each charter school must also maintain on its internet website a copy of each monthly statement for all of the credit cards maintained by the entity, including credit cards issued to its officers or employees for official use. The credit card number on each statement must be redacted prior to posting on the internet website. Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid.

d) Provide the description of school enrollment composition required in Section 59-40-60 (F) (9) and the financial audits required in Section 59-40-50(B)(3) to the State Board of Education. The State Board shall provide these to the General Assembly should they determine contents of the items provided merit legislative review.

e) Provide an annual report with such student data, including but not limited to, testing results, student attendance, and graduation rates, as the department may determine necessary.

These schools must report to the State Board of Education by June 30th of the current fiscal year on compliance with the components of this proviso.

**1A.92** (Grants Committee) **SFC:** ADD new proviso to direct the department to establish an independent grants committee to support innovation pilot initiatives in public schools and school districts. Direct the committee to develop a process to award the grants or directly purchase services; provide suggested criteria; and direct that public schools and districts with high poverty and low achievement will receive priority for grants if their applications meet established criteria. Direct the committee to submit its process to the Governor and the Chairmen of the House Ways and Means and Senate Finance Committees by December 31, 2018. Require grantees and service providers to participate in an external evaluation conducted by the EOC to document results.  
**SEN:** ADOPT new proviso.

**1A.92.** (SDE-EIA: Grants Committee) With the funds appropriated to the Department of Education, the department shall establish an independent grants committee to support innovation pilot initiatives in public schools and school districts. The goal of the initiative is to invest in strategies or programs to improve student outcomes as described in the Profile of the South Carolina Graduate and to promote public-private partnerships between business, nonprofit organizations, institutions of higher education, local school systems and public schools.

The Superintendent of Education is directed to appoint an independent grants committee to develop the process for awarding the grants or directly purchasing services. The process shall include the application procedure, selection process, and matching grant formula if applicable. The grants committee must be comprised of seven members, three members selected from the education community and four members selected from the business community. The chairman of the committee shall be selected by the committee members at the first meeting of the committee. The suggested criteria for awarding the grants to schools or school districts or directly purchasing services must include, but are not limited to:

(1) a demonstrated ability to meet the match throughout the granting period;

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(2) a demonstrated ability to implement the initiative or model as set forth in the application;

(3) identification of key measurable benchmarks in the education continuum that must be improved to raise student achievement and ensure all students graduate college, career and civic ready;

(4) a demonstrated ability to be both replicable and scalable with priority given to those projects that focus on applied learning opportunities and experiences, especially in the STEM or STEAM fields;

(5) blended and personalized learning focused on content mastery and experiential learning; and

(6) innovative strategies to close student achievement gaps, with a focus on below average and unsatisfactory schools.

The match required from a grant recipient shall be based on the poverty of the district or school. No matching amount will exceed more than seventy percent of the grant request or be less than ten percent of the request. The required match may be met by funds or by in-kind donations, such as technology, to be further defined by the grants committee. Public school districts and schools that have high poverty and low achievement will receive priority for grants when their applications are judged to meet the criteria established for the grant program. The committee shall submit its process to the Governor, the Chairman of House Ways and Means and the Chairman of Senate Finance by December 31, 2018.

Grantees and service providers will be required to participate in an external evaluation that is the financial responsibility of the Education Oversight Committee. The evaluation must document the results of the grants and examine the implementation of the initiatives and models to understand the delivery of services and any contextual factors. The evaluation will then highlight the accomplishments and common challenges of the initiatives and models funded to share the lessons learned with the state's public education community.

- 1A.93** (Make Up Days) **SEN:** ADD new proviso to provide a process for school districts to submit a request to the department to use alternative methods of instruction, such as online or virtual, towards up to 3 days of scheduled make up time. Require SDE publish guidelines by August 1, 2018, and work with ETV to use and coordinate available ETV resources. Sponsor: Sen. Sheheen.

**1A.93.** (SDE-EIA: Make Up Days) For the current fiscal year, school districts may submit a request for approval in writing to the Department of Education to utilize alternative methods of instruction, which may include, but is not limited to online or virtual instruction, towards up to three days of the scheduled make up time. The waiver must be signed by the District Superintendent and Chair of the local Board of Trustees and must reflect the number of hours of the make-up days the instruction shall cover. All make up time must meet state requirements for elementary and secondary school days. The department shall publish guidelines no later than August 1, 2018. All districts shall continue to report to the department all days missed, reasons for the absences, days made up, days waived, and now the alternative method of instruction used. The department shall work with the Educational Television Commission (ETV) to utilize and coordinate available ETV resources and explore alternate means of delivery to districts that may lack proper access to online instruction.

- 1A.94** (Adult Charter Pilot Program) **SEN:** ADD new proviso to direct the district to create parameters, guidelines and the funding methodology for a one year SC Adult High School Diploma and

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Industry Certification Charter School Pilot Program for the 2018-19 school year. Provide requirements for acceptance into the pilot program. Provide composition of the adult charter school governing board. Prohibit the adult charter school from providing per pupil funding. Sponsor: Sens. Grooms and Campsen.

**1A.94.** (SDE-EIA: Adult Charter Pilot Program) From the funds appropriated to the South Carolina Public Charter School District, the district shall create parameters and guidelines for a one-year South Carolina Adult High School Diploma and Industry Certification Charter School Pilot Program for the 2018-19 school year, including the funding methodology to the adult charter high school. An adult charter high school granted a pilot program by the South Carolina Public Charter School District shall follow all requirements of the South Carolina Charter Schools Act of 1996 (Section 59-40-10, et. seq.) except as expressly provided for in this proviso. In order to be accepted into the pilot program, a non-profit entity must have a successful model of providing educational services, including industry certifications and job placement services, to adults age twenty-one and older whose education and training opportunities have been limited by educational disadvantages, disabilities, or poverty. An applicant to this pilot program must be a non-profit entity, offer flexible scheduling, complete a majority of the instruction of the school's curriculum in-person, and offer dual credit or industry certification coursework that aligns with the State's workforce development needs. Applicants for the pilot program must commit no less than five hundred thousand dollars toward development of the adult charter high school. An applicant to this pilot program must maintain a cooperative agreement with a two-year technical college. Any adult charter high school granted a pilot program by the South Carolina Public Charter School District shall be designated an Alternative Education Campus (AEC). The governing board of an adult charter high school must be composed of at least seven members who are residents of the State of South Carolina. Membership of the board may be governed by the non-profit entity's bylaws and is not subject to the governing board election requirements as defined in Section 59-40-50(9). The adult charter high school shall be allowed to issue high school diplomas to students who have met state requirements for a high school diploma in South Carolina. The South Carolina Public Charter School District may enter into a contract with one non-profit entity that is granted a pilot program, and the contract shall specify all roles, powers, responsibilities, and performance expectations for each party to the contract pursuant to this proviso and the South Carolina Charter Schools Act of 1996. The South Carolina Public Charter School District is prohibited from providing per pupil funding.

**1A.95** (State of Emergency) **HOU2:** Amend House version to ADD new proviso to authorize the State Superintendent of Education to revoke the charter or charter contract of a charter school that is in a school district where a state of emergency has been declared if grounds exist to revoke the charter and if a revocation notice is provided at least 30 days before the first day of the next school year. Direct that the charter school retains the rights to a hearing and appeal. Sponsor: Rep. Whitmire. Note: Proviso was 1.91 in HOU2 version.

**1A.95.** (SDE-EIA: State of Emergency) When the State Superintendent of Education declares a state of emergency in a school district that is the sponsor of a charter school, and grounds exist to revoke the charter under Section 59-40-110(C) of the 1976 Code, the State Superintendent shall have the authority to commence proceedings to revoke the charter, notwithstanding the provisions of Section 59-40-110 or a related charter contract, so long as the notice of proposed revocation is provided at least thirty days before the first day of the next school year. The charter school retains its rights to a hearing and appeal pursuant to Section 59-40-110 (H) and (J).

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**SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT**

- 3.5** (Debit Card Transactions) **WMC:** ADD new proviso to suspend Section 59-150-70(D)(2) for the current fiscal year. Authorize the Lottery Commissioners to promulgate regulations which must specify the price of lottery game tickets or shares and the manner of the sale. Allow individuals to use cash or debit cards to purchase lottery tickets. Prohibit the use of checks, credit cards, charge cards, or other forms of deferred payment to purchase lottery tickets.  
**HOU:** ADOPT new proviso.

*3.5. (LEA: Debit Card Transactions) For the current fiscal year Section 59-150-70(D)(2) of the 1976 code shall be suspended. The Board of Commissioners of the South Carolina Lottery Commission may promulgate regulations which must specify the sale price of lottery game tickets or shares and the manner of sale. Individuals shall be allowed to use cash and debit cards to purchase lottery tickets. The use of checks, credit cards, charge cards, or any other form of deferred payment to purchase lottery tickets shall be prohibited.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of proviso.

*3.5. (LEA: Debit Card Transactions) DELETED*

- 3.6** (FY 2018-19 Lottery Funding) **WMC:** ADD new proviso to direct expenditure of lottery funds for FY 2018-19. Suspend, for the current fiscal year, the provisions of Section 2-75-30 regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment. Direct that net lottery proceeds and investment earnings in excess of certified net lottery proceeds and investment earnings are appropriated and must be used to ensure that LIFE, Palmetto Fellows, and HOPE scholarships are fully funded for FY 2018-19. Provide for lottery appropriations to be reduced on a pro rata basis, excluding LIFE, HOPE, and Palmetto Fellows Scholarships, if lottery revenue is less than the amounts appropriated. Authorize CHE to use up to \$345,000 of LIFE, HOPE, and Palmetto Fellows scholarship funds to support the awarding process and to provide for a Scholarship Compliance Auditor. Authorize Higher Ed Tuition Grants Commission to use up to \$70,000 of Tuition Grants funds to support the grants award process. Direct that Workforce Scholarships/Grants funds are to be used to provide grants for tuition, fees, transportation, or textbook expenses to S.C. residents enrolled in a career education program that meets eligibility requirements. Direct the State Board for Tec and Comp Ed to submit a report by March 15<sup>th</sup> to the Chairmen of the House Ways and Means and Senate Finance Committees that contains certain information pertaining to the Workforce Scholarships/Grants.  
**HOU:** ADOPT new proviso.

**HOU2:** AMEND House version FURTHER to direct expenditure of additional available certified lottery proceeds and investment funds; direct that \$5,000,000 of earnings above the FY 2017-18 certified surplus are appropriated to SDE for School Safety--Facility and Infrastructure Upgrades; direct that after the funding the appropriations for unclaimed prizes, all remaining unclaimed prize funds are directed to SDE for School Bus Lease/Purchase; provide Technology allocations for Public Four Year Institutions, Two Year Institutions, and State Technical Colleges and direct the use of the funds; direct that \$500,000 of the funds appropriated to the State Board for Tec and Comp Ed for High Demand Job Skill Training Equipment be distributed to Denmark Technical College for various programs with the remaining funds distributed to each public technical college; and direct that \$250,000 appropriated to the State Board for Tec and Comp Ed

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for SPICE Program be transferred to Greenville Technical College for the creation and/or maintenance of a “Self-Paced In-Classroom Education” program. Sponsor: Rep. White. AMEND FURTHER to change Lottery Trust Fund from “\$38,654,386” to “\$38,304,386” and appropriate \$350,000 to the EOC for the Military Connected Children Program. Sponsor: G.M. Smith.

3.6. (LEA: FY 2018-19 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education.

The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2018-19, certified net lottery proceeds and investment earnings for the current fiscal year, Fiscal Year 2017-18 certified surplus, Fiscal Year 2016-17 surplus, and vetoed lottery appropriations that were sustained in Fiscal Year 2017-18 are appropriated as follows:

- (1) Commission on Higher Education--LIFE Scholarships as provided in Chapter 149, Title 59..... \$ 230,056,162;
- (2) Commission on Higher Education--HOPE Scholarships as provided in Section 59-150-370..... \$ 15,563,241;
- (3) Commission on Higher Education--Palmetto Fellows Scholarships as provided in Section 59-104-20..... \$ 55,362,716;
- (4) Commission on Higher Education and State Board for Technical and Comprehensive Education--Tuition Assistance..... \$ 51,100,000;
- (5) Commission on Higher Education--Need-Based Grants..... \$ 17,537,078;
- (6) Higher Education Tuition Grants Commission--Tuition Grants... \$ 8,830,008;
- (7) Commission on Higher Education--National Guard Tuition Repayment Program as provided in Section 59-111-75..... \$ 495,872;
- (8) South Carolina State University..... \$ 2,500,000;
- (9) State Board for Technical and Comprehensive Education--ReadySC Direct Training..... \$ 9,432,046;
- (10) State Board for Technical and Comprehensive Education--High Demand Job Skill Training Equipment..... \$ 11,000,000;
- (11) Commission on Higher Education--Technology-Public Four-Year Institutions, Two-Year Institutions, and State Technical Colleges as provided in Section 59-150-356. \$ 4,000,000;
- (12) Department of Education--School Safety--Facility and Infrastructure Safety Upgrades..... \$ 10,000,000;
- (13) Department of Education--School Bus Lease/Purchase..... \$ 4,000,000;
- (14) State Board for Technical and Comprehensive Education--SPICE Program..... \$ 250,000;
- (15) State Library--Aid to County Libraries..... \$ 1,000,000;
- (16) Commission on Higher Education--PASCAL..... \$ 1,500,000;
- (17) Lottery Reserve Trust Fund..... \$ 38,304,386;
- (18) Education Oversight Committee--Military Connected Children Program..... \$ 350,000;

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- (19) Lander University--Post Traumatic Stress Disorder Training Program..... \$ 1;
- (20) Commission on Higher Education--SREB Program and Assessments ..... \$ 1;
- (21) Commission on Higher Education--Commission Information Technology Security and Technology Upgrades ..... \$ 1;
- (22) State Board for Technical and Comprehensive Education--Workforce Pathways Funding (Non-Pilot Technical Colleges). \$ 1;
- (23) State Board for Technical and Comprehensive Education--Palmetto Promise Scholarship Pilot ..... \$ 1;
- (24) State Board for Technical and Comprehensive Education--Horry Georgetown Technical College--Diesel Mechanical Program ..... \$ 1;
- (25) Commission on Higher Education--USC Union--Parity Funding (One Time)..... \$ 1;
- (26) Confederate Relic Room Military Museum Commission--Renovations for Educational Exhibits ..... \$ 1;
- (27) State Board for Technical and Comprehensive Education--Spartanburg Community College--Cherokee Campus Equipment and Remodel ..... \$ 1;
- (28) Commission on Higher Education--South Carolina College of Veterinary Medicine Study..... \$ 1;
- (29) Commission on Higher Education--Research University STEM Equipment..... \$ 1;
- (30) Commission on Higher Education--Carolina Career Clusters Grant (1:1 Match)..... \$ 1;
- (31) Department of Education--Reading Partners..... \$ 1;
- (32) Commission on Higher Education--Memorial Professorship ..... \$ 1;
- (33) Commission on Higher Education--USC Lancaster--Renovations and Repairs..... \$ 1;
- (34) School for the Deaf and the Blind--Technology ..... \$ 1; and
- (35) Clemson University--T. Ed. Garrison Renovation and Repairs .... \$ 1;

For Fiscal Year 2018-19, net lottery proceeds and investment earnings above the Fiscal Year 2017-18 certified surplus are appropriated as follows:

Department of Education--School Safety--Facility and Infrastructure Safety Upgrades ..... \$ 5,000,000.

For Fiscal Year 2018-19, funds certified from unclaimed prizes are appropriated as follows:

(1) Commission on Higher Education--Higher Education Excellence Enhancement Program \$ 6,072,473;

(2) Department of Alcohol and Other Drug Abuse Services--Gambling Addiction Services \$ 50,000;

(3) State Board for Technical and Comprehensive Education--Workforce Scholarship Grants \$ 11,000,000;

(4) Commission on Higher Education--National Guard Tuition Repayment Program as provided

in Section 59-111-75 ..... \$ 1,877,527; and

(5) Department of Education--School Bus Lease/Purchase..... \$ All Remaining.

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2017-18 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

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Fiscal Year 2018-19 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2018-19 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2018-19 are fully funded.

If the lottery revenue received for Fiscal Year 2018-19 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide the necessary level of program support for the scholarship award process and to provide for a Scholarship Compliance Auditor.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

The funds appropriated to State Board for Technical and Comprehensive Education for Workforce Scholarships/Grants shall be used to provide grants for tuition, fees, transportation, or textbook expenses to South Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education in consultation with the Department of Education, except that funds shall not be used for continuing education courses that do not lead to a degree or professional certificate. Grants may be awarded from the fund in an amount not exceeding ten thousand dollars or the total cost of attendance, whichever is less, for students to attend the program of their choice at a South Carolina technical school or professional certification program. By March fifteenth of the academic year provided, the State Board for Technical and Comprehensive Education shall provide a report to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee containing a list of programs, amount of funding spent per program, number of students that received grants, and the grant amount per student.

Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges,"(Technology) the commission shall allocate the realized funds on a proportional basis as follows:

- (1) The Citadel ..... \$ 133,614;
- (2) University of Charleston..... \$ 303,816;
- (3) Coastal Carolina University..... \$ 295,683;
- (4) Francis Marion University ..... \$ 130,492;
- (5) Lander University..... \$ 112,087;
- (6) South Carolina State University..... \$ 112,238;

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<u>(7) USC - Aiken Campus .....</u>	<u>\$ 121,831;</u>
<u>(8) USC - Upstate.....</u>	<u>\$ 165,464;</u>
<u>(9) USC - Beaufort Campus .....</u>	<u>\$ 91,718;</u>
<u>(10) USC - Lancaster Campus .....</u>	<u>\$ 72,505;</u>
<u>(11) USC - Salkehatchie Campus.....</u>	<u>\$ 72,505;</u>
<u>(12) USC - Sumter Campus.....</u>	<u>\$ 72,505;</u>
<u>(13) USC - Union Campus .....</u>	<u>\$ 72,505;</u>
<u>(14) Winthrop University .....</u>	<u>\$ 181,200; and</u>
<u>(15) State Technical Colleges and State Board for Technical and Comprehensive Education .....</u>	<u>\$ 2,061,837.</u>

Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education they continue to meet the requirement of this provision.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for High Demand Job Skill Training Equipment, \$500,000 shall be distributed to Denmark Technical College to strengthen and enhance the following program areas: Basic Mechatronics Technology/Electronics Engineering Technology; Nursing; Welding Technology; Building Construction Technology; Culinary Arts; and Cosmetology and Barbering. Prior to receiving these funds Bamberg, Allendale, and Barnwell Counties shall be required to provide a match as determined by the State Board for Technical and Comprehensive Education. The remainder of the funds shall be distributed to each public technical college based on a formula to be developed by the State Board's system office.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for SPICE Program, the board shall transfer the funds to Greenville Technical College, upon which the college, from the entirety of the funds allocated to it pursuant to this Act, must dedicate no less than \$250,000 annually towards the creation and/or maintenance of a "Self-Paced In-Classroom Education" (SPICE) program designed to prepare eligible citizens for re-entry into the workforce through gainful employment in skilled and other professions.

**SFC:** AMEND new proviso for the amounts appropriated from the lottery. Authorize EBO to facilitate limited transfers from the general fund to ensure timely distribution of scholarships and tuition assistance payments and require any funds used for this purpose to be reimbursed to the general fund from the lottery. Provide Technology allocations for Public Four Year Institutions, Two Year Institutions, and State Technical Colleges and direct the use of the funds. Provide for the disbursement of funds appropriated for the following: State Board for Tec and Comp Ed - High Demand Job Skill Training Equipment; CHE - South Carolina College of Veterinary Medicine Study; CHE - Research University STEM Equipment; CHE - Carolina Career Cluster Grant (1:1 match); SDE - Reading Partners; CHE - Memorial Professorship; State Board for Tec and Comp Ed - SPICE Program; State Board for Tec and Comp Ed - Workforce Pathways Funding (Non-Pilot Technical Colleges); and SDE - School Safety - Facility and Infrastructure Safety Upgrades. Provide funds to the State Board for Tec and Comp Ed for the Palmetto Promise Scholarship Pilot and direct the use of the funds.

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**SEN:** AMEND FURTHER to change certified net lottery proceeds and investment earnings from “\$401,000,000” to “\$408,300,000” and provide appropriations for the additional revenue. Change certified surplus from “\$41,000,000” to “\$48,300,000” and provide appropriations for the additional revenue; delete separate “pots” above the certified surplus; and merge appropriations into the certified surplus. Sponsor: Sen. Peeler.

3.6. (LEA: FY 2018-19 Lottery Funding) There is appropriated from the Education Lottery Account for the following education purposes and programs and funds for these programs and purposes shall be transferred by the Executive Budget Office as directed below. These appropriations must be used to supplement and not supplant existing funds for education. For cash flow purposes, the Executive Budget Office may facilitate limited transfers from the general deposits of the state for the exclusive purpose of ensuring the timely distribution of scholarships and tuition assistance payments as provided below. Any use of this transfer allowance must include full reimbursement from the Education Lottery Account to the general deposit accounts of the state prior to the close of the fiscal year.

The Executive Budget Office is directed to prepare the subsequent Lottery Expenditure Account detail budget to reflect the appropriations of the Education Lottery Account as provided in this section.

All Education Lottery Account revenue shall be carried forward from the prior fiscal year into the current fiscal year including any interest earnings, which shall be used to support the appropriations contained below.

For Fiscal Year 2018-19, certified net lottery proceeds and investment earnings totaling \$408,300,000 for the current fiscal year are appropriated as follows:

- (1) Commission on Higher Education--LIFE Scholarships as provided in Chapter 149, Title 59 ..... \$ 230,056,162;
- (2) Commission on Higher Education--HOPE Scholarships as provided in Section 59-150-370 ..... \$ 15,563,241;
- (3) Commission on Higher Education--Palmetto Fellows Scholarships as provided in Section 59-104-20 ..... \$ 55,362,716;
- (4) Commission on Higher Education and State Board for Technical and Comprehensive Education--Tuition Assistance.. \$ 51,100,000;
- (5) Commission on Higher Education--Need-Based Grants..... \$ 27,000,000;
- (6) Higher Education Tuition Grants Commission--Tuition Grants... \$ 10,000,000;
- (7) Department of Education--School Bus Lease/Purchase..... \$ 1,244,492;
- (8) Commission on Higher Education--SREB Program and Assessments ..... \$ 290,396;
- (9) Commission on Higher Education--Technology-Public Four-Year Institutions, Two-Year Institutions, and State Technical Colleges as provided in Section 59-150-356 ..... \$ 7,000,000;
- (10) South Carolina State University ..... \$ 2,500,000;
- (11) Commission on Higher Education--Commission Information Technology Security and Technology Upgrades ..... \$ 270,000;
- (12) Commission on Higher Education--Higher Education Excellence Enhancement Program..... \$ 612,993;
- (13) Clemson University--T. Ed. Garrison Renovation and Repairs .... \$ 6,800,000; and
- (14) Lander University--Post Traumatic Stress Disorder Training Program..... \$ 500,000.

For Fiscal Year 2018-19, Fiscal Year 2017-18 certified surplus totaling \$48,300,000, plus Fiscal Year 2016-17 surplus totaling \$4,131,526, plus vetoed lottery appropriations that were sustained in Fiscal Year 2017-18 totaling \$1,050,000 and available for appropriation in the

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*current year are appropriated as follows, except that \$8,800,000 of the total of these otherwise available funds shall not be appropriated in the current fiscal year:*

- (1) Department of Education--School Safety--Facility and Infrastructure Safety Upgrades ..... \$ 4,000,000;
- (2) State Board for Technical and Comprehensive Education--High Demand Job Skill Training Equipment ..... \$ 9,850,000;
- (3) State Board for Technical and Comprehensive Education--ReadySC Direct Training ..... \$ 9,432,046;
- (4) Commission on Higher Education--National Guard Tuition Repayment Program as provided in Section 59-111-75..... \$ 1,600,642;
- (5) Department of Education--School Bus Lease/Purchase..... \$ 5,173,838;
- (6) State Board for Technical and Comprehensive Education--Workforce Pathways Funding (Non-Pilot Technical Colleges). \$ 3,000,000;
- (7) State Board for Technical and Comprehensive Education--Palmetto Promise Scholarship Pilot ..... \$ 3,900,000;
- (8) State Board for Technical and Comprehensive Education--Horry Georgetown Technical College--Diesel Mechanical Program.. \$ 375,000;
- (9) Commission on Higher Education--USC Union--Parity Funding (One Time)..... \$ 500,000;
- (10)Confederate Relic Room Military Museum Commission--Renovations for Educational Exhibits ..... \$ 350,000;
- (11)State Board for Technical and Comprehensive Education--Spartanburg Community College--Cherokee Campus Equipment and Remodel..... \$ 500,000.
- (12)Commission on Higher Education--South Carolina College of Veterinary Medicine Study ..... \$ 200,000;
- (13)Commission on Higher Education--Technology--Public Four-Year Institutions, Two-Year Institutions, and State Technical Colleges as provided in Section 59-150-356..... \$ 1,000,000;
- (14)Commission on Higher Education--Need Based Grants ..... \$ 1,000,000.
- (15)Commission on Higher Education--Research University STEM Equipment..... \$ 1,000,000;
- (16)State Library--Aid to County Libraries ..... \$ 1,000,000;
- (17)Commission on Higher Education--Higher Education Excellence Enhancement Program..... \$ 450,000;
- (18)Commission on Higher Education--Carolina Career Clusters Grant (1:1 Match)..... \$ 300,000;
- (19)Department of Education--Reading Partners..... \$ 250,000;
- (20)State Board for Technical and Comprehensive Education--SPICE Program..... \$ 250,000;
- (21)Commission on Higher Education--Memorial Professorship ..... \$ 50,000; and
- (22)Commission on Higher Education--USC Lancaster--Renovations and Repairs..... \$ 500,000.

*For Fiscal Year 2018-19, net lottery proceeds and investment earnings above the Fiscal Year 2017-18 certified surplus of \$48,300,000 are appropriated pro-rata as follows:*

- (1) State Board for Technical and Comprehensive Education--Central Carolina Technical College ..... \$ 500,000;
- (2) Department of Education--Governor's School for Science and Mathematics ..... \$ 400,000;

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- (3) Commission on Higher Education--South Carolina State  
University Truth Hall Renovations and Repairs ..... \$ 1,000,000; and
- (4) Department of Education--School Bus Lease/Purchase..... \$All Remaining.

Appropriations made herein from funding sources that have already been fully realized in a prior fiscal year and have been carried forward into the current fiscal year for appropriation and/or are otherwise already available at the beginning of the current fiscal year shall be distributed by the Executive Budget Office as soon as is practicable after the office has certified the funds' availability, but no later than September 1 of the current fiscal year.

For Fiscal Year 2018-19, funds certified from unclaimed prizes totaling \$19,000,000 are appropriated as follows:

- (1) Commission on Higher Education--Higher Education  
Excellence Enhancement Program..... \$ 5,459,480;
- (2) Department of Alcohol and Other Drug Abuse Services--  
Gambling Addiction Services ..... \$ 50,000;
- (3) Commission on Higher Education--National Guard Tuition  
Repayment Program as provided in Section 59-111-75..... \$ 1,030,488;
- (4) School for the Deaf and the Blind--Technology ..... \$ 200,000;
- (5) Department of Education--School Bus Lease/Purchase..... \$ 2,760,032;
- (6) Commission on Higher Education--PASCAL..... \$ 1,500,000; and
- (7) State Board for Technical and Comprehensive Education--  
Workforce Scholarship Grants ..... \$ 8,000,000.

If the lottery revenue received from certified unclaimed prizes for Fiscal Year 2018-19 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis.

Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate of \$19,000,000 shall be appropriated as follows:

- (1) Department of Education--School Bus Lease/Purchase..... \$ All remaining.

Fiscal Year 2018-19 funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education for Tuition Assistance must be distributed to the technical colleges and two-year institutions as provided in Section 59-150-360. Annually the State Board for Technical and Comprehensive Education and the Commission on Higher Education shall develop the Tuition Assistance distribution of funds.

The provisions of Section 2-75-30 of the 1976 Code regarding the aggregate amount of funding provided for the Centers of Excellence Matching Endowment are suspended for the current fiscal year.

The Commission on Higher Education is authorized to temporarily transfer funds between appropriated line items in order to ensure the timely receipt of scholarships and tuition assistance. It is the goal of the General Assembly to fund the Tuition Assistance program at such a level to support at least \$996 per student per term for full time students.

Fiscal Year 2018-19 net lottery proceeds and investment earnings in excess of the certified net lottery proceeds and investment earnings for this period are appropriated and must be used to ensure that all LIFE, HOPE, and Palmetto Fellows Scholarships for Fiscal Year 2018-19 are fully funded.

If the lottery revenue received for Fiscal Year 2018-19 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their appropriations reduced on a pro rata basis, except that a reduction must not be applied to the funding of LIFE, HOPE, and Palmetto Fellows Scholarships.

The Commission on Higher Education is authorized to use up to \$345,000 of the funds appropriated in this provision for LIFE, HOPE, and Palmetto Fellows scholarships to provide

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the necessary level of program support for the scholarship award process and to provide for a Scholarship Compliance Auditor.

The Higher Education Tuition Grants Commission is authorized to use up to \$70,000 of the funds appropriated in this provision for Tuition Grants to provide the necessary level of program support for the grants award process.

The funds appropriated to State Board for Technical and Comprehensive Education for Workforce Scholarship/Grants shall be used to provide grants for tuition, fees, transportation, or textbook expenses to South Carolina residents enrolled in a career education program that meets all eligibility guidelines promulgated by the State Board for Technical and Comprehensive Education in consultation with the Department of Education, except that funds shall not be used for continuing education courses that do not lead to a degree or professional certificate. Grants may be awarded from the fund in an amount not exceeding ten thousand dollars or the total cost of attendance, whichever is less, for students to attend the program of their choice, including a professional certification program, at a South Carolina public technical college. By March fifteenth of the academic year provided, the State Board for Technical and Comprehensive Education shall provide a report to the Chairman of House Ways and Means Committee and the Chairman of the Senate Finance Committee containing a list of programs, amount of funding spent per program, number of students that received grants, and the grant amount per student.

Of the funds appropriated to the Commission on Higher Education for institutions of higher learning entitled "Technology-Public Four Year Institutions, Two Year Institutions, and State Technical Colleges,"(Technology) the commission shall allocate the realized funds on a proportional basis as follows:

<u>(1) The Citadel .....</u>	<u>\$</u>	<u>267,228;</u>	
<u>(2) University of Charleston.....</u>	<u>\$</u>	<u>607,631;</u>	
<u>(3) Coastal Carolina University.....</u>	<u>\$</u>	<u>591,366;</u>	
<u>(4) Francis Marion University .....</u>	<u>\$</u>	<u>260,984;</u>	
<u>(5) Lander University.....</u>	<u>\$</u>	<u>224,174;</u>	
<u>(6) South Carolina State University.....</u>	<u>\$</u>	<u>224,476;</u>	
<u>(7) USC - Aiken Campus .....</u>	<u>\$</u>	<u>243,662;</u>	
<u>(8) USC - Upstate.....</u>	<u>\$</u>	<u>330,928;</u>	
<u>(9) USC - Beaufort Campus .....</u>	<u>\$</u>	<u>183,437;</u>	
<u>(10)USC - Lancaster Campus .....</u>	<u>\$</u>	<u>145,010;</u>	
<u>(11)USC - Salkehatchie Campus.....</u>	<u>\$</u>	<u>145,010;</u>	
<u>(12)USC - Sumter Campus.....</u>	<u>\$</u>	<u>145,010;</u>	
<u>(13)USC - Union Campus .....</u>	<u>\$</u>	<u>145,010;</u>	
<u>(14)Winthrop University.....</u>	<u>\$</u>	<u>362,400;</u>	<u>and</u>
<u>(15)State Technical Colleges and State Board for Technical and Comprehensive Education.....</u>	<u>\$</u>	<u>4,123,674.</u>	

Each institution shall use the amount appropriated only for technology repair and related technology maintenance and/or upgrades that are necessary to support an institution's educational purpose.

Prior to the utilization of these funds, institutions must certify to the Commission on Higher Education, in a manner it prescribes, the extent to which they have met this requirement.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purpose, subject to certification from the Commission on Higher Education they continue to meet the requirement of this provision.

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Funds appropriated within this provision to the State Board for Technical and Comprehensive Education for High Demand Job Skill Training Equipment shall be distributed to each public technical college based on a formula to be developed by the State Board's system office.

Of the funds appropriated to the Commission on Higher Education entitled "South Carolina College of Veterinary Medicine Study", the Commission shall expend no more than \$200,000 to facilitate and/or procure a study regarding the costs and benefits to the State and its residents of establishing a South Carolina College of Veterinary Medicine at, or to be affiliated with, South Carolina State University and/or the University's Public Service Activities Division, or a combination of both. The Commission shall study, or cause to be studied, issues related to the demand of South Carolina students for access to Veterinary medicine education versus the supply, or lack thereof, at colleges outside of South Carolina, as well as other matters related to access and affordability for South Carolina resident students interested in pursuing an education in Veterinary medicine, and the income potential versus expense requirements, including operational and facility and other capital costs, of establishing a South Carolina College of Veterinary Medicine at South Carolina State University. The Commission shall seek, or cause to be sought, input and assistance from, at minimum, South Carolina State University, the Southeastern Regional Education Board, the American Veterinary Medical Association Council on Education, the South Carolina Department of Labor, Licensing and Regulation, and any other state agency of government, including other state institutions of higher learning as the Commission deems appropriate. Any state agency or institution the Commission requests for assistance with this study shall cooperate with the Commission in fulfilling its obligations as required under this provision. The Commission shall report its findings to the Governor, the Chairmen of the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee on or before March fifteenth of the current fiscal year. Funds not expended by the Commission for this purpose shall accrue to the Commission's account for provision of Need Based Grants.

Of the funds appropriated to the Commission on Higher Education for Research University STEM Equipment, the commission shall disburse the funds to Clemson University, the University of South Carolina-Columbia, and the Medical University of South Carolina proportionally based on each institution's proportion of general fund appropriation in Part 1A of Act 97 of 2017 as compared to the general fund appropriation in that Act for the three institutions in total.

Of the funds appropriated to the Commission on Higher Education for Carolina Careers Cluster Grant (1:1 match), upon application by an eligible institution as defined in this paragraph, the commission shall disburse \$200,000 to Voorhees College and \$50,000 each to Benedict College and Claflin University provided that each were recipients of a single competitive grant from a private sector endowment of not less than \$1,000,000 within the immediately two preceding fiscal years, the proceeds of which are intended to better prepare students for employment in high paying job clusters across the State. Funds must be spent on students and/or student support services directly related to the private sector grantor's initiative and for no other purpose. Prior to disbursement, the commission shall verify that an eligible institution will provide no less than a 1 to 1 match of the funds to be disbursed.

Funds appropriated to the Department of Education for Reading Partners shall be allocated to Reading Partners and must be used to increase the number of reading interventions for students in low performing schools in grades K-5. The Office of Early Learning and Literacy shall specify planning criteria to be submitted by Reading Partners no later than July 15 of the current fiscal year. Planning criteria shall include, but is not limited to, pre and post assessment data, parental and family literacy engagement, summer learning support and building school level capacity for intervention. The department shall report to the Governor, the Chairman of the Senate Finance Committee, the Chairman of the Senate Education Committee, the Chairman

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of the House Ways and Means Committee and the Chairman of the House Education Committee by June 15, 2019 on the impact of the program.

Of the funds appropriated to the Commission on Higher Education for Memorial Professorship, the Commission shall disburse the funds to the State's only non-profit, four-year comprehensive institution of higher learning that was first established as a college in 1908, provided that the college is SACS accredited and has at least forty percent or more minority enrollment. The college must utilize the funds in support for a memorial professorship(s) for the purpose of helping the college recruit and retain faculty members whose research, teaching and service uniquely contribute to the mission of the college.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for SPICE Program, the board shall transfer the funds to Greenville Technical College, upon which the college, from the entirety of the funds allocated to it pursuant to this Act, must dedicate no less than \$250,000 annually towards the creation and/or maintenance of a "Self-Paced In-Classroom Education" (SPICE) program designed to prepare eligible citizens for re-entry into the workforce through gainful employment in skilled and other professions.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for Workforce Pathways Funding (Non-Pilot Technical Colleges), the board shall distribute the funds to eligible public technical colleges based on the same formula developed by the board pursuant to the second paragraph of Part 1B, Section 25.7 of this Act, provided that no eligible public technical college receives an allocation greater than \$300,000 pursuant to this provision. For purposes of this provision, eligible public technical colleges are limited to colleges that do not receive a special allocation pursuant to the first paragraph of Part 1B, Section 25.7 of this Act.

Of the funds appropriated to the Department of Education for School Safety - Facility and Infrastructure Safety Upgrades, the department shall allocate the funds to school districts for the purpose of funding life safety infrastructure for school facilities projects. For the purpose of this provision, "school facilities" means only facilities necessary for instructional and related supporting purposes including, but not limited to, classrooms, libraries, media centers, laboratories, cafeterias, physical education spaces, related interior and exterior facilities. Eligible school facility projects shall include, but not necessarily be limited to items such as: (a) door locks, (b) security cameras, and (c) metal detectors. For purposes of this provision, school facilities shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

The department shall develop and maintain an application process for school districts to request funding for qualified school projects and establish policies, procedures, and priorities for the making of grants pursuant to this provision. In establishing these procedures, the department shall utilize the school facilities report among other sources. At least twice a year and upon receipt of applications pursuant to the application process adopted by the department, the department shall prioritize the eligible projects with the greatest need and shall submit a list of recommended grant awards to the State Board of Education. Grants shall be awarded upon an affirmative vote of the State Board.

The financial assistance provided to school districts pursuant to this provision must be used for the eligible school facility project. The department is responsible for establishing policies and procedures to ensure that funds are expended in a manner consistent with this provision.

Following the close of the fiscal year, the department shall submit an annual report of its activities for the preceding year to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

Of the funds appropriated to the State Board for Technical and Comprehensive Education for the Palmetto Promise Scholarship Pilot, the board shall administer the South Carolina Promise Scholarship program for residents of the plaintiff trial districts in Abbeville County

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School District et al vs. South Carolina, as determined by the State Department of Education, who are seeking an associate's degree, certificate, or diploma from any eligible postsecondary institution under the following terms and conditions:

(1) To be eligible for the scholarship, a student must be admitted to a postsecondary institution, must be enrolled in at least six credit hours at the institution, and within six years of his application for the scholarship either must have obtained a high school diploma from an eligible high school or must have obtained a GED while residing in the attendance zone of an eligible high school. A student who previously has received a bachelor's degree is not eligible for the scholarship.

(2) Students applying for the scholarship shall complete the South Carolina Promise Scholarship application and the free application for federal student aid (FAFSA) for the current fiscal year.

(3) To continue to receive a South Carolina Promise Scholarship in the current fiscal year, a student must maintain a 2.0 grade point average as determined by the policies established by the board.

(4) Scholarship recipients shall participate in a mentoring program pursuant to policies established by the board. Mentoring must include, but is not limited to:

(a) communicating frequently and consistently throughout program participation;

(b) developing a personalized student success plan, which must include concrete steps towards program completion and job placement and identify and make contingency plans for potential obstacles to program completion;

(c) connect grantees to on-campus resources and personal development opportunities; and

(d) financial planning.

(5) Subject to funds appropriated by the General Assembly, a South Carolina Promise Scholarship must cover the cost of tuition, mandatory fees, program fees, and books, up to a maximum of two thousand dollars in the fiscal year, at the eligible postsecondary institution attended less all other gift aid. Gift aid which must be credited first.

(6) A South Carolina Promise Scholarship is portable, meaning a student may use it toward covering the cost of any eligible postsecondary institution in the State and it transfers with a student who transfers from one such institution to another such institution.

(7) A South Carolina Promise Scholarship student who has an approved medical or personal leave of absence from an eligible postsecondary institution may continue to receive the scholarship upon resuming his education at an eligible postsecondary institution so long as the student continues to meet all applicable eligibility requirements. The sum of all approved leaves of absence shall not exceed six months. A student must be eligible for the South Carolina Promise Scholarship until the occurrence of the first of the following events:

(a) the student has earned a diploma or associate degree; or

(b) the student has attended an eligible postsecondary institution as a South Carolina Promise Scholarship student for two semesters if the institution is on a semester system, or its equivalent if the institution is on a system other than a semester system. This semester limit may not include an approved leave of absence.

(8) A student with a documented learning disability must be eligible for the South Carolina Promise Scholarship until the occurrence of the first of the following events:

(a) the student has earned a certificate, diploma, or associate degree; or

(b) the sum of the number of years the student has attended an eligible postsecondary institution, exclusive of approved leaves of absence, equals three years from the date of his initial enrollment at an eligible postsecondary institution.

(9) Except for a medical or personal leave of absence, as approved by an eligible postsecondary institution, a South Carolina Promise Scholarship student shall maintain continuous enrollment at an eligible postsecondary institution.

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By June thirtieth of the current fiscal year, the board must submit a report to the General Assembly detailing the number of scholarships awarded, the total amount of the scholarships, and the number of semester hours earned by scholarship recipients.

As used in this proviso:

(1) 'Continuous enrollment' means enrollment by a student in the fall and spring semesters of the fiscal year; except enrollment in summer semester or intersession terms is not required.

(2) 'Eligible high school' means a public secondary school, public charter school, private secondary school approved by the State Board of Education, or home school in the plaintiff trial districts in Abbeville County School District et al vs. South Carolina.

(3) 'Eligible postsecondary institution' means public technical education colleges.

(4) 'Eligible postsecondary program' means a curriculum of courses leading to a certificate, diploma, or associate degree at an eligible postsecondary institution. Courses taken at a four-year postsecondary institution prior to admission in, or that fulfill prerequisite requirements for, an eligible postsecondary program may not be considered part of the eligible postsecondary program.

(5) 'Gift aid' means financial aid received from the federal Pell grant, a tuition grant as provided in Chapter 113, Title 59, a LIFE Scholarship as provided in Chapter 149, Title 59, a lottery-funded scholarship as provided in Chapter 150, Title 59, or a combination thereof.

(6) 'Home school' means a high school in a home school created and operated in compliance with the provisions of Sections 59-65-40, 59-65-45, or 59-65-47.

(7) 'Resident' means a person is considered domiciled in this State pursuant to Section 59-112-20.

(8) 'SBTCE' or 'board' means the State Board for Technical and Comprehensive Education.

**SECTION 7 - L120 - JOHN DE LA HOWE SCHOOL**

**7.4** (Transition) Directs that for FY 2017-18 all school management and operations shall continue however the primary operation of the school shall be wilderness camp activities and residential facilities. Authorizes the John de la Howe Board to use funds to perform or contract for an evaluation to report on what agricultural educational programs can be offered that align with the will, what land management and operational changes are needed and what the projected costs and timeframe would be for these changes. Direct that findings and recommendations be reported by December 1 to the Senate Finance and House Ways and Means Committees.

**SFC:** AMEND proviso to update fiscal year reference to "2018-19." Direct the board to designate the Piedmont Technical Education Commission as its agent for fiscal affairs and require the commission to make all fiscal decisions for the school. Delete the authorization for the board to perform or contract for an evaluation and report focused on specific issues and instead direct the commission to perform or contract for an evaluation and report concerning the highest and best use of the school property and report its findings and recommendations.

**SEN:** AMEND FURTHER to change the John de la Howe Board's fiscal agent from "Piedmont Technical Education Commission" to the "Charter Institute at Erskine." Direct that the fiscal agent shall have full flexibility of John de la Howe funds to operate the school, including personnel decisions and contracting for services. Sponsor: Sens. Sheheen and Young.

**7.4.** (JDLHS: Transition) For Fiscal Year ~~2017-18~~ 2018-19, all financial and programmatic management and operations of the John de la Howe School shall continue to operate. The John

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de la Howe Board shall designate the Charter Institute at Erskine as its agent for fiscal affairs no later than July 31. In that capacity, the Charter Institute at Erskine must make all fiscal decisions for the school. For Fiscal Year 2018-19, the fiscal agent shall have full flexibility of funds appropriated to John de la Howe for the purpose of operating the school, including any personnel decisions and contracting for necessary services. However, to the extent possible, the wilderness camp activities and the operation of the residential facilities shall be maintained as the primary operation of the school.

The ~~John de la Howe Board may~~ Charter Institute at Erskine must utilize funds appropriated to the John de la Howe School to perform or contract for an evaluation and report ~~focused on:~~ (1) what agricultural educational programs can be offered that align with the terms and purpose of the Dr. John de la Howe will; (2) what land management and operation changes are needed in order for the property and remaining assets to support the agricultural education programming mission of the will; and (3) what would be the projected costs of and timeframe for these changes concerning the highest and best use of the property upon which the John de la Howe School is currently located.

~~John de la Howe School~~ The Charter Institute at Erskine shall report to the Senate Finance Committee and to the House Ways and Means Committee by December first of the current fiscal year on its findings and recommendations.

- 7.5** (Wilderness Camps) **HOU:** ADD new proviso to direct the school to follow the DSS regulations for Wilderness Therapeutic Camps for Children. Sponsor: Rep. Erickson.

7.5.(JDLH: Wilderness Camps) Of the funds appropriated to John De La Howe, the school must follow the Department of Social Services regulations for Wilderness Therapeutic Camps for Children.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of proviso.

7.5.(JDLH: Wilderness Camps) **DELETED**

**SECTION 8 - H670 - EDUCATIONAL TELEVISION COMMISSION**

- 8.5** (Delineate Agency Funding) **SFC:** ADD new proviso to direct ETV to work with the Executive Budget Office to delineate agency funding by line item in the appropriation bill beginning with the Governor's budget submission. Direct ETV and EBO to identify any provisos that would need to be adjusted and to request the changes by November 30th.  
**SEN:** ADOPT new proviso.

8.5.(ETV: Delineate Agency Funding) In order to foster increased transparency and accountability, with the funds appropriated to the Educational Television Commission, the commission is directed to work with the Executive Budget Office to delineate the agency's funding by line items in the General Appropriations Bill beginning with the Governor's budget submission in the fall of the current fiscal year. The commission and the Executive Budget Office are also directed to identify any provisos that would need to be adjusted and request changes to the Governor, Chairman of House Ways and Means Committee and Chairman of the Senate Finance Committee by November 30 of the current fiscal year.

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**SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION**

**11.17** (Longitudinal Data Reports) Directs CHE provide a report by December 1st on tuition and required fee trends submitted to them by the state's public colleges and universities. Provides for a baseline for the report. Directs the commission to also provide comparable data and trends for SREB states for the same time period and to provide a calculation of the level of recurring base state operating funds each college and university received.

**SFC:** AMEND proviso to direct CHE to also provide a calculation of the level of recurring and/or non-recurring funds the state provided to each college and university for capital related needs, including facilities and/or equipment, as measured on an in-state student basis as well as the average of such funding provided in each SREB state for the same time period.

**SEN:** ADOPT proviso as amended.

**11.17.** (CHE: Longitudinal Data Reports) By December first each year, the Commission on Higher Education is directed to provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on tuition and required fee trends submitted to the commission by the state's public colleges and universities. The baseline of the report must be the most recent fall semester compared to the previous five fall semesters. The commission shall also provide comparable data and trends for and among SREB states for the same period of time. ~~In addition, for~~ *For* the same time periods noted above, the commission shall also calculate in the report the level of recurring base state operating funding received by each college and university as measured on an in-state student basis as well as the average of such funding provided in each SREB state. *In addition, for the same time periods noted above, the commission shall also provide in the report a calculation of the level of recurring and/or non-recurring funding provided by the state to each college and university for capital related needs, including facilities and/or equipment related capital funding, as measured on an in-state student basis as well as the average of such funding provided in each SREB state.*

**11.21** (Enrollment and Financial Data Submission) **SFC:** ADD new proviso to direct each public institution of higher education to submit specific information into the Commission on Higher Education Management Information System (CHEMIS) by October 1, 2018. Direct USC to report all financial information, including CAFR information, for USC-Aiken, Beaufort, Lancaster, Salkehatchie, Sumter, Upstate and Union separately from USC-Columbia.

**SEN:** AMEND new proviso to change report deadline from "October" to "November" 1, 2018. Sponsor: Sen. Peeler.

*11.21. (CHE: Enrollment and Financial Data Submission) Each public institution of higher education shall submit the following information directly into the Commission on Higher Education Management Information System (CHEMIS) by November 1, 2018:*

*(1) The total amount paid by each student, and amount of any deviation from the "sticker price" itemized in the following categories:*

*(A) Net tuition paid (out-of-pocket by student)*

*(B) Abatement received*

*(C) Waiver received*

*(D) Institutional scholarship received*

*(E) State grant received (i.e. lottery scholarship, need-based, etc.)*

*(F) Federal grant received (i.e. Pell grant, etc.)*

*(G) Assistantships, awards/grants to reduce cost of room and board*

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- (H) Breakdown of all fees charged*
- (I) Expected family contribution (reported in FAFSA)*
- (2) Household income per student (if such information is collected)*
- (3) Pre-enrollment income (if such information is collected)*
- (4) Electronically upload information from Consolidated Annual Financial Reports (CAFRs), from 2013 to present*
- (5) Debt related items:*
  - (A) Data and reports received from credit rating agencies;*
  - (B) Amortization schedule for debt over the next 5 years*
- (6) Leases:*
  - (A) Total number of capital lease obligations of the institution*
  - (B) Beginning and end date of each capital lease*
  - (C) Underlying book value of each capital lease*
  - (D) Total Annual capital lease payments of the institution*
- (7) Five-Year projected increases (decreases) in:*
  - (A) Fringe benefits, including healthcare spending*
  - (B) Enrollments (in-state, out-of-state, undergraduates, graduates)*
  - (C) Net tuition revenue, spending on abatements*
- (8) Capital Projects*
  - Cost estimate of projects, status, anticipated end date, changes to timeline and budget, a five-year timeline for future projects*
  - The University of South Carolina shall report all financial information, including CAFR information, for USC-Aiken, USC-Beaufort, USC-Lancaster, USC-Salkehatchie, USC-Sumter, USC-Upstate and USC-Union separately from financial information reported for USC-Columbia.*

- 11.22** (Statewide Higher Education Repair and Renovation Fund) **SFC:** ADD new proviso to direct that the Statewide Higher Education Repair and Renovation Fund shall only be used by each public 4-year university, 2-year branch campus, and state technical college for critical facility renovation, repair and related maintenance and other critical equipment and systems repair and maintenance necessary to safely and efficiently operate the institution's physical plant and may not be used for new construction. Direct that the funds be distributed based on a specific three metric weighted formula. Direct CHE to report to the Chairmen of the Senate Finance and House Ways and Means Committees on the use of this provision; on whether institutions established a Maintenance Reserve Fund or similar account and if so, any account balance; and a comparison of mandatory dedicated maintenance or similar fees charged to in-state and out-of-state undergraduates. Authorize unexpended funds to be carried forward and used for the same purposes.  
**SEN:** ADOPT new proviso.

*11.22. (CHE: Statewide Higher Education Repair and Renovation Fund) Of the funds appropriated in this Act to the Commission on Higher Education for the "Statewide Higher Education Repair and Renovation Fund," each public four-year university, two-year branch campus and state technical college shall use the amount appropriated only for critical facility renovation, repair and related maintenance or other critical equipment and systems repair and maintenance that are necessary for the safe and efficient operation of an institution's physical plant in its support of the institution's educational purpose. Funds shall not be used for new construction.*

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Funds shall be distributed by the commission to institutions based on a three metric formula weighted as follows: sixty-five percent based on an institution's proportion of total square footage, excluding residential square footage, as compared to the total square footage, excluding residential square footage, for all public four-year universities, two-year branch campuses and state technical colleges as reported by the commission in its 2017 statistical abstract; twenty percent based on an institution's proportion of total buildings twenty-five years old or older as compared to the total number of buildings twenty-five years old or older for all public four-year universities, two-year branch campuses and state technical colleges as reported by the commission in its 2017 statistical abstract; and fifteen percent based on an institution's average building condition score compared to the average building condition score for all public four-year universities, two-year branch campuses and state technical colleges as reported by the commission to the State Fiscal Accountability Authority and the Joint Bond Review Committee in December 2017. For this metric, the commission shall distribute funds equally between institutions where institutions with an average score of 80 or greater receive fifty-five percent; institutions with an average score of 70 to 79 receive thirty percent; and institutions with an average score of less than 70 receive fifteen percent.

Not later than one hundred twenty days after the close of the fiscal year, the Commission on Higher Education shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding the utilization of this provision. The report shall also include a listing, by institution, indicating whether or not an institution has established a "Maintenance Reserve Fund" or similar account, as well as the balance of such an account as of June thirtieth of the most recently completed fiscal year, if any, and a comparison of mandatory dedicated maintenance or similar fees charged to in-state and out-of-state undergraduate students, if applicable.

Funds not expended in the prior fiscal year may be carried forward into the current fiscal year and utilized for the same purposes described herein.

**SECTION 18 - H210 - LANDER UNIVERSITY**

- 18.1** (Renovation and Repairs) Allows Lander University to use Montessori Education Building funds for university renovation and repairs.  
**WMC:** DELETE proviso. Requested by Lander University.  
**HOU:** ADOPT deletion of proviso.

~~**18.1.** (LU: Renovation and Repairs) Funds appropriated to Lander University for the Montessori Education Building may be used for university renovation and repairs.~~

**SFC:** REINSERT original proviso.  
**SEN:** ADOPT original proviso.

**18.1.** (LU: Renovation and Repairs) Funds appropriated to Lander University for the Montessori Education Building may be used for university renovation and repairs.

**SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA**

- 23.4** (Burn Unit Feasibility Study) **SFC:** ADD new proviso to direct the MUSC Hospital Authority to conduct a feasibility study on the cost to implement and annually operate a fully operational

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adult and/or pediatric burn unit and submit the report to the Chairmen of various House and Senate Committees by January 15, 2019.

**SEN:** AMEND new proviso to specify “an independent” feasibility study. Sponsor: Sen. Setzler.

23.4. (MUSC: Burn Unit Feasibility Study) Of the funds appropriated, the MUSC Hospital Authority is directed to conduct an independent feasibility study of the total costs of the implementation and annual operation of a fully operational adult and/or pediatric burn unit. The authority shall submit the study to the Chairmen of the House Ways & Means Committee, the House Medical, Military, Public and Municipal Affairs Committee, the Senate Finance Committee, and Senate Medical Affairs Committee by January 15, 2019.

**SECTION 25 - H590 - STATE BOARD FOR TECHNICAL & COMPREHENSIVE EDUCATION**

**25.9** (York Tech Fund Repurpose) **WMC:** ADD new proviso to direct that \$900,000 and \$5,600,000 appropriated to TEC for the York Technical College Health and Human Service Building in 2016 by Act 284 and Act 25 be redirected for the H-Building and K-Building Renovations. Authorize unexpended funds to be carried forward and used for the H-Building and K-Building Renovations.

**HOU:** ADOPT new proviso.

25.9. (TEC: York Tech Fund Repurpose) The \$900,000 appropriated in Act No. 284 of 2016, by proviso 118.16, Item (23)(bb) to the State Board for Technical and Comprehensive Education for the York Technical College Health and Human Service Building and the \$5,600,000 appropriated in Act 25 of 2016, Section 1, Item (37) to the State Board for Technical and Comprehensive Education for the York Technical College Health and Human Service Building shall be redirected to be used for H-Building Renovations and K-Building Renovations. Unexpended funds may be carried forward into the current fiscal year to be expended for H-Building Renovations and K-Building Renovations.

**SFC:** AMEND new proviso to replace “H-Building Renovations” with “Campus Loop Road Completion.”

**SEN:** ADOPT new proviso as amended.

25.9. (TEC: York Tech Fund Repurpose) The \$900,000 appropriated in Act No. 284 of 2016, by proviso 118.16, Item (23)(bb) to the State Board for Technical and Comprehensive Education for the York Technical College Health and Human Service Building and the \$5,600,000 appropriated in Act 25 of 2016, Section 1, Item (37) to the State Board for Technical and Comprehensive Education for the York Technical College Health and Human Service Building shall be redirected to be used for Campus Loop Road Completion and K-Building Renovations. Unexpended funds may be carried forward into the current fiscal year to be expended for Campus Loop Road Completion and K-Building Renovations.

**25.10** (Denmark Tech) **SFC:** ADD new proviso to direct that all Denmark Technical College Area Commission’s powers, duties and obligations are devolved to the State Board for Technical and Comprehensive Education from November 1, 2018, to January 1, 2019 and direct the state board to consult with and receive input from Denmark Technical College Area Commission. Direct

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that effective January 2, 2019, all powers, duties, and obligations shall revert back to Denmark Technical College Area Commission.

**SEN:** ADOPT new proviso.

25.10. (TEC: Denmark Tech) Notwithstanding any provision of law to the contrary, during the time period beginning November 1, 2018, and ending January 1, 2019, all powers, duties, and obligations vested in the Denmark Technical College Area Commission, as provided in Article 8, Chapter 53, Title 59 of the 1976 Code, are devolved upon and become the powers, duties, and obligations of the State Board for Technical and Comprehensive Education. The state board shall consult with and receive input from the Denmark Technical College Area Commission. On January 2, 2019, all powers, duties, and obligations vested in the state board pursuant to this section shall revert back to the Denmark Technical College Area Commission.

**SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**33.22** (Rural Health Initiative) Directs the department to partner with various state agencies, institutions, and other key stakeholders to implement components of the Rural Health Initiative to address the needs of medically underserved communities and to leverage federal funds to implement the initiative. Authorize Rural Health Initiative funds to be carried forward and used for the same purpose. Directs the department ensure rural physician coverage through the following: (A)(1) Rural and Underserved Area Provider Capacity; (A)(2) Rural Healthcare Coverage and Education; (A)(3) Rural Medicine Workforce Development; and (A)(4) Statewide Health Innovation. (B) Directs the department to investigate the potential use of DSH and/or other allowable and appropriate sources of funds to improve access to emergency medical services in communities whose access has been degraded due to a hospital's closure during the past five years and to establish a DSH pool for this purpose.

**WMC:** AMEND proviso (A)(4) Statewide Health Innovation to delete the requirement that the department spend at least \$1 million to contract with the MUSC Hospital Authority. Add (B)(2) to allow the department to solicit proposals from and provide financial support for capital expenditures associated with the consolidation of two or more rural hospitals; require a hospital system to submit a consolidation plan; require at least one of the facilities be designated as a critical access hospital in a county whose population is at certain levels; and direct the department to require written agreements to ensure proper use of the funds.

**HOU:** ADOPT proviso as amended.

**33.22.** (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative *in the current fiscal year*, the department shall partner with the following state agencies, institutions, and other key stakeholders to implement these components of a Rural Health Initiative to better meet the needs of medically underserved communities throughout the state. The department may leverage any and all available federal funds to implement this initiative. Recurring and non-recurring funding for the Rural Health Initiative may be carried forward by the department and expended for the same purpose.

(A) The Department of Health and Human Services shall incentivize the development of primary care access in rural and underserved areas, leverage Medicaid spending on Graduate Medical Education (GME) by implementing methodologies that support recommendations contained in the January 2014 report of the South Carolina GME Advisory Group, and continue

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to leverage the use of teaching hospitals to ensure rural physician coverage in counties with a demonstrated lack of adequate access and coverage through the following provisions:

(1) Rural and Underserved Area Provider Capacity - the department shall partner with the University of South Carolina School of Medicine to develop a statewide Rural Health Initiative to identify strategies for significantly improving health care access, supporting physicians, and reducing health inequities in rural communities. In addition, the department shall also contract with the MUSC Hospital Authority in the amount of \$1,000,000, and the USC School of Medicine in the amount of \$2,000,000 to further develop statewide teaching partnerships.

(2) Rural Healthcare Coverage and Education - The USC School of Medicine, in consultation with the South Carolina Office of Rural Health, shall continue to operate a Center of Excellence to support and develop rural medical education and delivery infrastructure with a statewide focus, through clinical practice, training, and research, as well as collaboration with other state agencies and institutions. The center's activities must be centered on efforts to improve access to care and expand healthcare provider capacity in rural communities. The department shall authorize at least \$1,000,000 to support center staffing as well as the programs and collaborations delivering rural health research, the ICARED program, workforce development scholarships and recruitment, rural fellowships, health education development, and/or rural practice support and education. Funding released by the department pursuant to this section must not be used by the recipient(s) to supplant existing resources already used for the same or comparable purposes. No later than February first of the current fiscal year, the USC School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(3) Rural Medicine Workforce Development - The department, in consultation with the Medical Education Advisory Committee (MEAC), shall support the development of additional residency and/or fellowship slots or programs in rural medicine, family medicine, and any other appropriate primary care specialties that have been identified by the department as not being adequately served by existing Graduate Medical Education programs. The department shall ensure that each in-state member of the Association of American Medical Colleges is afforded the opportunity to participate in MEAC. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). The department may also accept proposals and award grants for programs designed to expose resident physicians to rural practice and enhance the opportunity to recruit these residents for long-term practice in these rural and/or underserved communities. Up to \$500,000 of the recurring funds appropriated to the department for the Rural Health Initiative may be used for this purpose.

(4) Statewide Health Innovations - At least \$2,000,000 must be expended by the department to contract with the USC School of Medicine ~~and at least \$1,000,000 to the MUSC Hospital Authority~~ to develop and continue innovative healthcare delivery and training opportunities through collaborative community engagement via ICARED and other innovative programs that provide clinical services, mental and behavioral health services, children's health, OB/GYN services, and/or chronic disease coverage gaps. In consultation with the Office of Rural Health, the department must ensure collaborative efforts with the greatest potential for impact are prioritized.

(B) The department shall continue to investigate the potential use of DSH and/or any other allowable and appropriate source of funds in order to improve access to emergency medical services in one or more communities identified by the department in which such access has been degraded due to a hospital's closure during the past five years.

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(1) In the current fiscal year, the department is authorized to establish a DSH pool, or carry forward DSH capacity from a previous period as federally permissible, for this purpose and/or if deemed necessary to implement transformation plans for which conforming applications were filed with the department pursuant to this or a previous hospital transformation or rural health initiative proviso, but for which additional negotiations or development were required. An emergency department that is established within 35 miles of its sponsoring hospital pursuant to this or a previous hospital transformation or rural health initiative proviso and which receives dedicated funding pursuant to this proviso shall be exempt from any Department of Health and Environmental Control Certificate of Need requirements or regulations. Any such facility shall participate in the South Carolina Telemedicine Network.

(2) The department may solicit proposals from and provide financial support for capital expenditures associated with the consolidation of two or more rural hospitals, not to exceed one-quarter of the total capital budget for the consolidation. Such a consolidation plan must be submitted by a hospital system approved to advise a rural transformation project, and the consolidation must be subject to ongoing advisement by the submitting facility. At least one of the facilities subject to consolidation must be designated as a critical access hospital in a county experiencing not less than four percent decrease in population between the most recent decennial censuses and have been deemed eligible to participate in the rural transformation pool in a prior fiscal year. The department shall require such written agreements which may require project milestone, last-dollar funding, and other stipulations deemed necessary and prudent by the department to ensure proper use of the funds.

(C) The Revenue and Fiscal Affairs Office and the Area Health Education Consortium's Office of Healthcare Workforce Analysis and Planning shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

**SFC:** AMEND FURTHER (A)(4) Statewide Health Innovation to direct the department spend at least \$1 million to contract with Clemson University to develop and continue innovative healthcare delivery and training opportunities through collaborative community engagement via ICARED, Clemson Cooperative Extension, and other innovative programs.

**SEN:** ADOPT proviso as amended.

**33.22.** (DHHS: Rural Health Initiative) From the funds appropriated to the Department of Health and Human Services for the Rural Health Initiative *in the current fiscal year*, the department shall partner with the following state agencies, institutions, and other key stakeholders to implement these components of a Rural Health Initiative to better meet the needs of medically underserved communities throughout the state. The department may leverage any and all available federal funds to implement this initiative. Recurring and non-recurring funding for the Rural Health Initiative may be carried forward by the department and expended for the same purpose.

(A) The Department of Health and Human Services shall incentivize the development of primary care access in rural and underserved areas, leverage Medicaid spending on Graduate Medical Education (GME) by implementing methodologies that support recommendations contained in the January 2014 report of the South Carolina GME Advisory Group, and continue to leverage the use of teaching hospitals to ensure rural physician coverage in counties with a demonstrated lack of adequate access and coverage through the following provisions:

(1) Rural and Underserved Area Provider Capacity - the department shall partner with the University of South Carolina School of Medicine to develop a statewide Rural Health Initiative to identify strategies for significantly improving health care access, supporting physicians, and reducing health inequities in rural communities. In addition, the department shall

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also contract with the MUSC Hospital Authority in the amount of \$1,000,000, and the USC School of Medicine in the amount of \$2,000,000 to further develop statewide teaching partnerships.

(2) Rural Healthcare Coverage and Education - The USC School of Medicine, in consultation with the South Carolina Office of Rural Health, shall continue to operate a Center of Excellence to support and develop rural medical education and delivery infrastructure with a statewide focus, through clinical practice, training, and research, as well as collaboration with other state agencies and institutions. The center's activities must be centered on efforts to improve access to care and expand healthcare provider capacity in rural communities. The department shall authorize at least \$1,000,000 to support center staffing as well as the programs and collaborations delivering rural health research, the ICARED program, workforce development scholarships and recruitment, rural fellowships, health education development, and/or rural practice support and education. Funding released by the department pursuant to this section must not be used by the recipient(s) to supplant existing resources already used for the same or comparable purposes. No later than February first of the current fiscal year, the USC School of Medicine shall report to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Director of the Department of Health and Human Services on the specific uses of funds budgeted and/or expended pursuant to this provision.

(3) Rural Medicine Workforce Development - The department, in consultation with the Medical Education Advisory Committee (MEAC), shall support the development of additional residency and/or fellowship slots or programs in rural medicine, family medicine, and any other appropriate primary care specialties that have been identified by the department as not being adequately served by existing Graduate Medical Education programs. The department shall ensure that each in-state member of the Association of American Medical Colleges is afforded the opportunity to participate in MEAC. New training sites and/or residency positions are subject to approval as specified by the Accreditation Council for Graduate Medical Education (ACGME). The department may also accept proposals and award grants for programs designed to expose resident physicians to rural practice and enhance the opportunity to recruit these residents for long-term practice in these rural and/or underserved communities. Up to \$500,000 of the recurring funds appropriated to the department for the Rural Health Initiative may be used for this purpose.

(4) Statewide Health Innovations - At least \$2,000,000 must be expended by the department to contract with the USC School of Medicine and at least \$1,000,000 to the ~~MUSC Hospital Authority~~ Clemson University to develop and continue innovative healthcare delivery and training opportunities through collaborative community engagement via ICARED, Clemson Cooperative Extension, and other innovative programs that provide clinical services, mental and behavioral health services, children's health, OB/GYN services, and/or chronic disease coverage gaps. In consultation with the Office of Rural Health, the department must ensure collaborative efforts with the greatest potential for impact are prioritized.

(B) The department shall continue to investigate the potential use of DSH and/or any other allowable and appropriate source of funds in order to improve access to emergency medical services in one or more communities identified by the department in which such access has been degraded due to a hospital's closure during the past five years.

(1) In the current fiscal year, the department is authorized to establish a DSH pool, or carry forward DSH capacity from a previous period as federally permissible, for this purpose and/or if deemed necessary to implement transformation plans for which conforming applications were filed with the department pursuant to this or a previous hospital transformation or rural health initiative proviso, but for which additional negotiations or development were required. An emergency department that is established within 35 miles of its sponsoring hospital pursuant to

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this or a previous hospital transformation or rural health initiative proviso and which receives dedicated funding pursuant to this proviso shall be exempt from any Department of Health and Environmental Control Certificate of Need requirements or regulations. Any such facility shall participate in the South Carolina Telemedicine Network.

(2) The department may solicit proposals from and provide financial support for capital expenditures associated with the consolidation of two or more rural hospitals, not to exceed one-quarter of the total capital budget for the consolidation. Such a consolidation plan must be submitted by a hospital system approved to advise a rural transformation project, and the consolidation must be subject to ongoing advisement by the submitting facility. At least one of the facilities subject to consolidation must be designated as a critical access hospital in a county experiencing not less than four percent decrease in population between the most recent decennial censuses and have been deemed eligible to participate in the rural transformation pool in a prior fiscal year. The department shall require such written agreements which may require project milestone, last-dollar funding, and other stipulations deemed necessary and prudent by the department to ensure proper use of the funds.

(C) The Revenue and Fiscal Affairs Office and the Area Health Education Consortium's Office of Healthcare Workforce Analysis and Planning shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

- 33.25** (Family Planning Waiver) **HOU2:** AMEND House version to ADD new proviso to direct the department to prepare and submit waivers and state plan amendments to CMS to ensure that no family planning funds may be expended to subsidize abortion clinics and no funds may be paid or granted to an organization that owns or is owned by an abortion clinic. Direct funds be held until a decision is made to grant the waiver. Require funds be submitted back to CMS if the waiver is not granted. Sponsors: Reps. McCravy and Hamilton.

33.25. (DHHS: Family Planning Waiver) With funds appropriated and authorized to the Department of Health and Human Services for Fiscal Year 2018-2019, the department shall prepare and submit to the Centers for Medicare and Medicaid Services (CMS) such waivers and state plan amendments that are necessary to ensure that no family planning funds may be expended to subsidize abortion clinics and none of the funds appropriated herein may be paid or granted to an organization that owns or is owned by an abortion clinic. The funds must be held until a decision is made as to whether to grant the waiver. If the waiver is not granted, than all funds must be submitted back to CMS.

- 33.26** (Pharmacy Reimbursements) **HOU2:** AMEND House version to ADD new proviso to require that any MCO or PBM provide claim-level pharmacy reimbursement detail to the department and to participating pharmacy providers that reflects the amounts paid ensure transparency and fiscal integrity of the state Medicaid program. Sponsor: Rep. G.M. Smith.

33.26. (DHHS: Pharmacy Reimbursements) With the funds appropriated and authorized to the Department of Health and Human Services in the current fiscal year, the department shall require that any managed care organization (MCO) or pharmacy benefit manager (PBM) provide claim-level pharmacy reimbursement detail to both the department and participating pharmacy providers reflecting the amount paid to a PBM by the MCO and the amount paid by a PBM on the MCO's behalf to a pharmacy provider to ensure transparency and fiscal integrity of the state Medicaid program. A pharmacy provider may only receive claim-level pharmacy reimbursement details for prescriptions dispensed at that provider's location. The department is

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*authorized to make such state plan, policy, or contract amendments as necessary to implement these provisions.*

**SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

- 34.52** (Lake Conestee Dam and Reservoir) Directs DHEC to appropriate up to \$185,000 to the Conestee Foundation to conduct an expert dam engineering study to examine alternatives to rehabilitate and/or replace the Lake Conestee Dam.  
**SFC:** DELETE proviso. *Funds have been appropriated.*  
**SEN:** ADOPT deletion of proviso.

~~**34.52.** (DHEC: Lake Conestee Dam and Reservoir) Of the funds appropriated and authorized to the Department of Health and Environmental Control, the department shall appropriate up to \$185,000 to the Conestee Foundation, the owner of the Lake Conestee Dam, to conduct an expert dam engineering study. The objective of this study shall be to examine alternatives for the rehabilitation and/or replacement of the present Lake Conestee Dam. The study shall include all inspection, survey, engineering analysis, risk calculations, sampling and environmental testing activities, and hydrologic modeling necessary to evaluate all viable alternatives, and related construction and long term care costs and other related requirements necessary to compare the alternatives in accordance with appropriate state and federal agency requirements, and customary dam engineering requirements. The study shall identify a Final Recommended Alternative appropriate for final design and construction.~~

~~The contractor conducting the study on behalf of the Conestee Foundation shall be selected in a manner similar to state procurement standards. The panel selecting the contractor shall be made up of one representative of the Conestee Foundation, one representative from the Department of Health and Environmental Control, one representative appointed by the Greenville County Legislative Delegation, one representative appointed by the Greenwood County Legislative Delegation, and one representative appointed by the Laurens County Legislative Delegation. The study must meet all regulatory requirements, and the Department of Health and Environmental Control will provide review of the study and scope of work. The funding of this study does not obligate the State of South Carolina in any way to the future costs of the anticipated rehabilitation or replacement of the dam.~~

- 34.55** (Best Chance Network/Colon Cancer Prevention) Directs that \$500,000 be used for the Best Chance Network and that \$500,000 be used as matching funds for the Colon Cancer Prevention Network.  
**SFC:** AMEND proviso to change “\$500,000” to “\$1,000,000.”  
**SEN:** ADOPT proviso as amended.

**34.55.** (DHEC: Best Chance Network/Colon Cancer Prevention) Of the funds appropriated to the department for Best Chance Network and Colon Cancer Prevention, the department shall utilize ~~\$500,000~~ \$1,000,000 for the Best Chance Network and ~~\$500,000~~ \$1,000,000 as matching funds for the Colon Cancer Prevention Network.

- 34.57** (Water Quality Initiative) **WMC:** ADD new proviso to require the department to spend funds remaining from prior State Beachfront Management and Beach Renourishment appropriations as follows: \$1,000,000 to the City of Myrtle Beach and \$1,000,000 to the City of North Myrtle

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Beach for the Ocean Water Quality Outfall Initiative; and \$187,291 to Horry County for Socastee Creek Flood Control. Authorize unexpended funds to be carried forward and used for the same purpose.

**HOU:** ADOPT new proviso.

34.57. (DHEC: Water Quality Initiative) The department shall expend the funds remaining from appropriations to the department for State Beachfront Management and Beach Renourishment in prior fiscal years as follows: \$1,000,000 to the City of Myrtle Beach for the Ocean Water Quality Outfall Initiative \$1,000,000 to the City of North Myrtle Beach for the Ocean Water Quality Outfall Initiative and \$187,291 to Horry County for Socastee Creek Flood Control. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purpose.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

34.57. (DHEC: Water Quality Initiative) DELETED

**34.58** (HIV/AIDS Treatment and Prevention) **HOU:** ADD new proviso to authorize at least \$500,000 of HIV and AIDS prevention and treatment funds to be used for the Joseph H. Neal Wellness Center and CAN Community Health, Inc. to provide services to all patients, regardless of ability to pay. Allow funds to be used to enhance services provided through federal funds allocation or the state's AIDS Drug Assistance Program rebate funds. Sponsors: Reps. G.M. Smith, Clyburn, Bales, Brawley, King and Cobb-Hunter.

**HOU2:** AMEND House version to delete directive that no less than \$500,000 of HIV and AIDS prevention and treatment funds be used for the Joseph H. Neal Wellness Center and CAN Community Health, Inc. to provide services to all patients and instead direct the department to develop one or more partnerships with providers that offer comprehensive services to all patients. Sponsor: Rep. G.M. Smith.

34.58. (DHEC: HIV/AIDS Treatment and Prevention) From the funds appropriated to the Department of Health and Environmental Control in the current fiscal year for HIV and AIDS prevention and treatment, the department shall develop one or more partnerships with providers that offer comprehensive medical, psychological and educational services to all patients, regardless of their financial situation, insurance status, or ability to pay. The department shall ensure the funds are expended solely for testing and treatment services. Funds may be used to enhance the services provided through any allocation of federal funds or the state's AIDS Drug Assistance Program rebate funds.

**SFC:** ADOPT new proviso.

**SEN:** ADOPT new proviso.

34.58. (DHEC: HIV/AIDS Treatment and Prevention) From the funds appropriated to the Department of Health and Environmental Control in the current fiscal year for HIV and AIDS prevention and treatment, no less than \$500,000 shall be authorized for the Joseph H. Neal Wellness Center and CAN Community Health Inc. to develop a partnership to provide comprehensive medical, psychological and educational services to all patients, regardless of their financial situation, insurance status, or ability to pay. The department shall ensure the funds are expended solely for testing and treatment services. Funds may be used to enhance the

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services provided through any allocation of federal funds or the state's AIDS Drug Assistance Program rebate funds.

**SECTION 35 - J120 - DEPARTMENT OF MENTAL HEALTH**

- 35.4** (Crisis Intervention Training) Directs the department to use \$170,500 for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training.  
**SFC:** AMEND proviso to change "\$170,500" to "\$275,000."  
**SEN:** ADOPT proviso as amended.

**35.4.** (DMH: Crisis Intervention Training) Of the funds appropriated to the department, ~~\$170,500~~ \$275,000 shall be utilized for the National Alliance on Mental Illness (NAMI) SC for Crisis Intervention Training (CIT).

**SECTION 36 - J160 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS**

- 36.8** (Pervasive Developmental Disorder) Directs that since DDSN is the agency authorized to treat autistic disorder, it is the agency designated for a Medicaid project to treat children diagnosed by 8 years of age with a pervasive developmental disorder; provides guidelines for project participation, treatment, and reimbursement; and defines "pervasive developmental disorder." Directs DDSN and DHHS to develop a transition plan for PDD waiver services to Medicaid State Plan services.  
**SFC:** DELETE proviso. *The Waiver has transitioned to a Medicaid State Plan Service.*  
**SEN:** ADOPT deletion of proviso.

**36.8.** (DDSN: Pervasive Developmental Disorder) ~~The Department of Disabilities and Special Needs, as the agency authorized to treat autistic disorder, is designated for a Medicaid project to treat children who have been diagnosed by eight years of age with a pervasive developmental disorder. The project must target the youngest ages feasible for treatment effectiveness, treatment for each individual child shall not exceed three years without a special exception as defined in the waiver, and reimbursement for each individual participant may not exceed \$50,000 per year. The Department of Disabilities and Special Needs and the Department of Health and Human Services will determine the areas of the State with the greatest need and availability of providers. Children participating in the project will be selected based upon an application system developed in compliance with the Medicaid waiver. Treatment will be provided as authorized and prescribed by the department according to the degree of the developmental disability. In authorizing and prescribing treatment the department may award grants or negotiate and contract with public or private entities to implement intervention programs, which must comply with Medicaid reimbursement methodologies, for children who have been diagnosed with a pervasive developmental disorder. "Pervasive developmental disorder" means a neurological condition, including autistic disorder and Asperger's syndrome, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. The department shall report semi-annually to the General Assembly and the Governor on the developmental progress of the children participating in the project and the fiscal status of the project, to include expenditure data and appropriation balances. This provision does not establish or authorize creation of an entitlement program or benefit.~~

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~~The Department of Disabilities and Special Needs and the Department of Health and Human Services shall develop a plan to transition children in the Pervasive Developmental Disorder Program (PDD) to Medicaid State Plan services in a manner that minimizes any break in service. Private insurance benefits which include Autism Spectrum Disorder services shall be sought prior to the expenditure of Medicaid or State funds for these services. For children not Medicaid eligible, the Department of Disabilities and Special Needs shall develop a sliding fee scale based on a means test for determining payment by a family for PDD services.~~

~~As children transition from the waiver to the Medicaid State Plan, the Department of Disabilities and Special Needs shall permanently transfer, on a quarterly basis, all uncommitted Medicaid matching funds to the Department of Health and Human Services to be used for Applied Behavioral Analysis lead and line therapist services to ensure access to care. The Department of Disabilities and Special Needs shall provide a report to the House Ways and Means Committee and the Senate Finance Committee within thirty days after the close of the fiscal year on the amount of funds transferred to the Department of Health and Human Services.~~

**SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES**

- 38.24** (Internal Child Fatality Review Committees) Requires the Director of the Department of Social Services to create and fund Internal Child Fatality Review Committees to allow for rapid and expeditious review of child fatalities that are reported to the Department.  
**SFC:** AMEND proviso to update fiscal year reference to “2018-19.”  
**SEN:** ADOPT proviso as amended.

**38.24.** (DSS: Internal Child Fatality Review Committees) For Fiscal Year ~~2017-18~~ 2018-19, the Director of the Department of Social Services shall create and fund Internal Child Fatality Review Committees (internal committees) pursuant to the authority granted in Sections 43-1-60(3), 43-1-80, and 63-7-910(E) of the 1976 Code to allow for the rapid and expeditious review of reported child fatalities that are reported to the Department of Social Services on suspicion of abandonment, child abuse, neglect or harm as defined in Section 63-7-20. This review process will enable the department to respond to the safety needs of any surviving siblings and will lead to improvement in the department’s efforts to prevent child fatalities caused by abandonment, child abuse, neglect or harm. Each internal committee shall be composed of a board-certified child abuse pediatrician, an agent from the State Law Enforcement Division, a local law enforcement officer, a representative from the local coroner’s office, and representatives from the Department of Social Services. The internal committee may invite other service provider organizations as deemed necessary. The department is authorized to provide reasonable compensation for board-certified child abuse pediatricians serving on an internal committee. Internal committees shall have access to information and records maintained by a provider of medical care regarding a child whose death is being reviewed by the internal committee, including information on prenatal care; all information and records maintained by any state, county, or local government agency, including, but not limited to, birth certificates, law enforcement investigation data, county coroner or medical examiner investigation data, parole and probation information and records, and information and records of health agencies that provided services to the child or family. The meetings, information obtained by, reports prepared by, and statements made before the internal committees are confidential and protected from disclosure pursuant to the Freedom of Information Act, criminal and civil proceedings, and subpoenas as set forth in Sections 63-7-940 and 63-7-1990.

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**38.30** (Foster Care Child Placements) **HOU:** ADD new proviso to direct the department to implement the following child placement provisions: (A) Require an attachment assessment be obtained of a child and current foster parents when the foster parents are willing to adopt the child after 9 consecutive months of being placed in the home. Direct that a qualified attachment expert must conduct the assessment; (B) Direct the department develop a transition plan for a child reunification with a parent or caregiver, with input from the Guardian Ad Litem and a child-focused mental health professional; (C) Require a termination of parental rights petition if a child has been placed in foster care for 15 of the last 22 months unless there are specific extenuating circumstances; and (D) Require a petition for termination of parental rights within 60 days of a family court order designating the child's permanent plan or concurrent plan as termination of parental rights and adoption. Sponsors: Reps. Simrill and G.M. Smith.

38.30. (DSS: Foster Care Child Placements) With funds appropriated and authorized to the Department of Social Services for Fiscal Year 2018-19, the department shall ensure that the following provisions are implemented related to child placements. The department shall promulgate any necessary rules or regulations to implement these provisions:

(A) If a child in foster care has been placed within the same foster home for at least 9 consecutive months and if the foster parents are willing to provide permanency through adoption for the child, the department must obtain an attachment assessment of the child and current foster parents before selecting a different adoptive placement or other alternative setting. The attachment assessment must be conducted by a qualified attachment expert. Qualified attachment experts may include individuals who can demonstrate training and or education in attachment theory, developmental psychology, and measures of attachment in addition to a minimum of ten completed attachment assessments.

(B) If a child's permanency plan includes reunification with a parent or caregiver, the department shall develop a transition plan for the child, with input from the Guardian ad Litem and a child-focused mental health professional. The department's proposed transition plan must include sufficient visitation with the permanent guardian to promote a successful and emotionally healthy transition for the child, facilitate a positive relationship between caregiver and child, and lessen trauma that may result from the move. If the department pursues placement with a natural parent, relative, or other adult with whom the child has never lived, as determined to be in the child's best interest, the department's proposed transition plan must be progressive and include increased overnight visitation with ongoing assessment of the plan and the child's adjustment by the Guardian ad Litem and child focused mental health professional. Modifications to the plan must be driven by the child's adjustment to the transition.

(C) In accordance with Section 63-7-1710, the department must file a Termination of Parental Rights petition if a child has been in foster care for 15 of the last 22 months unless there are extenuating circumstances as follows:

(1) When the child is over the age of 16 and the department has identified another planned permanent living arrangement.

(2) The department asserts to the court that the child may be safely returned to the parent because the parent has remedied the conditions that caused the removal, with or without supervision by the department for up to 12 months.

(3) The department's proposed treatment plan can be extended up to 18 months but only if: (a) the department presents compelling and persuasive evidence of how the parent has demonstrated due diligence in completing the plan; (b) the department can articulate for the court specific reasons to believe the parent will timely remedy the conditions which led to the removal; (c) the department affirms that the return of child to the parent would not cause unreasonable risk of harm; (d) the department has compelling reasons to assert that a

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Termination of Parental Rights is not in the best interests of the child; (e) the department has compelling reasons to assert the best interests of the child will be served by the extension.

(4) If the department assesses the viability of adoption and determines that adoption is not a viable option and has compelling reasons to assert that Termination of Parental Rights is not in the best interests of the child, then the department may pursue a permanent plan of custody or legal guardianship to relative or other person.

(D) In accordance with Sections 63-7-1640(G) and 1700(E), the department must file the petition for a Termination of Parental Rights within sixty days of the family court order designating the child's permanent plan or concurrent plan as Termination of Parental Rights and adoption.

**SFC:** ADOPT new proviso.

**SEN:** AMEND new proviso to change "9" to "12" consecutive months in a foster home; clarify that the assessment will be defined through rules or regulations promulgated by DSS; specify that a child's transition plan will be developed with input from a child-focused or "other appropriate" mental health professional. Sponsors: Sens. Alexander and Shealy.

38.30. (DSS: Foster Care Child Placements) With funds appropriated and authorized to the Department of Social Services for Fiscal Year 2018-19, the department shall ensure that the following provisions are implemented related to child placements. The department shall promulgate any necessary rules or regulations to implement these provisions:

(A) If a child in foster care has been placed within the same foster home for at least 12 consecutive months and if the foster parents are willing to provide permanency through adoption for the child, the department must obtain an attachment assessment, as defined through rules or regulations promulgated by the agency, of the child and current foster parents before selecting a different adoptive placement or other alternative setting. The attachment assessment must be conducted by a qualified attachment expert. Qualified attachment experts may include individuals who can demonstrate training and or education in attachment theory, developmental psychology, and other qualifications defined through rules or regulations promulgated by the agency.

(B) If a child's permanency plan includes reunification with a parent or caregiver, the department shall develop a transition plan for the child, with input from the Guardian ad Litem and a child-focused or other appropriate mental health professional. The department's proposed transition plan must include sufficient visitation with the permanent guardian to promote a successful and emotionally healthy transition for the child, facilitate a positive relationship between caregiver and child, and lessen trauma that may result from the move. If the department pursues placement with a natural parent, relative, or other adult with whom the child has never lived, as determined to be in the child's best interest, the department's proposed transition plan must be progressive and include increased overnight visitation with ongoing assessment of the plan and the child's adjustment by the Guardian ad Litem and child focused or other appropriate mental health professional. Modifications to the plan must be driven by the child's adjustment to the transition.

(C) The department must file a Termination of Parental Rights petition if a child has been in foster care for 15 of the last 22 months unless there are extenuating circumstances as defined in Section 63-7-1710 as follows:

(1) When the child is over the age of 16 and the department has identified another planned permanent living arrangement.

(2) The department asserts to the court that the child may be safely returned to the parent because the parent has remedied the conditions that caused the removal, with or without supervision by the department for up to 12 months.

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(3) The department's proposed treatment plan can be extended up to 18 months but only if: (a) the department presents compelling and persuasive evidence of how the parent has demonstrated due diligence in completing the plan; (b) the department can articulate for the court specific reasons to believe the parent will timely remedy the conditions which led to the removal; (c) the department affirms that the return of child to the parent would not cause unreasonable risk of harm; (d) the department has compelling reasons to assert that a Termination of Parental Rights is not in the best interests of the child; (e) the department has compelling reasons to assert the best interests of the child will be served by the extension.

(4) If the department assesses the viability of adoption and determines that adoption is not a viable option and has compelling reasons to assert that Termination of Parental Rights is not in the best interests of the child, then the department may pursue a permanent plan of custody or legal guardianship to relative or other person.

(D) In accordance with Sections 63-7-1640(G) and 1700(E), the department must file the petition for a Termination of Parental Rights within sixty days of the family court order designating the child's permanent plan or concurrent plan as Termination of Parental Rights and adoption.

- 38.31** (Comprehensive Child Welfare Information System) **SEN:** ADD new proviso to direct DSS to use a portion of their recurring funds to issue a RFP by 9/30/18 for a vendor to implement a comprehensive case management data and analysis system. Sponsor: Sen. Shealy.

**38.31.** (DSS: Comprehensive Child Welfare Information System) A portion of the recurring funds appropriated to the department shall be used to issue a request for proposal, no later than September 30, 2018, for a vendor to implement a comprehensive case management data and analysis system.

- 38.32** (SNAP Eligibility) **SEN:** ADD new proviso to direct DSS to not seek, apply for, accept or renew any waiver of mandatory SNAP work requirements established by 7 U.S.C. Section 2015(o) [ELIGIBILITY DISQUALIFICATIONS: WORK REQUIREMENT]. Sponsors: Sens. Turner, Bennett, Shealy, Young, Corbin, Talley and Climer.

**38.32.** (DSS: SNAP Eligibility) The Department of Social Services shall not seek, apply for, accept, or renew any waiver of the requirements established pursuant to 7 U.S.C. Section 2015(o), relating to the mandatory work requirements of the Supplemental Nutrition Assistance Program.

**SECTION 44 - P160 - DEPARTMENT OF AGRICULTURE**

- 44.8** (Commodity Boards) **SFC:** ADD new proviso to suspend for FY 2018-19 the application of Chapter 35 of Title 11 [SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE] as it relates to expenditures of assessments collected from producers of any agricultural commodity for market in commercial quantities made by various Commodity Boards.  
**SEN:** ADOPT new proviso.

**44.8.** (AGRI: Commodity Boards) Application of Chapter 35 of Title 11 of the 1976 Code to expenditures of assessments collected from producers, as defined by Section 46-17-40(j), made

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by the various Commodity Boards (as budgeted under Commodity Boards, Program II.B) is suspended for the Fiscal Year 2018-19.

- 44.9** (Commodity Boards) **HOU2:** AMEND House version to ADD new proviso to suspend provisions of the Procurement Code related to expenditures of assessments collected from producers of any agricultural commodity for market in commercial quantities made by various Commodity Boards. Sponsor: Rep. Simrill. *Note: Proviso was 44.8 in HOU2 version.*

44.9. (AGRI: Commodity Boards) In the current fiscal year, the provisions of the Consolidated Procurement Code related to a commodity board's expenditure of assessments collected from producers, as those terms are defined in Section 46-17-40 of the 1976 Code, are suspended.

**SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES**

- 47.12** (Significant Sites Funding) **SFC:** ADD new proviso to direct DNR to use Significant Sites Grant Program funds to establish and administer a new grant program to provide funds for efforts to increase public enjoyment of sites that have significant natural resources value. Direct that the sites include, but are not limited to, those that provide outdoor activities such as hunting, fishing, hiking, canoeing, rock climbing and bird watching. Require DNR provide a report each May to the Chairmen of the Senate Finance and House Ways and Means Committees that details the grants made and projects funded.  
**SEN:** ADOPT proviso as amended.

47.12. (DNR: Significant Sites Funding) The Department of Natural Resources shall use funds appropriated for the Significant Sites Grant Program to establish and administer a new grant program that will provide funding for efforts that increase public enjoyment of sites that provide access to the natural resources of South Carolina. Areas determined to be of significant value include, but are not limited to, sites that provide outdoor activities such as hunting, fishing, hiking, canoeing, rock climbing, and bird watching. The department must provide a report by May of each year to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee detailing grants made and projects funded to increase public enjoyment of significant sites in the state.

**SECTION 49 - P280 - DEPARTMENT OF PARKS, RECREATION, AND TOURISM**

- 49.1** (Tourism and Promotion) Requires the funds allocated to the Regional Promotions program be allocated equally between the eleven Regional Tourism groups, except the Grandstrand Tourism Regions funds be distributed with the Myrtle Beach Chamber of Commerce (\$50,000), the Georgetown Chamber of Commerce (\$115,000), City of Georgetown (\$30,000) and Williamsburg Chamber of Commerce (\$30,000). Requires the Myrtle Beach and Georgetown Chambers of Commerce provide a report to the Senate Finance and House Ways and Means Committees by December 1st on how the funds were spent in the prior fiscal year.  
**SEN:** AMEND proviso to direct that \$50,000 of Regional Tourism funds be distributed to the Lake Wylie Chamber of Commerce. Sponsors: Senators Peeler and Climer.

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**49.1.** (PRT: Tourism and Promotion) The funds appropriated in this act for Regional Promotions shall be distributed equally to the eleven Regional Tourism groups, except that the Grandstrand Tourism Region's funds shall be divided, with \$50,000 distributed to the Myrtle Beach Chamber of Commerce, \$115,000 distributed to the Georgetown Chamber of Commerce, \$30,000 distributed to the City of Georgetown, and \$30,000 distributed to the Williamsburg Chamber of Commerce for tourism related activities. *In addition, \$50,000 shall be distributed to the Lake Wylie Chamber of Commerce.* The Myrtle Beach Chamber of Commerce and the Georgetown Chamber of Commerce shall submit a report to the Senate Finance Committee and the House Ways and Means Committee by December first each year describing how these funds were expended in the prior fiscal year.

**49.18** (Welcome Center Complex Mowing) **WMC** ADD new proviso to direct the department to mow the outer edge of the pavement of the adjacent highway, the highway control of access right of way line and all boundaries surrounding state welcome center complexes. *This proviso was 49.16 in FY 2017-18 Appropriation Act and was Vetoed by the Governor, Overridden in the House and has been carried over in the Senate.*

**HOU:** ADOPT new proviso.

*49.18. (PRT: Welcome Center Complex Mowing) Of the funds appropriated for State Welcome Centers, the department is directed to ensure that at every Welcome Center complex, the outer edge of the pavement of the adjacent highway, the highway control of access right of way line, and all boundaries surrounding the complex must be mowed in a manner to ensure that the entirety of the grounds are uniform in appearance.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

*49.18. (PRT: Welcome Center Complex Mowing) DELETED*

**SECTION 50 - P320 - DEPARTMENT OF COMMERCE**

**50.20** (Distribution Facility) **SFC:** ADD new proviso to direct the Navy Base Intermodal Facility be considered a distribution facility for the purpose of sales tax exemptions associated with equipment and construction material purchases.

**SEN:** ADOPT new proviso.

*50.20. (CMRC: Distribution Facility) The Navy Base Intermodal Facility owned by Palmetto Railways, a division of the Department of Commerce, shall be considered a distribution facility for the purpose of sales tax exemptions associated with the purchase of equipment and construction materials.*

**50.21** (Camp Hall Rail Construction) **SFC:** ADD new proviso to authorize the Division of Public Railways, or a person acting under contract with the division, to construct and maintain temporary borrow pits on lands that are close to the right of way for the Camp Hall Rail Project in order to provide construction fill material. Direct the Division of Railways, or its authorized contractor,

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to comply with the reclamation standards applicable to DOT in connection with the construction, repair and maintenance of the public road systems.

**SEN:** ADOPT new proviso.

50.21. (CMRC: Camp Hall Rail Construction) The Division of Public Railways, or a person acting under contract with the division, is authorized to construct and maintain temporary borrow pits on lands adjacent to or in close proximity to the right of way for the Camp Hall Rail Project for the limited purpose of providing fill material needed for the construction of the Camp Hall Rail Project. The Division of Railways, or its authorized contractor as applicable, shall comply with the reclamation standards applicable to the Department of Transportation and its contractors undertaking similar activities in connection with the construction, repair, and maintenance of the public road systems of the state.

**SECTION 54 - P450 - RURAL INFRASTRUCTURE AUTHORITY**

**54.6** (Water Infrastructure Projects) **SEN:** ADD new proviso to direct that any political subdivision, as defined in SC Procurement Code Section 11-35-310(23) [POLITICAL SUBDIVISION DEFINITION], that receives funds from the Rural Infrastructure Authority for a water infrastructure project, must comply with specific provisions of the procurement code in the same manner as a governmental body as defined in Section 11-35-310(18) [GOVERNMENTAL BODY DEFINITION]. Sponsor: Sen. Setzler.

54.6. (RIA: Water Infrastructure Projects) If a political subdivision, as defined in Section 11-35-310(23), receives funds from the Rural Infrastructure Authority for a water infrastructure project, any political subdivision's procurement involving an expenditure of those funds shall comply with the provisions contained in Sections 11-35-2610, 11-35-2730, and 11-35-2750 and regulation 19-445.2140 in the same manner as a governmental body, as defined in Section 11-35-310(18).

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

**59.17** (Crime Victim Services Funeral and Burial Compensation) **WMC:** ADD new proviso to direct the Department of Crime Victim Compensation to set a \$6,500 threshold for funeral and burial compensation.

**HOU:** ADOPT new proviso.

59.17. (AG: Crime Victim Services Funeral and Burial Compensation) The Department of Crime Victim Compensation shall set the funeral and burial compensation threshold at \$6,500.

**SFC:** AMEND new proviso to change "threshold" to "maximum."

**SEN:** ADOPT new proviso as amended.

59.17. (AG: Crime Victim Services Funeral and Burial Compensation) The Department of Crime Victim Compensation shall set a funeral and burial compensation maximum of \$6,500.

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**SECTION 60 - E210 - PROSECUTION COORDINATION COMMISSION**

- 60.14** (Prosecution Case Management IT Systems) **SFC:** ADD new proviso to direct that appropriations for Prosecution Case Management Systems be distributed to each circuit solicitor's office on a pro-rata basis. Fiscal Impact: Agency requested an increase of \$1,600,000 recurring and \$1,600,000 nonrecurring General Fund dollars for Case Management IT Systems for distribution among sixteen circuits, plus \$103,000 for a database administrator.  
**SEN:** ADOPT new proviso.

*60.14. (PCC: Prosecution Case Management IT Systems) The amount appropriated and authorized in this section for Prosecution Case Management Systems shall be apportioned among the circuits on a pro-rata basis.*

- 60.15** (Independent Audits) **HOU2:** AMEND House version to ADD new proviso to require each Circuit Solicitor's Office to conduct an independent financial audit and provide the results to the Chairmen of the House Ways and Means and Senate Finance Committees and the Governor by December 1, 2018. Sponsors: Reps. Pitt, Hosey and Lowe. *Note: Proviso was 60.14 in HOU2 version.*

*60.15. (PCC: Independent Audits) Of the funds appropriated or authorized to each Circuit Solicitor's Office in this Act, each circuit must conduct an independent financial audit and provide the audit, including identification of all sources of revenue, to the Chairman of the House Ways and Means Committee, the Chairman of the Senate Finance Committee, and the Governor by December 1, 2018.*

**SECTION 63 - K050 - DEPARTMENT OF PUBLIC SAFETY**

- 63.8** (Overtime Pay) Requires the department to pay current non-exempt law enforcement officers, by October 1, for any comp time earned and not used in the prior fiscal year. Directs the department to use personal services and/or employer contributions carried forward funds for this purpose. Directs that if the department does not have enough carry forward funds to pay all accrued comp time, they shall pay officers on a percentage distribution based on the hours owed per officer up to the total amount of funds carried forward.  
**WMC:** AMEND proviso to change "Fiscal Year 2017-18" to "the current fiscal year."  
**HOU:** ADOPT proviso as amended.

**63.8.** (DPS: Overtime Pay) For ~~Fiscal Year 2017-18~~ the current fiscal year, the department is authorized and required to pay current non-exempt law enforcement officers by October first for any compensatory time earned and not used in the prior fiscal year. The funds for this compensation must be provided from available personal services and/or employer contributions funds carried forward from the prior fiscal year. If the amount of carried forward funds is not sufficient to pay all the non-exempt law enforcement officers accrued compensatory time, the agency shall pay the officers on a percentage distribution based on the hours owed per officer up to the total amount that the agency has carried forward.

**SFC:** DELETE proviso.

**SEN:** ADOPT deletion of proviso.

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~~63.8. (DPS: Overtime Pay) For Fiscal Year 2017-18, the department is authorized and required to pay current non exempt law enforcement officers by October first for any compensatory time earned and not used in the prior fiscal year. The funds for this compensation must be provided from available personal services and/or employer contributions funds carried forward from the prior fiscal year. If the amount of carried forward funds is not sufficient to pay all the non exempt law enforcement officers accrued compensatory time, the agency shall pay the officers on a percentage distribution based on the hours owed per officer up to the total amount that the agency has carried forward.~~

**SECTION 65 - N040 - DEPARTMENT OF CORRECTIONS**

**65.25** (Cell Phone Interdiction) Authorizes the director to add a surcharge to all inmate pay phone calls to offset the cost of cell phone interdiction equipment and operations; to retain the funds to pay for equipment required to enact cell phone interdiction; and once the equipment is paid for, to review and adjust the amount of the surcharge to cover the cost of ongoing interdiction operations. Authorizes unexpended funds to be carried forward and used for the same purpose. **HOU2:** AMEND House version to include “or for critical security needs” as a fund authorization. Sponsor: Rep. Pitts.

**65.25.** (CORR: Cell Phone Interdiction) The Director of the Department of Corrections is granted the right to add a surcharge to all inmate pay phone calls to offset the cost of equipment and operations of cell phone interdiction measures. The surcharge will be added to the cost per call, collected by chosen telephone vendor and paid to the department on a monthly basis. The department is authorized to retain the funds to pay, either directly or through the State lease program, for equipment required to enact cell phone interdiction or retrieval or for critical security needs. When the equipment has been paid in full, the surcharge amount will be reviewed and adjusted to cover the cost of ongoing operational expenses of the interdiction equipment. Any unexpended balance may be carried forward from the prior fiscal year into the current fiscal year and be used for the same purpose or for critical security needs.

**65.29** (CBD Pilot Program) **WMC:** ADD new proviso to direct the department to establish a pilot program for the therapeutic use of cannabidiol (CBD) oil and require criteria, eligibility, guidelines and policy be developed. Direct that a report be submitted to the Chairmen of the House Ways and Means and Senate Finance Committees when the pilot program has been completed that provides details on outcomes and cost savings. **HOU:** AMEND new proviso to delete the establishment of a pilot program and instead initiate a study committee with MUSC, DHHS, and DMH to explore the use of CBD oil in a therapeutic manner on prisoners. Direct the committee to review applicable laws and develop certain procedures and policy recommendations to administer a pilot program. Direct that a report be submitted to the Chairmen of the House Ways and Means and Senate Finance Committees that details process and procedures, potential outcomes and cost savings, and the feasibility of establishing a pilot program to use CBD oil on prisoners. Sponsor: Rep. Pitts.

65.29. (CORR: CBD Pilot Program) Of the funds appropriated or authorized to the Department of Corrections, the department shall initiate a study committee with MUSC, DHHS, and DMH to explore the use of cannabidiol oil, also known as CBD oil, in a therapeutic manner for eligible incarcerated individuals. The committee shall review applicable laws to include 45

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CFR 46, related to research authorized for use on prisoners and the federal protections created for prisoners as subjects of biomedical and behavioral research and develop criteria, eligibility, guidelines, policy recommendations, and an overview of the necessary federal approvals and boards required for the administration of a pilot program. Upon completion of the study, a report must be submitted to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee that details the process and procedures involved, potential outcomes and cost savings, and feasibility of establishing a pilot program to allow use of CBD oil in a therapeutic manner for eligible incarcerated individuals.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

**65.29. (CORR: CBD Pilot Program) DELETED**

**65.30** (Video Bond Conferencing) **HOU:** ADD new proviso to direct that the video conferencing bond system be used for bond hearings for inmates at Lieber Correctional Institution and charged with criminal offenses in Dorchester County. Sponsor: Rep. Murphy.

65.30. (CORR: Video Bond Conferencing) In the current fiscal year, and from the funds appropriated to the Department of Corrections, the video conferencing bond system shall be used for all bond hearings for inmates incarcerated at Lieber Correctional Institution and charged with criminal offenses in Dorchester County.

**SFC:** AMEND new proviso to delete specific reference to Lieber and instead require video conferencing to be used for bond hearings at all Department of Corrections facilities that have video conferencing systems that are compatible with county equipment. Direct that the department shall not be responsible for recording hearings or providing equipment to counties.

**SEN:** ADOPT new proviso as amended.

65.30. (CORR: Video Bond Conferencing) In the current fiscal year, and from the funds appropriated to the Department of Corrections, the video conferencing bond system shall be used for all bond hearings for inmates incarcerated at facilities with video conferencing capabilities that are compatible with county video conferencing equipment, network, firewalls, etc. and charged with criminal offenses that require a bond hearing. The Department of Corrections shall not be responsible for recording any of these proceedings or for providing the counties with any equipment.

**SECTION 72 - R04 - PUBLIC SERVICE COMMISSION**

**72.1** (Power Purchase Agreements) **SFC:** ADD new proviso to direct the PSC to address specific matters concerning power purchase agreements between utilities and qualifying facilities such as: contract length; model power purchase agreements; qualifying facility compensation; and prohibition on electrical utility from charging or reducing price paid to a qualifying facility based on certain factors.

**SEN:** ADOPT new proviso.

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72.1. (PSC: Power Purchase Agreements) With funds appropriated and authorized in the current fiscal year, the Public Service Commission shall (1) determine what contract length for power purchase agreements between electrical utilities and qualifying facilities (as defined in the Public Utility Regulatory Policies Act (Pub.L. 95-617, 92 Stat. 3117) (PURPA) is necessary to give such facilities a reasonable opportunity to attract capital; (2) adopt model power purchase agreements for such transactions that contain commercially reasonable terms and conditions, including a prohibition on uncompensated curtailment of qualifying facilities except as authorized by PURPA; (3) require electrical utilities to compensate a qualifying facility for all capacity costs avoided by the utility as a result of the construction and operation of the facility; and (4) prohibit an electrical utility from charging or reducing the price paid to a qualifying facility based on costs incurred by the electrical utility to respond to the intermittent nature of electrical generation by the facility.

- 72.2 (Tax Savings Report) **SEN:** ADD new proviso to direct PSC to order investor-owned utilities to provide to ORS and PSC their estimated tax savings benefits resulting from the federal Tax Cuts and Jobs Act. Direct PSC to issue an order within 15 business days after receiving this information for investor-owned utility customers to receive the estimated tax benefits. Direct all investor-owned utilities to submit the actual tax savings received in order to true up actual benefits received. Sponsor: Sen. Massey.

72.2. (PSC: Tax Savings Report) The Public Service Commission shall order investor-owned utilities to provide to the Office of Regulatory Staff and the Public Service Commission their estimated tax savings benefits resulting from the federal Tax Cuts and Jobs Act as expeditiously as possible. The Public Service Commission shall issue an order within fifteen business days after the receipt of this information to provide that investor-owned utility customers receive these estimated tax benefits. All investor-owned utilities must submit to the Office of Regulatory Staff and the Public Service Commission the actual tax savings benefits received so that they may have the opportunity to true up the actual benefits received.

- 72.3 (Base Load Review) **HOU2:** AMEND House version to ADD new proviso to direct the Public Service Commission to not hold a hearing on the merits for a docket in which requests were made regarding the Base Load Review Act before November 1, 2018, however allow the commission to hold an administrative or procedural hearing prior to a hearing on the merits. Require the commission to issue a final order for a docket by December 21, 2018. Prohibit a final determination of the requests from occurring earlier than these timeframes. Direct that the commission's failure to issue a final order does not constitute PSC approval and prohibit a utility from putting rate changes into effect. Sponsors: Reps. Ott and McCoy. Note: Proviso was 72.1 in HOU2 version.

72.3. (PSC: Base Load Review) From the funds appropriated and/or authorized to the Public Service Commission:

(1) The Public Service Commission shall not hold a hearing on the merits for a docket in which requests were made pursuant to the Base Load Review Act before November 1, 2018; however, the Public Service Commission may hold an administrative or procedural hearing for such a docket prior to a hearing on the merits. The Public Service Commission must issue a final order for a docket in which requests were made pursuant to the Base Load Review Act no later than December 21, 2018; and

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(2) No final determination of these requests, whether by a final order issued by the Public Service Commission or by operation of law, shall occur earlier than the time period prescribed in item (1). The Public Service Commission's failure to issue a final order prior to the time period established in this proviso shall not constitute approval by the Public Service Commission and a utility must not put into effect the change in rates it requested in its schedule.

- 72.4** (Consideration of Utility Cost Savings) **HOU2:** AMEND House version to ADD new proviso to direct the Public Service Commission, during it review of utility integrated resource plans and related or affected dockets to require electric public utilities under its jurisdiction to thoroughly consider potential future resources that are cost effective and direct the commission to require public utilities to implement reasonably achievable cost savings that are consistent with providing safe and reliable public utility service. Sponsor: Rep. J.E. Smith. *Note: Proviso was 72.2 in HOU2 version.*

72.4. (PSC: Consideration of Utility Cost Savings) With funds appropriated and authorized in the current fiscal year the Public Service Commission shall:

(1) require during its review of utility integrated resource plans and related or affected dockets that electric public utilities under the jurisdiction of the Commission thoroughly consider a reasonable range of potential future resources, including conventional power generation resources, and renewable generation and demand-side management resources whenever and to the extent that they are cost effective; and

(2) through any rules, decisions, and orders issued or implemented in those dockets, require public utilities to implement any reasonably achievable cost savings that are also consistent with the obligation to provide safe and reliable public utility service.

**SECTION 73 - R060 - OFFICE OF REGULATORY STAFF**

- 73.5** (Acting Executive Director) **SFC:** ADD new proviso to authorize the acting Executive Director of ORS to exercise all of the powers and duties of the Executive Director until the Governor appoints a successor. Direct that all official decisions made by the acting Executive Director of ORS between January 15, 2018 and June 30, 2018 are ratified by the General Assembly. **SEN:** AMEND new proviso to clarify that the acting executive director has the power to expend funds to execute the duties of the office. Authorize the executive or acting executive director to file an action against an entity in circuit court to obtain injunctive relief requiring the production of documents or witnesses; provide the circumstances for filing such an action; direct that the relief granted must be a court order; and direct the action brought be given administrative priority by the chief administrative judge of the circuit in which the action was brought. Sponsor: Sen. Massey.

73.5. (ORS: Acting Executive Director) (A) When the position of agency head at any of the State's various agencies is vacant, the General Assembly finds that a person acting in the capacity of acting agency head has the full legal authority to take any and all official actions to fulfill the duties and responsibilities of agency head until such time as the vacancy has been filled. Therefore, the acting Executive Director of the Office of Regulatory Staff is authorized to exercise all of the powers and duties of the Executive Director, as designated in statute, including the power to expend funds for the purpose of executing the duties required of the office and as otherwise may be required to fulfill the Office of Regulatory Staff's statutory responsibilities until

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such time as the previous executive director's successor is appointed by the Governor. Further, the General Assembly hereby ratifies any and all official decisions made by the acting Executive Director between January 15, 2018 and June 30, 2018.

(B) The executive director or acting executive director of the Office of Regulatory Staff has the authority to file an action against an entity in circuit court to obtain injunctive relief requiring the production of documents or witnesses. Such action may be brought under the following circumstances and in the county in which the facility is located:

(1) an entity has provided goods or services, including, but not limited to, plans, studies, and reports related to the design, construction, or operation of a facility located in South Carolina and that facility has been the subject of a proceeding concerning the Base Load Review Act;

(2) the executive director determines that the production of documents or witnesses from the entity described in item (1) is necessary in order for the Office of Regulatory Staff to accomplish its responsibilities; and

(3) the entity that has provided goods or services as described in item (1) has refused to provide the requested documents or witnesses.

(C) The relief that may be granted in an action described above is an order requiring the production of documents, an order requiring the appearance of a witness or witnesses, an order allowing the Office of Regulatory Staff to take depositions of witnesses, or any combination thereof. Any order granting such relief must provide reasonable protections to the entity subject to the order, including that any depositions will be taken at a location convenient to the witnesses. In the event that a deposition is ordered, the Office of Regulatory Staff must give notice to the utility and any other party to any proceeding in which the deposition may be used, so that the utility and any such party will have an opportunity to appear and participate in the deposition.

(D) An action brought by the executive director or acting director pursuant to this proviso shall be given administrative priority by the chief administrative judge for the circuit in which it has been brought and must be heard and decided as expeditiously as is consistent with due process. Failure to comply with an aforementioned court order issued may be found in contempt and fined in the discretion of the court.

**73.6** (Electric Generation Facilities Report) **SEN:** ADD new proviso to direct ORS to provide a detailed written report to the General Assembly by March 31, 2019, containing a list of all electric generation facilities owned by each electrical utility, the total length of time which the utility has received and is expected to receive a cost recovery from ratepayers, the itemized cost incurred by ratepayers for the facility, and the amount of profit earned and expected to be earned by the utility on its investment in the construction and operation of the electric generation facility. Sponsor: Sen. Gregory.

**73.6.** (ORS: Electric Generation Facilities Report) With funds appropriated or authorized in the current fiscal year, the Office of Regulatory Staff shall provide a detailed written report to the members of the General Assembly by no later than March 31, 2019, identifying (1) all electric generation facilities owned by each electrical utility as defined by Section 58-27-10(7) of the 1976 Code, with the exception of electrical utilities serving less than one hundred thousand customer accounts, (2) the total length of time over which the electrical utility has received and is expected to receive cost recovery from ratepayers for the electric generation facility, (3) the itemized cost incurred and to be incurred by ratepayers for each electric generation facility, including but not limited to, the cost for initial construction, fuel and other operation and maintenance and decommissioning, and (4) the total amount of profit earned and expected to be

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earned by the utility on its investment in the construction and operation of the electric generation facility over its useful life.

- 73.7** (Natural Gas Rate Stabilization Act Study) **SEN:** ADD new proviso to direct ORS to study the Natural Gas Rate Stabilization Act of 2005 and make recommendations to the General Assembly by February 5, 2019. Sponsor: Sen. Young.

73.7. (ORS: Natural Gas Rate Stabilization Act Study) From the funds appropriated and authorized in the current fiscal year, the Office of Regulatory Staff shall study the Natural Gas Rate Stabilization Act of 2005 and make recommendations to the General Assembly by February 5, 2019. The study shall include, but is not limited to, determining if the provisions of the Act are in the best interests of the ratepayers. The study will include a comparison of states that use innovative rates and tracking mechanisms to bill natural gas customers. Such comparison shall include, but is not limited to, the application and process, the usage of the Weather Normalization Adjustment, the benefits to the customer, and the approved rate of return.

- 73.8** (Base Load Review Act Prudence) **HOU2:** AMEND House version to ADD new proviso to require the Office of Regulatory Staff to consider certain factors regarding reports to, contents of, and ongoing monitoring by the office, including but not limited to imprudence regarding actions or decisions taken by the utility or someone acting on behalf of the utility that affects the project; direct that imprudent actions taken on behalf of the utility must be attributed to the utility; direct that certain actions shall be considered imprudent; provide a definition of prudent actions; and direct that costs associated with implementing this provision shall be borne by ORS. Sponsor: Rep. J.E. Smith. Note: Proviso was 73.5 in HOU2 version.

73.8. (ORS: Base Load Review Act Prudence) (A) In the current fiscal year, pursuant to Section 58-33-277 and requirements of entities subject to Title 58 of the 1976 Code, from the funds appropriated to the Office of Regulatory Staff, the office shall consider the following regarding reports to, contents of, and on-going monitoring by Office of Regulatory Staff:

(1) 'Imprudent' or 'imprudence' includes, but is not limited to, lack of caution, care, or diligence as determined by the Public Service Commission in regard to any action or decision taken by the utility or one acting on its behalf including, but not limited to, its officers, board, agents, employees, contractors, subcontractors, consultants affecting the project, or any other person acting on behalf of or for the utility affecting the project. Imprudent or imprudence includes, but does not require, a finding of negligence, carelessness, or recklessness.

Imprudence on behalf of any contractor, subcontractor, agent, or person hired to construct a plant or perform any action or service on behalf of the utility must be attributed to the utility.

Imprudence includes, but is not limited to, any one or more of the following:

(a) failure to timely disclose and provide to the commission or the Office of Regulatory Staff any report, study, analysis, or written communication material to a particular project prepared by a third party engaged or caused to be engaged by the utility and furnished to the utility which relates to the management, supervision, or oversight of the project, the budgeted costs of the project, the performance of contractors or subcontractors on the project, or the scheduled completion date of the project;

(b) inappropriate or poor management or oversight decisions in the construction of the project including, but not limited to, failure to keep knowledgeable utility management or supervisory personnel on the project site to ensure proper supervision and oversight of the project and its construction; and

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(c) any other fact, factor, or relationship which indicates the lack of prudence as defined in this item as determined by the commission.

(2) 'Prudent', 'prudence', or 'prudency' means a high standard of caution, care, and diligence in regard to any action or decision taken by the utility or one acting on its behalf including, but not limited to, its officers, board, agents, employees, contractors, subcontractors, consultants affecting the project, or any other person acting on behalf of or for the utility affecting the project.

To the extent a utility enters a contract with a third party that delegates some or all decision-making authority related to the project, the utility retains the burden of establishing the prudency of specific items of cost or specific third-party decisions.

'Prudent', 'prudence', or 'prudency' also requires that any action or decision be made in a timely manner.

In determining whether any action or decision was prudent, the commission shall consider, including, but not limited to:

(a) whether the utility acts in a timely manner, with any passage of time which results in increased costs or expense prior to the utility acting or making the decision weighing against a finding of prudency;

(b) whether prior actions or decisions by the utility were imprudent and such imprudent actions led to a decision by the utility that could otherwise be prudent. Such circumstances weigh against a finding of prudency; and

(c) any other relevant factors, including commission of a fraudulent act, which are deemed not to be prudent.

As used in subitem (c), 'fraud' includes, in addition to its normal legal connotation, concealment, omission, misrepresentation, or nondisclosure of a material fact in any proceeding or filing before the commission or Office of Regulatory Staff. Proceedings and filings to which the provisions of this paragraph apply include, but are not limited to, rate or revised rate filings, responsive filings, motions, pleadings, briefs, memoranda, document requests, and other communications before the commission or Office of Regulatory Staff.

(B) The costs associated with the implementation of this proviso must be from the funds appropriated to the Office of Regulatory Staff.

**SECTION 74 - R080 - WORKERS' COMPENSATION COMMISSION**

- 74.2** (Retention of Filing Fees) Authorizes WCC to retain and expend all revenues from the \$25.00 filing fee collected for hearing, settlement and motions requests. Directs WCC to waive the filing fee for indigent individuals.  
**SFC:** AMEND proviso change the \$25.00 filing fee to \$50.00.  
**SEN:** ADOPT proviso as amended.

**74.2.** (WCC: Retention of Filing Fees) The Workers' Compensation Commission is authorized to retain and expend all revenues received as a result of a ~~\$25.00~~ \$50.00 filing fee for each requested hearing, settlement, or motion. If it is determined that the individual is indigent, this filing fee must be waived.

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**SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE**

**83.6** (Employment Training Outcomes Data Sharing) Directs DEW to require training and employment data integration; establish a Governance Policy; and develop a model data-sharing agreement with eligible training providers and with various agencies and entities.

**WMC:** AMEND proviso to delete requirement that a Governance Policy be established; direct that the department “enter into” rather than “develop” a data sharing agreement; require state agencies needing data from DEW to meet an exception permitting disclosure pursuant to 20 C.F.R Part 603 and require DEW to enter into a data sharing agreement with the requesting agency prior to providing the agency any data; require DEW to charge state agencies for costs, as described in federal and state law, for data sharing requests; delete the development of agreement requirements with various agencies; and delete requirement that copies of the agreements be submitted to certain legislative committees. Requested by Department of Employment and Workforce.

**HOU:** ADOPT proviso as amended.

**83.6.** (DEW: Employment Training Outcomes Data Sharing) ~~The Department of Employment and Workforce, in developing the Workforce and Labor Market Information System (WLMIS) improvements required of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), will require~~ *requires* integration of training and employment data for the purposes of improving longitudinal assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this Act.

~~(A) As the entity with authority for the oversight and maintenance for the WLMIS, the department shall establish a Governance Policy for the management, development, security, partner collaboration, and sharing responsibilities no later than July 1, 2017.~~

~~(B A) No later than July 1, 2017, the *The* department must develop a model *enter into a* data-sharing agreement with eligible training providers (ETPs) *prior to the ETP entering student data into the Palmetto Academic Training Hub (PATH)*. As specified by the WIOA Act, this agreement will require ETPs to *will* submit data related to the types of training programs offered, individual student coursework, *including personal identifying information (PII) to match training, employment data and performance* outcomes, program completion and time to complete, *and* program costs, *and tuition assistance as outlined in federal guidance*. It will further require reporting of personally identifiable information (PII) to match training and employment data to determine placement in companies and jobs by the North American Industry Classification (NAIC) System and Standard Occupation Classification (SOC) System and other information necessary for the department to accurately and completely assess the effectiveness and return on investment of all training programs offered by the entity.~~

~~(B) *State agencies needing data from the Department of Employment and Workforce must meet an exception permitting disclosure, pursuant to 20 C.F.R. Part 603. Prior to providing data to a state agency, the department must enter into a data sharing agreement with the requesting agency, as described in 20 C.F.R. Part 603. Requesting state agencies must identify a need in the administration of the official duties for department data, as required by 20 C.F.R. Part 603. The department shall charge state agencies for costs, as described in federal and state law, for the data sharing requests.*~~

~~(C) No later than July 1, 2017, the department must develop a model data-sharing agreement with the Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated in item (B) of this provision. This agreement will ensure collaborative sharing of matched data~~

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with each partner agency for the purpose of program assessment and effectiveness in compliance with state and federal laws.

~~(D) The department and the South Carolina Student Loan Corporation shall, by July 1, 2017, enter into a data-sharing agreement to determine the average debt load carried by individuals who participate in training programs with eligible training providers. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

~~(E) No later than July 1, 2017, the department must develop a model data-sharing agreement with the Department of Social Services to capture data related to New Hire status and social service data and with the Department of Labor, Licensing and Regulation to capture licensing and licensing related data. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

~~The Department of Employment and Workforce shall submit copies of the data sharing agreements to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, and the Chairman of the House Labor, Commerce and Industry Committee.~~

**SFC:** AMEND FURTHER item (B) to exclude the Department of Commerce from being charged for costs associated with data sharing requests and specifically direct that they shall not be charged for costs associated with this provision.

**SEN:** ADOPT proviso as amended.

**83.6.** (DEW: Employment Training Outcomes Data Sharing) ~~The Department of Employment and Workforce, in developing the Workforce and Labor Market Information System (WLMIS) improvements required of the Workforce Innovation and Opportunity Act (WIOA) (P.L. 113-128), will require~~ requires integration of training and employment data for the purposes of improving longitudinal assessment of employment outcomes for the various training providers eligible to receive funding appropriated or authorized by this Act.

~~(A) As the entity with authority for the oversight and maintenance for the WLMIS, the department shall establish a Governance Policy for the management, development, security, partner collaboration, and sharing responsibilities no later than July 1, 2017.~~

~~(B A) No later than July 1, 2017, the~~ The department must develop a model enter into a data-sharing agreement with eligible training providers (ETPs) prior to the ETP entering student data into the Palmetto Academic Training Hub (PATh). As specified by the WIOA Act, this ~~agreement will require~~ ETPs to will submit data related to the types of training programs offered, individual student coursework, including personal identifying information (PII) to match training, employment data and performance outcomes, program completion and time to complete, and program costs, and tuition assistance as outlined in federal guidance. It will further require reporting of personally identifiable information (PII) to match training and employment data to determine placement in companies and jobs by the North American Industry Classification (NAIC) System and Standard Occupation Classification (SOC) System and other information necessary for the department to accurately and completely assess the effectiveness and return on investment of all training programs offered by the entity.

(B) State agencies needing data from the Department of Employment and Workforce must meet an exception permitting disclosure, pursuant to 20 C.F.R. Part 603. Prior to providing data to a state agency, the department must enter into a data sharing agreement with the requesting agency, as described in 20 C.F.R. Part 603. Requesting state agencies must identify a need in the administration of the official duties for department data, as required by 20 C.F.R. Part 603. The department shall charge state agencies, excluding the Department of Commerce, for costs,

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as described in federal and state law, for the data sharing requests. The Department of Commerce shall not be charged for costs associated with this provision.

~~(C) No later than July 1, 2017, the department must develop a model data sharing agreement with the Department of Education, the Center for Educator Recruitment, Retention and Advancement, and the Education Oversight Committee, the Vocational Rehabilitation Department, and the Commission on Higher Education to capture and match data as enumerated in item (B) of this provision. This agreement will ensure collaborative sharing of matched data with each partner agency for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

~~(D) The department and the South Carolina Student Loan Corporation shall, by July 1, 2017, enter into a data sharing agreement to determine the average debt load carried by individuals who participate in training programs with eligible training providers. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

~~(E) No later than July 1, 2017, the department must develop a model data sharing agreement with the Department of Social Services to capture data related to New Hire status and social service data and with the Department of Labor, Licensing and Regulation to capture licensing and licensing related data. This agreement will ensure collaborative sharing of matched data for the purpose of program assessment and effectiveness in compliance with state and federal laws.~~

~~The Department of Employment and Workforce shall submit copies of the data sharing agreements to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, and the Chairman of the House Labor, Commerce and Industry Committee.~~

**SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION**

- 84.17** (CTC Donor Bonus) **SFC:** ADD new proviso to authorize DOT through Act 40 of 2017 [SC INFRASTRUCTURE AND ECONOMIC DEVELOPMENT REFORM ACT] to transfer a portion of the motor fuel user fee proceeds received from Section 12-28-310(D) [USER FEES ON GASOLINE AND DIESEL FUEL] to satisfy the donor bonus for County Transportation Committees in Section 12-12-2740(H) [DONOR COUNTY].  
**SEN:** ADOPT new proviso.

84.17. (DOT: CTC Donor Bonus) The Department of Transportation is authorized, in order to meet the requirements of Act 40 of 2017, to transfer a portion of the proceeds of the motor fuel user fee received from Section 12-28-310(D) of the 1976 Code to satisfy the donor bonus for County Transportation Committees in Section 12-28-2740(H).

- 84.18** (Public Utility Relocation) **HOU2:** AMEND House version to ADD new proviso to authorize DOT to use its federal-aid road and bridge program funds for the relocation of public water and sewer lines. Sponsor: Rep. Loftis. Note: Proviso was 84.17 in HOU2 version.

84.18. (DOT: Public Utility Relocation) From the funds authorized in the current fiscal year, the Department of Transportation may use its federal-aid road and bridge program funds for the relocation of public water and sewer lines in accordance with federal guidelines.

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**SECTION 88 - Y140 - STATE PORTS AUTHORITY**

**88.6** (Jasper Ocean Terminal Permitting) **SFC:** ADD new proviso to direct the State Ports Authority to use the funds appropriated for the Jasper Ocean Terminal Permitting to pay for activities associated with the preparation for and permitting of the terminal. Prohibit the funds from being used to reimburse the authority for expenditures made in a prior fiscal year. Require the authority to provide a detailed progress report on the terminal permitting process to the General Assembly on or before the first day of the 2019 legislative session.

**SEN:** AMEND new proviso to delete previous version; direct the authority to use Jasper Ocean Terminal funds for activities approved and directed by the joint venture governing board that are associated with advancing the project during FY 2018-19. Prohibit the funds from being used to reimburse the authority's prior fiscal year expenditures. Require the authority to provide progress reports to the General Assembly by the first day of the 2019 legislative session and by June 30, 2019. Sponsor: Sen. Davis.

88.6. (SPA: Jasper Ocean Terminal Permitting) The funds appropriated to the State Ports Authority (SPA) for the Jasper Ocean Terminal shall be utilized by the SPA to pay for activities approved and directed by the joint venture governing board and associated with advancing the Project during FY 2018-19. In connection with activities that are approved and directed by the joint venture, SPA shall comply with the directive of Section 54-3-115 of the South Carolina Code in regard to taking "all action necessary to expeditiously develop a port in Jasper County." Activities undertaken during FY 2018-19 may include, but are not limited to, the following:

1. working on a corporate governance model for the joint venture as an operating port;
2. working on terminal simulation for design and operation;
3. working on plans, studies, and modeling in conjunction with the respective South Carolina and Georgia Departments of Transportation and the metropolitan planning organization to identify and assess supporting road and rail infrastructure for the terminal footprint including, but not limited to, supporting infrastructure that may have independent utility;
4. working on sedimentation modeling for impacts on construction and dredging;
5. taking actions in furtherance of obtaining: (a) a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act; (b) a permit pursuant to Section 404 of the Clean Water Act, to prepare a Channel Modification Feasibility Study; and (c) studies necessary in connection with developing an Environmental Impact Statement for the Project; and
6. discharging its obligations pursuant to its Joint Venture Agreement with the Georgia Ports Authority.

The funds appropriated to SPA for the Jasper Ocean Terminal Permitting may not be used for reimbursement of SPA expenditures made in a prior fiscal year and must be used only for one or more of the purposes set forth above.

SPA shall provide a detailed report in writing to the members of the South Carolina General Assembly on or before the first day of the 2019 legislative session and another such report on or before June 30, 2019, describing the progress made as of the dates of those reports in regard to the Jasper Ocean Terminal, such to include a description of the ongoing and planned work.

**SECTION 91 - A990 - LEGISLATIVE DEPARTMENT**

**91.20** (Other Funds Oversight Committee) Establishes Other Funds Oversight Committee to review and make recommendations regarding receipt, appropriation, expenditure and reporting of other funds.

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**HOU2:** AMEND House version to exclude other funds for institutions of higher learning from the committee review process. Sponsor: Rep. White.

**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 committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

The committee shall review and examine the source of other funds in this State, excluding other funds for institutions of higher learning as designated in Proviso 117.8(B), 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 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.

- 91.27** (Statutory Appointments) **SFC:** ADD new proviso to direct that beginning January 9th of the current fiscal year all appointments that statues requirement the Lt. Governor to make are to be made by the President of the Senate.  
**SEN:** ADOPT new proviso.

*91.27. (LEG: Statutory Appointments) Beginning on January 9th of the current fiscal year, all appointments of the Lieutenant Governor provided for by statute shall be made instead by the President of the Senate.*

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

- 93.24** (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. Requires the plans for the program be completed in time for the first cohort of participants to be selected by June 30, 2018.  
**WMC:** DELETE proviso. Requested by Department of Administration.  
**HOU:** ADOPT deletion of proviso.

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~~93.24. (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 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, 2018.~~

**SFC:** REINSERT proviso and AMEND proviso change "2018" to "2019."

**SEN:** ADOPT proviso as amended.

93.24. (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 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, ~~2018~~ 2019.

**93.30** (Cherry Grove Deferred Maintenance) **SFC:** ADD new proviso to direct DOA to transfer to the Department of Education any balance that remains from the funds appropriated or authorized for the Cherry Grove Building Roof Repair by Act 286 of 2014. Direct SDE to use the funds for deferred maintenance and other capital improvements.

**SEN:** ADOPT new proviso.

93.30. (DOA: Cherry Grove Deferred Maintenance) In the current fiscal year, the Department of Administration shall transfer any remaining fund balance appropriated or authorized for the Cherry Grove Building Roof Repair pursuant to Act 286 of 2014 to the Department of Education. The remaining funds shall be used by the Department of Education for deferred maintenance and other capital improvements.

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

**98.13** (Investment Earnings and Interest) **HOU2:** AMEND House version to ADD new proviso to require the State Treasurer to remit to the General Fund all earnings and interest from investments of general deposit funds. Allow the State Treasurer to incur and pay fees, expenses, losses, salaries and other costs associated with routine investments pursuant to Section 11-9-660 [INVESTMENT OF FUNDS]. Sponsor: Rep. White.

*98.13. (TREAS: Investment Earnings and Interest) In accordance with the requirements of Section 11-13-125 of the 1976 Code, the State Treasurer shall remit earnings and interest from investments of general deposit funds into the General Fund of the State. Nothing in this provision shall be construed to limit the State Treasurer from incurring and paying fees, expenses, losses, salaries, and other costs associated with the routine investment of funds pursuant to Section 11-9-660 of the 1976 Code.*

**SFC:** ADD new proviso to require the State Treasurer to remit to the General Fund all gross earnings and interest from investments of general deposit funds.

**SEN:** ADOPT new proviso.

*98.13. (TREAS: Investment Earnings and Interest) In accordance with the requirements of Section 11-13-125 of the 1976 Code, the State Treasurer shall remit all gross earnings and interest from investments of general deposit funds into the General Fund of the State.*

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

**100.21** (2017 Hurricane Irma and 2014 Ice Storm FEMA Match) **HOU2:** AMEND House version to ADD new proviso to authorize EMD to use existing fund balances to provide the non-federal cost to state and local government entities for work associated with Hurricane Irma that is eligible under FEMA Public Assistance Program. Prohibit these funds from being used to provide the non-federal cost share private non-profits. Authorize EMD to make surplus 2015 Flood disaster non-federal cost share funds available to counties and municipalities with unreimbursed non-fed cost share from 2014 Ice Storm damages. Require counties and municipalities to submit an application for the funds by 7/31/18. Direct EMD to use \$500,000 of existing fund balances to provide grants to non-profit entities, not to exceed \$50,000 per grant. Require non-profit entities to apply for the grant by 12/1/18. Direct EMD to report grant recipients and amounts to the Chairmen of the Senate Finance and House Ways and Means Committees by 1/15/19. Sponsor: Rep. White.

*100.21. (ADJ: 2017 Hurricane Irma and 2014 Ice Storm FEMA Match) The Office of Adjutant General, Emergency Management Division shall be authorized to utilize existing fund balances to provide the non-federal cost share to state and local government entities for work that is eligible under the Federal Emergency Management Agency Public Assistance Program for Hurricane Irma. Existing fund balances may not be used to provide the non-federal cost share to private non-profit entities.*

*The Office of Adjutant General, Emergency Management Division is directed to use existing fund balances for the 2015 Flood disaster (Presidential Disaster Declaration DR-4241) to reimburse counties and municipalities with unreimbursed non-federal cost share from the 2014 Ice Storm disaster for storm cleanup expenses incurred during and after states of emergency*

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declared by Executive Orders 2014-06 and 2014-11 and Presidential Disaster Declaration DR-4166. Counties and municipalities must submit an application for such funds by July 31, 2018.

The Office of Adjutant General, Emergency Management Division is directed to use \$500,000 of existing fund balances to provide grants to non-profit entities, not to exceed \$50,000 each, for materials to renovate homes affected by the 2015 flood disaster. Non-profit entities must submit a grant application by December 1, 2018, in a manner prescribed by the Emergency Management Division. The Emergency Management Division shall prepare a report listing the name of the grant recipient and the amount received and submit the report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by January 15, 2019.

**SFC:** ADD new proviso to authorize EMD to use existing fund balances to provide the non-federal cost to state and local government entities for work associated with Hurricane Irma that is eligible under FEMA Public Assistance Program. Prohibit these funds from being used to provide the non-federal cost share to the S.C. Public Service Authority or to private non-profits.

**SEN:** AMEND new proviso to authorize EMD to make surplus 2015 Flood disaster non-federal cost share funds available to counties and municipalities with unreimbursed non-fed cost share from 2014 Ice Storm damages. Require counties and municipalities to submit an application for the funds by 7/31/18. Sponsors: Sens. Young, Setzler, Massey, et al.

100.21. (ADJ: 2017 Hurricane Irma and 2014 Ice Storm FEMA Match) The Office of Adjutant General, Emergency Management Division shall be authorized to utilize existing fund balances to provide the non-federal cost share to state and local government entities for work that is eligible under the Federal Emergency Management Agency Public Assistance Program for Hurricane Irma. Existing fund balances may not be used to provide the non-federal cost share to the South Carolina Public Service Authority or to private non-profit entities.

The Office of Adjutant General, Emergency Management Division is directed to use existing fund balances for the 2015 Flood disaster (Presidential Disaster Declaration DR-4241) to reimburse counties and municipalities with unreimbursed non-federal cost share from the 2014 Ice Storm disaster for storm cleanup expenses incurred during and after states of emergency declared by Executive Orders 2014-06 and 2014-11 and Presidential Disaster Declaration DR-4166. Counties and municipalities must submit an application for such funds by July 31, 2018.

**100.22** (Jackie Fogle Scholarship) **SFC:** ADD new proviso to direct that \$25,000 of Youth Post Challenge funds be used for the Jackie Fogle Scholarship.

**SEN:** ADOPT new proviso.

100.22. (ADJ: Jackie Fogle Scholarship) For Fiscal Year 2018-19, from the funds appropriated for Youth Post Challenge, \$25,000 shall be used for the Jackie Fogle Scholarship.

**SECTION 101 - E280 - ELECTION COMMISSION**

**101.13** (Match for Additional HAVA Funds) **SFC:** ADD new proviso to authorize the Election Commission to use primary and general elections funds or voting system refurbishment funds to match any additional federal HAVA funds that become available.

**SEN:** ADOPT new proviso.

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*101.13. (ELECT: Match for Additional HAVA Funds) In the event that additional Help America Vote Act federal funds become available, the commission shall be authorized to utilize funds appropriated for primary and general elections and for voting system refurbishment to provide a match for the federal funds.*

**SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY**

**108.6** (State Health Plan) Directs that for the 2018 State Health Plan, employer premiums will increase 3.3%; subscriber premiums and co-payments will not increase. Authorizes PEBA to adjust the plan, benefits, or contributions during Plan Year 2018 to ensure the plan remains fiscally stable. **WMC:** AMEND proviso to update the employer premium increase from “3.3” to “7.4” percent. Allow copayments to be increased to the extent permitted to maintain the grandfathered plan status under the Affordable Care Act. Update plan year references from “2018” to “2019.” **HOU:** ADOPT proviso as amended.

**108.6.** (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of ~~3.3~~ 7.4 percent and a subscriber premium increase of zero percent for each tier (subscriber, subscriber/spouse, subscriber/children, full family) will result for the standard State Health Plan in Plan Year ~~2018~~ 2019. Copayments for participants of the State Health Plan in Plan Year ~~2018~~ 2019 ~~shall not~~ may be increased to the extent permitted to maintain status as a grandfathered plan under the federal Affordable Care Act. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health Plan during Plan Year ~~2018~~ 2019 to ensure the fiscal stability of the Plan.

**SFC:** AMEND FURTHER to change “7.4” to “8.1” percent.

**SEN:** ADOPT proviso as amended.

**108.6.** (PEBA: State Health Plan) Of the funds authorized for the State Health Plan pursuant to Section 1-11-710(A)(2) of the 1976 Code, an employer premium increase of ~~3.3~~ 8.1 percent and a subscriber premium increase of zero percent for each tier (subscriber, subscriber/spouse, subscriber/children, full family) will result for the standard State Health Plan in Plan Year ~~2018~~ 2019. Copayments for participants of the State Health Plan in Plan Year ~~2018~~ 2019 ~~shall not~~ may be increased to the extent permitted to maintain status as a grandfathered plan under the federal Affordable Care Act. Notwithstanding the foregoing, pursuant to Section 1-11-710(A)(3), the Public Employee Benefit Authority may adjust the plan, benefits, or contributions of the State Health Plan during Plan Year ~~2018~~ 2019 to ensure the fiscal stability of the Plan.

**108.16** (Application of Earnings Limitation) **SFC:** ADD new proviso to direct that the return to work earnings limitation provisions of Section 9-1-1790(A) and Section 9-11-90(4)(a) apply to retired members of SCRS and PORS that embark on an activity for a covered employer traditionally performed by employees of that employer, except where a retired member is otherwise exempt from the earnings limitation. Directs PEBA to determine whether an activity is traditionally performed by employees of the participating employer, taking into consideration various factors.

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**SEN:** AMEND new proviso to delete PEBA directives concerning determination on whether the activity is traditionally performed by employees and instead direct the participating employer, before hiring retirees, to certify to the Retirement System that those positions are not ones performed by traditional employees. Sponsor: Sen. Hembree.

108.16. (PEBA: Application of Earnings Limitation) Compensation received in the current fiscal year by a retired member of the South Carolina Retirement System or the South Carolina Police Officers Retirement System to undertake an activity for a participating employer of either system that has traditionally been performed by employees of the participating employer is considered earnings from covered employment for the purposes of the earnings limitation set out in Section 9-1-1790(A) and Section 9-11-90(4)(a) of the 1976 Code, subject to the exceptions set forth therein. A participating employer must certify to the State Retirement System before engaging retired employees for those positions not covered by the application of this proviso that those positions are not ones performed by traditional employees.

**108.17** (Shared-Savings Incentive Program Study Committee) **SEN:** ADD new proviso to create a Shared-Savings Incentive Program Study Committee to identify requirements, costs, and benefits of implementing a shared-savings incentive program for enrollees who choose to shop and receive health care services at a lower cost than the average price paid by their carrier for a comparable health care service; provide for the composition of the committee; direct the committee to report to the General Assembly by December 31, 2018 with its findings and recommendations. Sponsors: Sens. Davis and Turner.

108.17. (PEBA: Shared-Savings Incentive Program Study Committee) From the funds appropriated to the authority, there is created a Shared-Savings Incentive Program Study Committee. The purpose of the study committee shall be to identify the requirements, costs, and benefits of implementing a shared-savings incentive program for state-employed, public sector or retired enrollees who elect to shop and receive health care services at a lower cost than the average price paid by their carrier for a comparable health care service. The study committee shall also assess whether the program should be administered by the authority or through a third party, or whether to require carriers to offer access to such a program for health care services eligible for shared incentives. The study committee shall be composed of members appointed as follows:

- (1) the Speaker of the House of Representatives or his designee;
- (2) the President Pro Tempore of the Senate 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; and
- (5) one member appointed by the Governor that is a non-representative member of the

South Carolina Public Employee Benefit Authority Board of Directors.  
The committee shall provide findings and recommendations to the General Assembly on or before December 31, 2018.

**108.18** (Return to Covered Employment) **HOU2:** AMEND House version to ADD new proviso to direct PEBA to allow a member who retired from SCRS or PORS on or before December 31, 2017, to return to employment covered by these systems and not be subject to the earnings limitation. Sponsors: Reps. Pope and Tallon. Note: Proviso was 108.16 in HOU2 version.

108.18. (PEBA: Return to Covered Employment) In the current fiscal year, notwithstanding any other provision of law, from the funds appropriated, PEBA shall allow a member who retired

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from either the South Carolina Retirement System or the Police Officers Retirement System on or before December 31, 2017, to return to employment covered by these systems and not be subject to the earnings limitations as provided by law.

**SECTION 109 - R440 - DEPARTMENT OF REVENUE**

- 109.12** (Notification of Protest) **SFC:** ADD new proviso to direct the department to notify any affected county and school district if a taxpayer, other than an individual, files a written protest pursuant to Section 12-60-2120 [PROPERTY TAXPAYER APPEAL BY WRITTEN PROTEST].  
**SEN:** ADOPT new proviso.

*109.12. (DOR: Notification of Protest) In the current fiscal year and from the funds appropriated, if a taxpayer, other than an individual, files a written protest pursuant to Section 12-60-2120 of the 1976 Code, the department shall notify any affected county and school district of the written protest.*

- 109.13** (Tax Credit) **SEN:** ADD new proviso to direct that for the tax year ending in the current fiscal year, any county where utility property comprised at least 50% of the entire county's tax base for purposes of the jobs tax credit is deemed to be a tier four county and the designation applies for all jobs created during the same tax year. Sponsor: Sen Fanning.

*109.13. (DOR: Tax Credit) For the tax year ending in the current fiscal year, for any county where utility property comprised at least fifty percent of the entire county's tax base, as calculated using the imputed index of taxpaying ability for the entire county pursuant to Proviso 1.48, for purposes of the jobs tax credit, the county is deemed to be a tier four county and such designation applies for all jobs created during the same tax year.*

**SECTION 112 - V040 - DEBT SERVICE**

- 112.1** (Excess Debt Service) Provides for the expenditure of excess FY 2016-17 debt service funds in FY 2017-18.  
**WMC:** AMEND proviso to allow excess debts service funds available in FY 2018-19 to be expended in the fiscal year and delete carry forward authorization.  
**HOU:** ADOPT proviso as amended.  
**HOU2:** AMEND House version FURTHER to direct the State Treasurer to transfer the following funds from debt service that exceeds the principal and interest due in the current fiscal year: \$54,078,993 to SLED for the Forensic Laboratory Building. Sponsor: Rep. Pitts.  
AMEND FURTHER to direct that \$5,000,000 of excess funds be transferred to the State Ports Authority for Jasper Ocean Terminal Port Permitting. Sponsors: Reps. Herbkersman, W. Newton, Erickson, M. Rivers, Bradley, and Bowers.  
AMEND FURTHER to direct that \$8,360,642 of excess funds be transferred to the Department of Corrections for Critical Security Upgrades for inmate cells, housing units and correctional facilities. Sponsor: Rep. Pitts.

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**112.1.** (DS: Excess Debt Service) The State Treasurer shall transfer, from debt service that exceeds the principal and interest due in the current fiscal year, \$54,078,993 to the State Law Enforcement Division for the Forensic Laboratory Building, \$5,000,000 to the State Ports Authority for Jasper Ocean Terminal Port Permitting, and \$8,360,642 to the Department of Corrections for Critical Security Upgrades including, but not limited to, installation of additional security measures for window frames and glazing, opaque glazing, food flaps, cuff ports and door locks for inmate cells, housing units and correctional facilities. ~~Excess~~ Any additional excess debt service funds ~~from available in Fiscal Year 2016-17 2018-19~~ must may be carried forward and expended in Fiscal Year 2017-18 expended in the fiscal year 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.

**SFC:** AMEND FURTHER to direct debt service in excess of \$59,803,017 be transferred to fund the non-recurring proviso 118.15 appropriations. Direct the Treasurer's Office, prior to expending excess debt service funds, to submit its proposal to JBRC for review and comment.

**SEN:** ADOPT proviso as amended.

**112.1.** (DS: Excess Debt Service) Appropriated debt service in excess of necessary amounts equaling \$59,803,017 must be transferred to fund the appropriations contained in Proviso 118.15. Any additional ~~Excess~~ excess debt service funds ~~from available in Fiscal Year 2016-17 2018-19~~ must may be carried forward and expended in Fiscal Year 2017-18 expended in the fiscal year 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. Before excess debt service funds are utilized for these purposes, the State Treasurer's Office shall submit its proposal to the Joint Bond Review Committee for review and comment.

**112.2** (Ports Authority Loan) **WMC:** ADD new proviso to direct the State Treasurer to loan the State Ports Authority up to \$50 million of excess debt service to assist the authority with the Charleston Harbor Deepening Project's cash flow needs. Direct the authority to reimburse the general fund once federal funds have been received for the project.

**HOU:** ADOPT new proviso.

**112.2.** (DS: Ports Authority Loan) The State Treasurer is directed to loan the State Ports Authority up to \$50,000,000 of excess debt service to assist the State Ports Authority's cash flow needs related to the Charleston Harbor Deepening Project. Upon receipt of the federal government's share of the project, the State Ports Authority shall reimburse the general fund the amount of the loan received.

**SFC:** AMEND new proviso to specify that the loan is to be made from funds appropriated for General Obligation Bonds which exceed the principal and interest due in the current fiscal year; direct the Treasurer to transfer up to \$50 million to the General Fund for the loan; and require the authority to also reimburse accrued interest to the General Fund.

**SEN:** ADOPT proviso as amended.

**112.2.** (DS: Ports Authority Loan) From the funds appropriated for "General Obligation Bonds" which exceed the principal and interest due in the current fiscal year and paid from the General Fund, the State Treasurer is directed to transfer up to \$50,000,000 to the General Fund to be effected as a loan to the State Ports Authority to assist in cash flow needs related to the

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Charleston Harbor Deepening Project. Upon receipt of the federal government's share of the project, the State Ports Authority shall reimburse the General Fund the amount of the loan received, together with interest accrued to the date of reimbursement, calculated at the rate earned on the General Fund for the period during which the loan remains outstanding.

**SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER**

**113.5** (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 2016-17.

**WMC:** AMEND proviso to update fiscal year reference to "2018-19."

**HOU:** ADOPT proviso as amended.

**113.5.** (AS-TREAS: LGF) For Fiscal Year ~~2017-18~~ 2018-19, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

**SFC:** ADOPT proviso as amended.

**SEN:** AMEND FURTHER to state that if the code section was not suspended an additional \$118,591,723 would be needed to fund the Local Government Fund at the required level. Sponsor: Sen. Rice.

**113.5.** (AS-TREAS: LGF) For Fiscal Year ~~2017-18~~ 2018-19, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended. As required by Section 6-27-30 of the 1976 Code, an amount equal to not less than four and one-half percent of general fund revenues of the latest completed fiscal year must be appropriated to the Local Government Fund. If this requirement was not suspended for Fiscal Year 2018-19, an additional \$118,591,723 would need to be appropriated for the Local Government Fund.

**SECTION 117 - X900 - GENERAL PROVISIONS**

**117.8** (State Institutions - Revenues & Income) Provides that revenue and income generated by universities are accounted for and reimbursed to the universities under a specific method, to ensure fees are in line with cost to provide services, to allow funds for capital projects authorized via a process described therein and to allow universities to retain certain auxiliary fees at the institution level rather than requiring submission to the State Treasurer for later reimbursement.

**HOU2:** AMEND House version to authorize all institutions of higher learning to retain, expend and carry forward any revenue received which is designated as other funds. Reporting requirements are not altered. Sponsor: Rep. White.

**117.8.** (GP: State Institutions - Revenues & Income) (A) The University of South Carolina, Clemson University, the Medical University of South Carolina (including the Medical University Hospital), The Citadel, Winthrop University, South Carolina State University, Francis Marion University, University of Charleston, Lander University, Coastal Carolina University, and the Wil Lou Gray Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 117.1 of this act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner

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prescribed in Section 11-3-185 of the 1976 Code, and expended to fulfill the purpose for which such fees or income were levied, but no part of such income shall be used for permanent improvements without the express written approval of the State Fiscal Accountability Authority and the Joint Legislative Capital Bond Review Committee; and it is further required that no such fee or income shall be charged in excess of the amount that is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. Notwithstanding other provisions of this act, funds at state institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations, and from the operations of canteens and bookstores, and from approved Private Practice plans at institutions and affiliated agencies may be retained at the institution and expended by the respective institutions only in accord with policies established by the institution's Board of Trustees. Such funds shall be audited annually by the State but the provisions of this act concerning unclassified personnel compensation, travel, equipment purchases and other purchasing regulations shall not apply to the use of these funds.

(B) Notwithstanding other provisions of this Act, for purposes of budgetary expenditure authorization, The Citadel, Clemson University (Education & General), University of Charleston, Coastal Carolina University, Francis Marion University, Lander University, South Carolina State University, University of South Carolina and all branch campuses, Winthrop University, Medical University of South Carolina, and State Board for Technical and Comprehensive Education Technical Colleges shall be authorized to retain, expend, and carry forward any revenue received by the institutions which is designated as other funds. Nothing in this provision alters an institution's current reporting requirements.

- 117.21** (Organizations Receiving State Appropriations Report) Requires organizations that receive contributions in this act to provide the following information to the agency from which they received the funds by November 1st: (1) how the state funds will be spent, (2) a copy of the adopted budget for the current year, and (3) a copy of the organization's most recent operating financial statement and prohibits the funds from being spent by the organization until this information is received. Prohibits funds from being disbursed to organizations that practice discrimination. Authorizes the State Auditor to review and audit each of these organizations.
- HOU:** AMEND proviso to direct that goals and proposed measures be included in the information to be provided prior to receiving any funds. Require the organizations to submit a report by June 30<sup>th</sup> accounting for how the funds were spent and the outcome measures used to determine success of the goals. Direct state agencies to forward the report to the Chairmen of the Senate Finance and House Ways and Means Committees. Sponsor: Rep. Daning.

**117.21.** (GP: Organizations Receiving State Appropriations Report) Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, goals to be accomplished, proposed measures to evaluate success in implementing and meeting the goals, a copy of the adopted budget for the current year, and also a copy of the organization's most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives from a state agency, for accountability purposes, by June thirtieth organizations receiving contributions in this act shall submit a report

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to the state agency making the contribution that includes an accounting of how the funds were spent and the outcome measures used to determine the success of the stated goals. State agencies receiving such data from organizations shall forward the information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

**SFC:** AMEND FURTHER to delete the requirement that “proposed measures to evaluate success in implementing and meeting the goals” and “outcome measures” be included in the report.

**SEN:** ADOPT proviso as amended.

**117.21.** (GP: Organizations Receiving State Appropriations Report) Each organization receiving a contribution in this act shall render to the state agency making the contribution by November first of the fiscal year in which funds are received, an accounting of how the state funds will be spent, goals to be accomplished, a copy of the adopted budget for the current year, and also a copy of the organization’s most recent operating financial statement. The funds appropriated in this act for contributions shall not be expended until the required financial statements are filed with the appropriate state agency. No funds in this act shall be disbursed to organizations or purposes which practice discrimination against persons by virtue of race, creed, color or national origin. The State Auditor shall review and audit, if necessary, the financial structure and activities of each organization receiving contributions in this act and make a report to the General Assembly of such review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives from a state agency, for accountability purposes, by June thirtieth organizations receiving contributions in this act shall submit a report to the state agency making the contribution that includes an accounting of how the funds were spent and the success of the stated goals. State agencies receiving such data from organizations shall forward the information to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

**117.42** (Life and Palmetto Fellows Scholarships Waiver Exemption) Exempts the LIFE and Palmetto Fellows scholarship programs from any statute or budget provision which would prohibit state funds beyond that which are appropriated and as such ensures that these programs are fully funded so as to allow the awards to be fulfilled for all eligible students.

**SEN:** AMEND proviso to state that in order to meet the lottery means test an additional \$351 million dollars would need to be appropriated. Sponsor: Sen. Rice.

**117.42.** (GP: Life and Palmetto Fellows Scholarships Waiver Exemption) Any provision in permanent law or in Part IB, Section 117 of this act, except that which is specified for LIFE and Palmetto Fellows Scholarships, that would require general fund appropriations other than what is specified in Part IA of this act is waived for the current fiscal year.

As required by Section 59-150-350(C)(2) of the 1976 Code, appropriations from the Education Lottery Account must be for educational purposes and programs only as defined in Section 59-150-350(D). These appropriations must be used to supplement and not supplant existing funds used for education. Based on this lottery test, the proportion of total recurring general fund and special fund revenues of the State expended in total for public elementary, secondary and higher education in any fiscal year must not be less than the proportion it was in the fiscal year immediately before the fiscal year in which education revenues are first received from a state lottery. Since the percentage in Fiscal Year 2000-01 was 56.7%, per statute all future budgets must appropriate at least 56.7% to education. This lottery test has been suspended

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by this proviso since 2011. If this test was not suspended for Fiscal Year 2018-19, an additional \$351,000,000 would need to be appropriated for education.

- 117.92** (WIA Service Advertising) Establishes Workforce Investment Act advertising guidelines.  
**SFC:** AMEND proviso to update fiscal year reference to “2018-19.”  
**SEN:** ADOPT proviso as amended.

**117.92.** (GP: WIA Service Advertising) For Fiscal Year ~~2017-18~~ 2018-19, the Workforce Investment Boards may promote outreach for their services via billboard, bus placard, newspapers, or radio in all workforce investment areas. This outreach may not be limited to e-mail, online, or other internet-based outreach, publicity, or other promotions. Workforce investment boards must adhere to all state procurement policies and procedures when utilizing outreach for the services provided by the Workforce Investment Act.

- 117.93** (WIA Training Marketability Evaluation) Directs the department to submit a report to the chairmen of various legislative committees on how funds were spent to provide marketable work skills training.  
**SFC:** AMEND proviso to update fiscal year reference to “2018-19.”  
**SEN:** ADOPT proviso as amended.

**117.93.** (GP: WIA Training Marketability Evaluation) (A) For Fiscal Year ~~2017-18~~ 2018-19, the Department of Employment and Workforce shall submit a report that demonstrates how funds were expended in the prior fiscal year to provide marketable work skills training. The report shall include, but not be limited to the total number of local training recipients, a description of the training area in which each recipient participated, and the number and percentage of participants in each training area that, upon completion of training, have become employed in the field in which they were trained. The report shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the Senate Labor, Commerce and Industry Committee, the Chairman of the House Ways and Means Committee, and the Chairman of the House Labor, Commerce and Industry Committee on or before November sixteenth.

(B) Also, the report must specifically describe any restructuring or realignment of agency functions, and any changes in staffing levels or service. The report must detail information on employees terminated, hired, re-hired, reassigned, or reclassified by program area and location. Further, the report must describe efforts made by the agency to reassign or retrain employees who were terminated for positions for which the department hired new employees.

- 117.104** (Donation of Alcoholic Liquors) Allows a wholesaler to donate beer, wine, and alcoholic liquors to a nonprofit organization that has a license to serve alcohol if the event hosted by the nonprofit creates an economic impact on State revenues.  
**SFC:** DELETE proviso. *Donation of alcohol was addressed in Act 44 of 2017.* Requested by Department of Revenue.  
**SEN:** ADOPT deletion of proviso.

**117.104.** (GP: Donation of Alcoholic Liquors) ~~In the current fiscal year, a wholesaler may donate beer, wine, and alcoholic liquors to a nonprofit organization that has a license, including a temporary license, to serve the applicable beverage. This provision only applies if the event hosted by the nonprofit organization creates an economic impact on State revenues.~~

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**117.131** (South Carolina Telemedicine Network) Directs the MUSC Hospital Authority and the Department of Health and Human Services to continue to develop the SC Statewide Telemedicine Network. Directs the SC Telehealth Alliance to submit a proposal to the authority and to DHHS to determine which entities are best suited for Telemedicine partnerships. Section (A) directs DHHS to develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding the use of telemedicine and to amend telemedicine reimbursement policies to include Act 301 Behavioral Health Centers as a referring site for covered telemedicine services. Section (B) directs DHHS to use \$9,000,000 to contract with the MUSC Hospital Authority to lead the statewide, open access, South Carolina Telemedicine Network; directs the authority to contract with each Regional Support Hub to ensure funding and support of strategic plans; directs that at least \$1,000,000 of these funds must be allocated toward Palmetto Care Connections and other hospitals in the state; directs the authority to provide DHHS with quarterly reports on the allocation of funds and the progress of telemedicine transformation efforts and networks. Section (C) allows an Advanced Practice Registered Nurse (APRN) working in a telehealth program to provide services pursuant to approved written protocol to a patient in another location with or without an intervening practitioner. Section (D) directs the authority to publish a summary progress report on the telemedicine transformation and submit it to the Governor and General Assembly by April 1, 2018.

**WMC:** AMEND proviso Section (B) to change “9,000,000” to “\$5,000,000.” Amend Section (D) to update report due date to April 1, “2019.”

**HOU:** ADOPT proviso as amended.

**HOU2:** AMEND House version FURTHER to delete Section (C) which allows an Advanced Practice Registered Nurse (APRN) working in a telehealth program to provide services pursuant to approved written protocol to a patient in another location with or without an intervening practitioner. Sponsor: Rep. G.M. Smith.

**117.131.** (GP: South Carolina Telemedicine Network) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority for Telemedicine and the funds appropriated and authorized for the Department of Health and Human Services, the agencies must continue the development of the South Carolina Statewide Telemedicine Network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority and the Department of Health and Human Services to determine which hospitals, clinics, schools or other entities are best suited for Telemedicine partnerships.

(A) The Department of Health and Human Services shall develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding the use of Telemedicine, to include new applications such as School Based Telehealth, and Tele-ICU. The department shall also amend its policy related to reimbursement for telemedicine to add Act 301 Behavioral Health Centers as a referring site for covered telemedicine services.

(B) During the current fiscal year the Department of Health and Human Services shall contract with the MUSC Hospital Authority in the amount of ~~\$9,000,000~~ \$5,000,000 to lead the development and operation of a statewide, open access South Carolina Telemedicine Network. The MUSC Hospital Authority shall contract with each Regional Support Hub to ensure funding and support of strategic plans submitted by the Regional Support Hubs and approved by both the MUSC Hospital Authority and the Department of Health and Human Services. Institutions and other entities participating in the network must be afforded the opportunity to meaningfully participate in the development of any annual refining to the initiative’s strategic plan. Working with the department, the MUSC Hospital Authority shall collaborate with Palmetto Care Connections to pursue this goal. No less than \$1,000,000 of these funds shall be allocated toward support of Palmetto Care Connections and other hospitals in South Carolina. The MUSC Hospital Authority must provide the department with quarterly reports regarding the funds

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allocation and progress of telemedicine transformation efforts and networks. These reports must include an itemization of the ultimate recipients of these funds, whether vendors, grantees, specific participating institutions, or the Medical University of South Carolina, and must distinguish between funds allocation to the university as a participating institution as opposed to those retained and used by the university in its capacity as the administering entity for the network.

~~(C) An Advanced Practice Registered Nurse (APRN), as defined in Section 40-33-20(5) of the 1976 Code, working in a telehealth program may provide services pursuant to a written protocol approved by the South Carolina Board of Medical Examiners as required by Sections 40-33-34 and 40-47-195 using electronic communications, information technology, or other means to a patient in another location with or without an intervening practitioner. APRNs practicing telehealth will be held to the same standard of care as in-person medical care. Except as provided herein, this shall not be construed to allow an APRN to perform services beyond the scope of what is authorized by Title 40, Chapter 33 and Title 40, Chapter 47.~~

~~(C)~~ (C) The MUSC Hospital Authority shall publish a summary report to the Governor and the General Assembly indicating the overall progress of the state's telemedicine transformation by April 1, ~~2018~~ 2019.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**117.131.** (GP: South Carolina Telemedicine Network) From the funds appropriated to the Medical University of South Carolina for the MUSC Hospital Authority for Telemedicine and the funds appropriated and authorized for the Department of Health and Human Services, the agencies must continue the development of the South Carolina Statewide Telemedicine Network. The South Carolina Telehealth Alliance shall submit a proposal to the MUSC Hospital Authority and the Department of Health and Human Services to determine which hospitals, clinics, schools or other entities are best suited for Telemedicine partnerships.

(A) The Department of Health and Human Services shall develop or continue a program to leverage the use of teaching hospitals to provide rural physician coverage by expanding the use of Telemedicine, to include new applications such as School Based Telehealth, and Tele-ICU. The department shall also amend its policy related to reimbursement for telemedicine to add Act 301 Behavioral Health Centers as a referring site for covered telemedicine services.

(B) During the current fiscal year the Department of Health and Human Services shall contract with the MUSC Hospital Authority in the amount of ~~\$9,000,000~~ \$5,000,000 to lead the development and operation of a statewide, open access South Carolina Telemedicine Network. The MUSC Hospital Authority shall contract with each Regional Support Hub to ensure funding and support of strategic plans submitted by the Regional Support Hubs and approved by both the MUSC Hospital Authority and the Department of Health and Human Services. Institutions and other entities participating in the network must be afforded the opportunity to meaningfully participate in the development of any annual refining to the initiative's strategic plan. Working with the department, the MUSC Hospital Authority shall collaborate with Palmetto Care Connections to pursue this goal. No less than \$1,000,000 of these funds shall be allocated toward support of Palmetto Care Connections and other hospitals in South Carolina. The MUSC Hospital Authority must provide the department with quarterly reports regarding the funds allocation and progress of telemedicine transformation efforts and networks. These reports must include an itemization of the ultimate recipients of these funds, whether vendors, grantees, specific participating institutions, or the Medical University of South Carolina, and must distinguish between funds allocation to the university as a participating institution as opposed to

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those retained and used by the university in its capacity as the administering entity for the network.

(C) An Advanced Practice Registered Nurse (APRN), as defined in Section 40-33-20(5) of the 1976 Code, working in a telehealth program may provide services pursuant to a written protocol approved by the South Carolina Board of Medical Examiners as required by Sections 40-33-34 and 40-47-195 using electronic communications, information technology, or other means to a patient in another location with or without an intervening practitioner. APRNs practicing telehealth will be held to the same standard of care as in-person medical care. Except as provided herein, this shall not be construed to allow an APRN to perform services beyond the scope of what is authorized by Title 40, Chapter 33 and Title 40, Chapter 47.

(D) The MUSC Hospital Authority shall publish a summary report to the Governor and the General Assembly indicating the overall progress of the state's telemedicine transformation by April 1, ~~2018~~ 2019.

**117.139** (~~SCRS & PORS Contribution Rates~~ *Trust Fund*) Directs that if the employer contribution rates for SCRS and PORS increase by more than one percentage point for FY 2017-18, the funds appropriated to PEBA for SCRS and PORS Trust Funds shall be credited toward the contributions due from participating employers for that fiscal year. Prohibits a participating employer from receiving a credit that exceeds the employer contributions due.

**WMC:** AMEND proviso to delete the FY 2017-18 directive for if employer contribution rates increase by more than one percentage point. Direct that for FY 2018-19, each employer's credit be determined at the same rate as calculated by PEBA for FY 2017-18 pension funding allocation credit. Requested by Public Employee Benefit Authority.

**HOU:** ADOPT proviso as amended.

**HOU2:** AMEND House version FURTHER to direct that from the funds allocated to PEBA for the SCRS or PORS Trust Funds, no credits shall be issued for covered employees of special purpose districts, joint authorities, non-profits, hospitals, participating associations or service organizations as defined in Section 9-1-10(11)(e) [RETIREMENT SYSTEMS DEFINITIONS], and state employees whose salaries are paid with federal funds. Direct that the SC Ports Authority, the SC Public Service Authority, and the Medical University Hospital Authority are excluded from this prohibition. Direct PEBA to collaborate with EBO and RFA to determine the amount of credit exclusion for federally funded state employees. Sponsor: Rep. White.

**117.139.** (~~GP: SCRS & PORS Contribution Rates~~ *Trust Fund*) ~~If the employer contribution rates for the South Carolina Retirement System (SCRS) and the Police Officers' Retirement System (PORS) increase by more than one percentage point for Fiscal Year 2017-18, Unless otherwise provided in Paragraphs A through D of this provision, the funds appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police Officers' Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from participating employers in SCRS and PORS for Fiscal Year ~~2017-18~~ 2018-19. Each employer's credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. ~~In no event shall a~~ A participating employer shall not receive a credit that exceeds the employer contributions due from the employer.~~

(A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special purpose districts, joint authorities, or non-profit corporations; however, this provision does not apply to the South Carolina State Ports Authority and the South Carolina Public Service Authority.

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(B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of hospitals; however this provision does not apply to the Medical University Hospital Authority.

(C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

(D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration, Executive Budget Office and the Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded employees of state agencies.

**SFC:** AMEND FURTHER to include credit exclusions detailed in subsections A through D.

**SEN:** ADOPT proviso as amended.

**117.139.** (GP: SCRS & PORS ~~Contribution Rates Trust Fund~~) ~~If the employer contribution rates for the South Carolina Retirement System (SCRS) and the Police Officers' Retirement System (PORS) increase by more than one percentage point for Fiscal Year 2017-18, Unless otherwise provided in Paragraphs A through D of this provision, the funds appropriated to the Public Employee Benefit Authority (PEBA) for the South Carolina Retirement System Trust Fund and the Police Officers' Retirement System Trust Fund in Part IA, Section 108 of this act shall be credited toward the contributions due from participating employers in SCRS and PORS for Fiscal Year 2017-18 2018-19. Each employer's credit shall be determined at the same rate as calculated by PEBA for the pension funding allocation credit for Fiscal Year 2017-18. ~~In no event shall a~~ A participating employer shall not receive a credit that exceeds the employer contributions due from the employer.~~

(A) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of special purpose districts, joint authorities, or non-profit corporations.

(B) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of hospitals.

(C) From the funds available for allocation pursuant to this provision, no credits shall be issued for covered employees of participating associations or service organizations as defined in Section 9-1-10(11)(e) of the 1976 Code.

(D) From the funds available for allocation pursuant to this provision, no credits shall be issued for state employees who are funded with federal funds. The Public Employee Benefits Authority shall collaborate with the Department of Administration, Executive Budget Office and the Revenue and Fiscal Affairs Office to determine the amount of credit exclusion for federally-funded employees of state agencies.

**117.141** (SDE State Transportation Operations) **WMC:** ADD new proviso to suspend Section 1-11-330 [DIVISION OF MOTOR VEHICLE MANAGEMENT; STATE DEPARTMENT OF EDUCATION VEHICLES EXEMPTED] for the current fiscal year. Direct the Department of Administration to evaluate all Department of Education transportation operations to determine safety improvement, efficiency, and cost savings measures and direct the Department of Education to coordinate with DOA to participate in certain vehicle related programs. Direct DOA to submit their findings and recommendation to the Chairmen of the Senate Finance and House Ways and Means Committees by January 1, 2019.

**HOU:** ADOPT new proviso.

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**HOU2:** AMEND House version to change “January” to “March” 1, 2019. Sponsor: Rep. Herbkersman.

*117.141. (GP: SDE State Transportation Operations) For the current fiscal year, Section 1-11-330 of the 1976 Code is suspended. The Department of Administration shall evaluate all state transportation operations at the Department of Education to determine safety improvement, efficiency, and cost saving measures that may be realized by the department. The Department of Education is directed to coordinate with the Department of Administration to participate in the State Fuel Card Program, the Lease Fleet program for light-duty vehicles, the Commercial Vendor Repair Program, and the State Maintenance Facility Repair program. The Department of Administration shall submit findings and recommendations to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by March 1, 2019.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of proviso.

*117.141. (GP: SDE State Transportation Operations) DELETED*

**117.143** (Adult Protective Services Study Committee) **WMC:** ADD new proviso to establish a study committee to make recommendations for the best method to fund coordinated services for adult protective services. Direct that recommendations include, but not be limited to, whether or not adult protective services should be within one state agency, and if so what agency; creation and oversight of a public guardianship program; establishment of standards and oversight for private guardians; determination of appropriate jurisdiction; and creation of an adult abuse registry. Require recommendations be submitted to the Senate Finance and House Ways and Means Committees by November 1, 2018. Direct the study committee to invite specific agencies and associations to participate.

**HOU:** ADOPT new proviso.

*117.143. (GP: Adult Protective Services Study Committee) A study committee shall be established to study and make recommendations regarding the best and most efficient method for the State to appropriate and authorize funding that will best coordinate services available for the needs and protection of the vulnerable adult population of South Carolina. Recommendations shall include but are not limited to: creation and/or reorganization of a state agency focused on the protection of and services for vulnerable adults; establishment of a single point of entry for vulnerable adult services; creation and oversight of a public guardianship program; establishment of standards and oversight for private guardians; determination of the appropriate jurisdiction for Adult Protective Services cases; creation of an adult abuse registry; and identification and development of any other services to best protect vulnerable adults from physical and/or financial abuse and exploitation.*

*The primary focus of the study committee shall be to develop and make recommendations regarding the establishment of a state agency or entity where these services can be consolidated. Recommendations shall be made no later than November 1, 2018 to the Senate Finance Committee and House Ways and Means Committee.*

*The study committee shall invite participation from the following agencies and associations: Department Social Services, Department of Disabilities and Special Needs, Lieutenant Governor’s Office on Aging, Department of Mental Health, Department of Health and Human Services, SC Probate Judges Association, SC Family Court Judges Association, SC Bar, Commission on Indigent Defense, Attorney General’s Office, South Carolina Law Enforcement*

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Division Vulnerable Adult Unit, South Carolina Crime Victims Council, AARP South Carolina, South Carolina Sheriff's Association, Adult Protection Coordinating Council, Prosecution Coordination Commission, SC Law Enforcement Officers' Association, South Carolina Protection and Advocacy for People with Disabilities, and South Carolina Legal Services. The study committee shall also invite participation from the United States Social Security Administration, the Veteran's Administration, the SC Hospital Association and the SC Health Care Association.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

117.143. (GP: Adult Protective Services Study Committee) DELETED

**117.144** (Immigration Unit Transfer to SLED) **WMC:** ADD new proviso to transfer the duties, functions, responsibilities, personnel, funding, and physical assets of the Illegal Immigration Unit from DPS to SLED for the current fiscal year effective July 1, 2018.

**HOU:** ADOPT new proviso.

117.144. (GP: Immigration Unit Transfer to SLED) For the current fiscal year, effective July 1, 2018, the duties, functions, responsibilities, personnel, funding, and physical assets of the Illegal Immigration Unit are transferred from the Department of Public Safety to the State Law Enforcement Division.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

117.144. (GP: Immigration Unit Transfer to SLED) DELETED

**117.148** (Mobile Device Protection Plan) **WMC:** ADD new proviso to direct the Department of Administration to update policies for protecting mobile devices including, but not limited to, cellular phones, tablets, and laptops. Direct the department to consider potential consolidation of existing protection plans established by other state agencies to ensure a statewide approach that covers all state owned devices. Direct the State Fiscal Accountability Authority, once policies have been developed, to establish a statewide contract for protecting state owned mobile devices and ensure the contract is awarded competitively according to the procurement code.

**HOU:** ADOPT new proviso.

117.148. (GP: Mobile Device Protection Plan) With funds appropriated and authorized in the current fiscal year, the Department of Administration in the current fiscal year, shall implement updated policies for protecting mobile devices including, but not limited to, cellular phones, tablets and laptops. The department must also consider the potential consolidation of existing protection plans as established by other state agencies, to ensure an effective and efficient statewide approach to a protection plan that covers all state owned devices.

(A) The following factors shall be considered by the department as it reviews options for providing this protection, and to the extent possible, the following components must be included in the updated plan:

(1) Protective cases and screens for all devices;

(2) Multi-year insurance coverage for both the device and the protective case;

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(3) Zero deductible if possible to ensure cost savings to the department;

(4) Multiple claims per device should be allowable;

(5) Replacement policy if devices cannot be repaired; and

(6) Local pickup and delivery service for efficient repair and replacement where possible.

(B) Upon development of these policies and to follow the new mobile device purchasing policy for state agencies, the State Fiscal Accountability Authority must establish a statewide contract for protecting all state owned, mobile devices that can be included in one combined contract.

(C) The State Fiscal Accountability Authority must ensure that any contract developed for this purpose is awarded utilizing a competitive approach in accordance with the South Carolina Procurement Code.

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

**117.148. (GP: Mobile Device Protection Plan) DELETED**

**117.150** (Cremation/Burial-Removal-Transit Permits) **HOU:** ADD new proviso to prohibit a coroner or medical examiner from assessing application fees for cremation permits and/or burial-removal-transit permits. Sponsors: Rep. King.

**117.150. (GP: Cremation/Burial-Removal-Transit Permits) For the current fiscal year, applications for cremation permits and/or Burial-Removal-Transit Permits must not be assessed a fee by the coroner or medical examiner.**

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

**117.150. (GP: Cremation/Burial-Removal-Transit Permits) DELETED**

**117.151** (SHP for Volunteer Firefighters) **HOU:** ADD new proviso to allow active volunteer firefighters and their eligible dependents to participate in the State Health and Dental Insurance Program if the firefighter is eligible for the income tax deduction in Section 12-6-1140 [DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME] upon paying the full premium costs determined by PEBA. Sponsors: Reps. Forrest and Ott.

**117.151. (GP: SHP for Volunteer Firefighters) For the current fiscal year, active volunteer firefighters who are eligible for the income tax deduction pursuant to Section 12-6-1140 of the 1976 Code, and their eligible dependents, are eligible to participate in the State Health and Dental Insurance Plan, upon paying the full premium costs as determined by the Public Employee Benefit Authority.**

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

**117.151. (GP: SHP for Volunteer Firefighters) DELETED**

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- 117.152** (Legal Funding Transactions) **HOU:** ADD new proviso to direct Consumer Affairs to suspend and stop investigations and enforcement resulting from Administrative Interpretation 3.104, 106-1403 [LEGAL/LITIGATION FUNDING TRANSACTIONS] until the General Assembly addresses this issue. Sponsor: Rep. G.M. Smith.

*117.152. (GP: Legal Funding Transactions) With the funds appropriated and authorized to the Department of Consumer Affairs for the current fiscal year, the department shall suspend and cease any investigations, enforcement procedures, or actions as a result of the Administrative Interpretation 3.104,106-1403 issued by the department and dated November 14, 2014. The department shall not make any such administrative determinations for legal funding transactions without the clear expression of intent from the General Assembly regarding the applicability of this administrative interpretation.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

*117.152. (GP: Legal Funding Transactions) DELETED*

- 117.153** (State Contracts) **HOU:** ADD new proviso to direct SFAA to develop guidelines for covered contracts that exceed \$50,000 that state agencies enter into which incentivizes contractors to pay their employees promptly. Provide a definition for covered contracts and guidelines to determine material breach of contract. Sponsors: Repts. Cobb-Hunter and Herbkersman.

*117.153. (GP: State Contracts) Of the funds appropriated or authorized to the State Fiscal Accountability Authority, the authority shall develop guidelines regarding covered contracts exceeding \$50,000 that state agencies enter into which incentivizes contractors to pay their employees promptly. For purposes of this proviso, a "covered contract" is any contract that involves the physical performance of manual labor within South Carolina, if the contracting agency reasonably anticipates that the total cost of the manual labor will exceed seventy percent of the total cost of all labor. These guidelines shall provide that an agency may consider a prospective contractor's record of promptly paying its employees both (a) when making a determination of the contractor's responsibility to perform, or (b) when deciding whether to exercise a contractual right to extend, renew, or otherwise lengthen an existing contract. The guidelines may, but are not required to, include model terms and conditions that allow the State to deem a contractor's persistent failure to timely pay its employees as a material breach of contract.*

**SFC:** DELETE new proviso.

**SEN:** ADOPT deletion of new proviso.

*117.153. (GP: State Contracts) DELETED*

- 117.154** (SC Student Loan Default Aversion and Financial Literacy Program) **SFC:** ADD new proviso to direct CHE and the State Board for Tec and Comp Ed to work together to oversee a competitive procurement for a vendor to develop, implement, operate, and maintain a South Carolina Student Loan Default Aversion and Financial Literacy Program. Direct that the program, if practicable, be similar to a program that existed from December 8, 2014 through June 6, 2017. Direct that the program and services be provided at no cost to participating public or private colleges and

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universities whose headquarters are located in this state. Direct that funding for this program shall not be state funds but shall be paid from available funds already held for a similar purpose by the SC Education Assistance Authority which is overseen by SFAA. Provide for the release of funds and for vendor requirements. Direct that the SC Education Assistance Authority may submit a competitive bid and that eligible colleges and universities are not required to participate in the program.

**SEN:** ADOPT new proviso.

*117.154. (GP: SC Student Loan Default Aversion and Financial Literacy Program) Of the funds appropriated to the Commission on Higher Education and the State Board for Technical and Comprehensive Education, the commission and the board shall cooperatively oversee a competitive procurement in accordance with the South Carolina Consolidated Procurement Code of a vendor that will develop, implement, operate and maintain a "South Carolina Student Loan Default Aversion and Financial Literacy Program." To the extent practicable, the program shall be similar to the program previously authorized by this state during the period of December 8, 2014 through June 6, 2017. The vendor shall operate the program in accordance with United States Department of Education regulations enacted by the Higher Education Opportunity Act of 2009 and shall provide its programs and/or services at no cost to participating colleges and universities, public or private whose headquarters are located in South Carolina. For purposes of this provision, participating colleges or universities shall be referred to as "clients." Funds required by the commission and board to procure a vendor and/or funds required by the vendor in accordance with its contract to develop, implement, operate and/or maintain the program shall not be paid from state funds, but instead shall be paid from available funds already held for a similar purpose by the South Carolina Education Assistance Authority which are funds currently overseen by the Office of State Treasurer on behalf of the State Fiscal Accountability Authority. Upon application by the commission and board to the State Fiscal Accountability Authority, the authority shall release the minimum amount of necessary funds required by the commission and/or vendor to fulfill the requirements of this provision. At a minimum, the vendor shall: 1) perform various and multiple outreach efforts to contact a client's delinquent student borrowers, including, but not limited to, telephone calls, emails and other such communication methods; 2) perform skip trace efforts with the objective of locating and attempting to contact a client's delinquent student borrowers; 3) make available to a client and its student population information regarding various financial literacy topics, including but not limited to student loan repayment; 4) make available to South Carolina high schools and its student population information regarding various financial literacy topics, including awareness about student loans and related repayment of such loans; 5) assist a client, as applicable and if requested, whose official cohort default rate as determined by the United States Department of Education is thirty percent or greater for the last three reporting years, thereby placing the client at risk of being sanctioned and/or losing all Title IV funding, in developing a default management plan for submission as required by and approved by the United States Department of Education; and 6) provide reporting to a client at least monthly on contracted activities. Nothing herein requires nor prohibits the South Carolina Education Assistance Authority from submitting a competitive bid to develop, implement, operate and maintain this program. Likewise, nothing herein shall be construed to require an eligible college or university to participate in this program.*

**117.155 ADD** (Higher Education Organizational Structure Study Committee) **SFC:** ADD new proviso to create a Higher Education Organizational Structure Study Committee to review the current roles and responsibilities of the Commission on Higher Education to clarify its advocacy, regulatory, and oversight responsibilities and to make recommendations on the future growth and

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coordination of higher education to ensure institutions are able to meet future workforce needs. Provide for the composition of the study committee and direct that members shall serve without compensation, but shall be allowed the usual per diem and mileage as provided by law. Direct that a meeting be convened as soon as all appointees have been named; that staff support be provided by CHE, the House Education and Public Works and Senate Education Committees; and that finding and recommendations be submitted to the General Assembly by February 1, 2019.

**SEN:** ADOPT new proviso.

117.155. (GP: Higher Education Organizational Structure Study Committee) Of the funds appropriated to the Commission on Higher Education, there is created a Higher Education Organizational Structure Study Committee. The purpose of the study committee shall be to review the current roles and responsibilities of the Commission on Higher Education in order to provide clarity regarding its advocacy, regulatory and/or oversight responsibilities as well as to make recommendations regarding the future growth of higher education within this state, and the coordination of that growth between our state's institutions of higher learning to ensure the viability of those institutions going forward in order to meet the state's future workforce demands. The study committee shall be composed of members appointed 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 Majority Leader of the Senate, or his designee;
- (4) the Majority Leader of the House of Representatives, or his designee;
- (5) the Minority Leader of the Senate, or his designee;
- (6) the Minority Leader of the House of Representatives, or his designee;
- (7) a president of a South Carolina Historically Black College or University, appointed by the Governor, or his designee;
- (8) the Chairman of the Commission on Higher Education or his designee;
- (9) a president of a four-year independent college, appointed by the Board of Trustees of the South Carolina Independent Colleges and Universities Association, or his designee;
- (10) a public research university president selected by a majority vote of the Council of Presidents as defined in Section 59-103-40 of the 1976 Code;
- (11) a public comprehensive college or university president selected by a majority vote of the Council of Presidents as defined in Section 59-103-40 of the 1976 Code;
- (12) a public technical college president selected by a majority vote of the Council of Presidents as defined in Section 59-103-40 of the 1976 Code; and
- (13) a chief financial officer of a public college or university, including a technical college, selected by a majority vote of the Council of Presidents as defined in Section 59-103-40 of the 1976 Code.

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.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives or their designees shall serve as Co-Chairmen of the committee and shall convene a meeting as soon as practicable after all appointees have been named.

Staff support shall be provided by the Commission on Higher Education, the House Education and Public Works Committee, and the Senate Education Committee. The committee shall provide findings and recommendations to the General Assembly on or before February 1, 2019.

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**117.156** (South Carolina Industry, Workforce and Education Data Warehouse) **HOU2:** AMEND House version to ADD new proviso to ADD new proviso to establish the South Carolina Industry, Workforce and Education Data Warehouse (IWEDOC) within the Revenue and Fiscal Affairs Office (RFA) to create a fully functional longitudinal data system to link industry, workforce, and education data through enhanced coordination and integration of courseware, certifications and individual data to meet the objectives and requirements of the Coordinating Council for Workforce Development (CCWD). Direct RFA to implement procedures for data sharing among stakeholder. Direct specific agencies and entities to report courseware, certifications, industry, and individual information to RFA as necessary and direct RFA to establish MOA's with the agencies or entities that specifies confidentiality of individual information and conditions and restrictions on the release of data. Direct RFA to develop internet-accessible secure analytic query tools using integrated individual data from the warehouse and to promulgate regulations that address access to and use and release of information generated through use of the query tools. Direct all state agencies participating in the warehouse to use it and its associated software applications in their day-to-day operations. Sponsor: Rep. White. *Note: Proviso was 117.155 in HOU2 version.*

*117.156. (GP: South Carolina Industry, Workforce and Education Data Warehouse) Of the funds appropriated to the Revenue and Fiscal Affairs Office, there is hereby established within the Revenue and Fiscal Affairs Office (RFA), the South Carolina Industry, Workforce and Education Data Warehouse. The purpose of the warehouse is to create a fully functional longitudinal data system to link industry, workforce and education data through enhanced coordination and integration of courseware, certifications and individual data to meet the objectives of and in accordance with the requirements of the Coordinating Council for Workforce Development (CCWD). All state agencies participating in the warehouse shall utilize it and its associated software applications as tools to effectively organize, manage, and analyze educational, workforce and other data as necessary for workforce program evaluation, improvement of individual outcome measures, and the coordination and continuity of the workforce delivery system.*

*The CCWD shall establish the Workforce and Education Data Oversight Committee (WEDOC) to be comprised of the following members:*

- (1) The Secretary of the Department of Commerce or his designee;*
- (2) The State Superintendent of Education or his designee;*
- (3) The president of the State Board for Technical and Comprehensive Education or his designee;*
- (4) The Executive Director of the Department of Employment and Workforce or his designee;*
- (5) The Executive Director of the Commission on Higher Education or his designee;*
- (6) The president or provost of a public college or university who shall be selected by the Council of Presidents of the public universities;*
- (7) The president or provost of a senior independent college or university who shall be selected by the presidents of such universities;*
- (8) The president of a technical college who shall be appointed by the Chairman of the State Board for Technical and Comprehensive Education; and*
- (9) A person appointed by the Superintendent of Education who has particularized expertise regarding Chapter 59, Title 59, the South Carolina Education and Economic Development Act.*

*The WEDOC shall support the mission of the CCWD as defined in Section 13-1-2030 of the 1976 Code by providing recommendations to RFA regarding the governance of the South Carolina Industry, Workforce and Education Data Warehouse. The committee must meet at least*

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quarterly with the chair of the CCWD or his designee serving ex officio as chair. With the agreement of the WEDOC, RFA may charge reasonable applicable fees for the establishment and operation of the South Carolina Industry, Workforce and Education Data Warehouse.

RFA shall develop and implement procedures, with the approval of the WEDOC, for sharing information and coordinating efforts among stakeholders to prepare the state's current and emerging workforce to meet the needs of the state's economy. Information submitted to the South Carolina Industry, Workforce and Education Data Warehouse may include but is not limited to: courseware, certifications and individual information, individual data and non-individual data from industry, workforce and education state agencies. For the purpose of this provision, individual data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report individual information to RFA.

The following agencies shall report to RFA as necessary, and in accordance with all state and federal law and regulation, courseware, certifications, industry and individual information:

- (1) the Department of Commerce;
- (2) the Department of Education;
- (3) the Department of Employment and Workforce;
- (4) the State Technical College System;
- (5) the South Carolina First Steps to School Readiness;
- (6) the Commission on Higher Education; and
- (7) other entities as deemed necessary by mutual agreement of the WEDOC, CCWD and

RFA.

These agencies shall collect and provide individual data in formats and schedules specified as agreed to by RFA, the WEDOC and the agency. RFA shall establish a Memorandum of Agreement with each agency or entity. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of individual information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or individuals, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of individual information.

RFA shall implement, with the approval of the WEDOC, an integrated data system that includes individual and other data from all participating agencies to ensure accountability and the coordinated, efficient delivery of education and workforce services to meet the demands of industry. In order to provide for inclusion of other entities into the South Carolina Industry, Workforce and Education Data Warehouse and other research and analytic-oriented applications that will assist the state in the efficient and effective provision of services, RFA may enter into agreements or transactions with any federal, state or municipal agency or other public institution or with any private individual, partnership, firm, corporation, association or other entity to provide statistical, research and information dissemination services including, but not limited to, program and outcomes evaluation, program monitoring/surveillance, projects to determine the feasibility of data collection and/or analyses, information dissemination and research. Information from the South Carolina Industry, Workforce and Education Data Warehouse shall not be disclosed or released to any third party or non-government entity without the prior written consent of the WEDOC and the agency providing the data, unless that information is already in the public domain, and the confidentiality of data collected under these initiatives shall comply with applicable state and federal laws governing the privacy of data. RFA shall release no individual level data or data that could be used to identify an individual. RFA may promulgate regulations, policies and procedures, in consultation with the participating agencies, for the development, protection and operation of the data warehouse, other research and analytic-oriented applications, and their underlying processes.

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RFA shall develop, with the approval of the WEDOC, internet-accessible secure analytic query tools using integrated individual data from the warehouse. All agencies shall cooperate with RFA in the development of these analytic tools. Analytic tools developed under this provision shall be made available to members of the South Carolina General Assembly and their staffs, state agencies, and researchers. RFA shall, in consultation with the participating agencies, promulgate regulations addressing access to, use and release of information generated through use of the query tools.

**SFC:** ADD new proviso to establish the South Carolina Industry, Workforce and Education Data Warehouse (IWEDOC) within the Revenue and Fiscal Affairs Office (RFA) to create a fully functional longitudinal data system to link industry, workforce, and education data through enhanced coordination and integration of courseware, certifications and individual data to meet the objectives and requirements of the Coordinating Council for Workforce Development (CCWD). Direct RFA to implement procedures for data sharing among stakeholder. Direct specific agencies and entities to report courseware, certifications, industry, and individual information to RFA as necessary and direct RFA to establish MOA's with the agencies or entities that specifies confidentiality of individual information and conditions and restrictions on the release of data. Direct RFA to develop internet-accessible secure analytic query tools using integrated individual data from the warehouse and to promulgate regulations that address access to and use and release of information generated through use of the query tools. Direct all state agencies participating in the warehouse to use it and its associated software applications in their day-to-day operations. Prohibit state agencies from duplicating any of the responsibilities of this provision.

**SEN:** ADOPT new proviso.

117.156. (GP: South Carolina Industry, Workforce and Education Data Warehouse) There is hereby established within the Revenue and Fiscal Affairs Office (RFA), the South Carolina Industry, Workforce and Education Data Warehouse (IWEDOC). The purpose of the warehouse is to create a fully functional longitudinal data system to link industry, workforce and education data through enhanced coordination and integration of courseware, certifications and individual data to meet the objectives of and in accordance with the requirements of the Coordinating Council for Workforce Development (CCWD). In addition, RFA is directed to develop and implement procedures for sharing information and coordinating efforts among stakeholders to prepare the state's current and emerging workforce to meet the needs of the state's economy. Individual data is defined as person-level data that is created, received, and/or maintained by state agencies and other entities required to report individual information to RFA under this provision. To integrate courseware, certifications and individual information, individual data and non-individual data from industry, workforce and education state agencies will be linked to improve individual outcome measures, enabling state agencies to analyze coordination and continuity of the workforce delivery system. The addition of this data will enhance existing agency systems to effectively organize, manage, and analyze educational, workforce and other data as necessary for effective program evaluation and outcomes. Certain individual information shall be delivered to RFA in order to assist in the development and maintenance of this warehouse. The following agencies shall report as necessary courseware, certifications, industry and individual information:

- (1) the Department of Commerce;
- (2) the Department of Education;
- (3) the Department of Employment and Workforce;
- (4) the State Technical College System;
- (5) the South Carolina First Steps to School Readiness;

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(6) the Commission on Higher Education; and

(7) other entities as deemed necessary by the IWEDOC, CCWD and RFA.

These agencies shall collect and provide individual data in formats and schedules to be specified by RFA, in concurrence with IWEDOC and CCWD. RFA shall establish a Memorandum of Agreement with each agency or entity. These Memorandums of Agreement shall specify, but are not limited to, the confidentiality of individual information, the conditions for the release of data that may identify agencies, departments, divisions, programs and services, or individuals, any restrictions on the release of data so as to be compliant with state and federal statutes and regulations on confidentiality of data, conditions under which the data may be used for research purposes, and any security measures to be taken to insure the confidentiality of individual information.

To ensure accountability and the coordinated, efficient delivery of education and workforce services to meet the demands of industry, RFA shall implement, in consultation with the CCWD, IWEDOC, and other entities as deemed necessary, an integrated data system that includes individual and other data from all participating agencies.

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

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

All state agencies participating in the warehouse shall utilize it and its associated software applications in the day-to-day operation of their programs and for coordination, collaboration, program evaluation and outcomes analysis.

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

- 117.157** (Accounting and Financial Management Systems) **SFC:** ADD new proviso to direct the Treasurer and DOA to provide read-only access to its accounting and financial management systems to the staffs of the Senate Finance, House Ways and Means and Joint Bond Review Committees and to the EBO and RFA.  
**SEN:** ADOPT new proviso.

117.157. (GP: Accounting and Financial Management Systems) The Office of State Treasurer and the Department of Administration shall provide the staffs of the Senate Finance Committee, the House Ways and Means Committee, the Joint Bond Review Committee, the

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Executive Budget Office, and the Revenue and Fiscal Affairs Office read-only access to the accounting and financial management systems utilized by the Office of State Treasurer to manage the state's investment, depository, debt, and all other treasury functions.

**117.158** (State Flag Study Committee) **SFC:** ADD new proviso to create a state flag study committee charged with proposing an official and uniform design for the state flag which is historically accurate. Provide the composition of the study committee. Direct the committee to provide a report to the General Assembly by February 1, 2019.

**SEN:** ADOPT new proviso.

**117.158.** (GP: State Flag Study Committee) There is created the South Carolina State Flag Study Committee charged with proposing an official, uniform design for the state flag based on historically accurate details and legislative adoptions. Membership of the study committee shall be comprised of five members as follows:

(1) the Director of the Department of Archives and History, or his designee, who shall serve as chairman;

(2) the Director of the Department of Administration, or his designee;

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

(4) one member appointed by the Speaker of the House of Representatives; and

(5) one member appointed by the Governor.

The study committee shall provide a report including a proposed design to the General Assembly by February 1, 2019, at which time the study committee shall dissolve. Members of the study committee shall receive mileage, per diem, and subsistence as provided by law.

**117.159** (Differential Tuition Fee Transparency) **SEN:** ADD new proviso to direct institutions to conspicuously itemize or clearly display any charges that would be considered "differential tuition" and/or "differential fees" within higher education. Direct institutions to refer students to an internet link which explains the charges. Sponsor: Sen. Hembree.

**117.159.** (GP: Differential Tuition Fee Transparency) Of the funds appropriated to institutions of higher learning in the current fiscal year, institutions shall conspicuously itemize or otherwise clearly display on their tuition and fee or related invoices that are presented to students and/or their legal guardians any charges that could be reasonably considered "differential tuition" and/or "differential fees" as those terms are commonly understood within higher education lexicon. In addition, institutions shall, at minimum, include on such invoices a prominent note referring students and/or their legal guardians to an internet link on the institution's website which explains the purpose of and/or need for the differential charges being assessed. This explanation shall include, but not necessarily be limited to:

1) What differential tuition or fees are, generally;

2) Why the institution (or college, department, and/or program within the institution) charges differential tuition or fees;

3) Who is required to pay the differential charges;

4) How revenue from differential charges is allocated and;

5) Whether or not differential charges produce revenue that meets or exceeds the actual costs incurred by the institution (or college, department, and/or program within the institution) to offer the program of study, courses, labs, and/or related goods and services being provided to the student as a result of the differential charge or charges being assessed. If revenues exceed costs, the institution shall explain why revenues exceed costs and shall additionally explain how

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such excess revenue is allocated and expended by the institution (or college, department, and/or program within the institution).

- 117.160** (Board Meeting Coverage) **SEN:** ADD new proviso to direct the Public Service Authority to provide live-streamed coverage of the Board of Directors' meetings. Direct that board meetings be recorded and archived and made available on PSA's website. Direct PSA to make transcripts available within 3 business days on its website if live-streaming is not practicable. Sponsor: Senator: Massey.

**117.160.** (PSA: Board Meeting Coverage) The South Carolina Public Service Authority must provide live-streamed coverage whenever practicable of all meetings of the Board of Directors to ensure transparency and access for the public. The board meetings shall be recorded and archived and made available on the South Carolina Public Service Authority's website. If a meeting cannot be live-streamed, then the authority must make transcripts available on the authority's website within three business days.

- 117.161** (Advertising Restriction) **SEN:** ADD new proviso to prohibit the use of a constitutional officer's photograph, likeness, name, voice, signature, logo or any other matter identifying the officer in a print medium or time on radio or television purchased with public or nonpublic funds. Exclude the use of campaign funds used for campaign advertisements. Direct that a violation of this provision will reduce the constitutional officer's salary by the amount expended on the notice or advertisement. Sponsor: Sen. Hutto.

**117.161.** (GP: Advertising Restriction) Any space in a print medium or time on radio or television, including, but not limited to, notices or advertisements, purchased with public or nonpublic funds by a constitutional officer may not include the constitutional officer, his photograph, his likeness, his name, his voice, his signature, his logo, or any other matter identifying the constitutional officer. This proviso does not apply to a constitutional officer's utilization of campaign funds to pay for campaign advertisements. If a constitutional officer violates the prohibition in this proviso, then the appropriation in this act of the constitutional officer's salary shall be reduced by the amount expended on the notice or advertisement.

- 117.162** (Public Service Authority Evaluation and Recommendation Committee) **SEN:** ADD new proviso to create the Public Service Authority Evaluation and Recommendation Committee; provide for the composition of the committee; direct the committee to evaluate certain objectives, including the best way to protect ratepayers and taxpayers in regard to Santee Cooper and whether to sell Santee Cooper and/or any of its assets. Direct the committee to make recommendations to the General Assembly as soon as practicable. Sponsors: Sens. Davis and Grooms.

**117.162.** (GP: Public Service Authority Evaluation and Recommendation Committee) (A) (1) From funds appropriated by the General Assembly for this purpose, there is created the Public Service Authority Evaluation and Recommendation Committee to be composed of nine members:

- (a) the Speaker of the House of Representatives or his designee;
- (b) the Majority Leader of the House of Representatives or his designee;
- (c) the Minority Leader of the House of Representatives or his designee;
- (d) the President Pro Tempore of the Senate or his designee;

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(e) the Majority Leader of the Senate or his designee;

(f) the Minority Leader of the Senate or his designee;

(g) one member appointed by the Governor from the State at large. No person shall be appointed by the Governor to the committee if such person is employed by, receives compensation from, or accepts retirement or other benefits from a publicly owned utility, an investor-owned utility, an electric cooperative, or any association or organization that represents a publicly owned utility, an investor-owned utility, or an electric cooperative or otherwise participates in the energy industry or marketplace;

(h) one member appointed by the President Pro Tempore who is a member of the Senate from a direct-serve Public Service Authority territory; and

(i) one member appointed by the Speaker of the House of Representatives who is a member of the House from a direct-serve Public Service Authority territory;

(2) Vacancies shall be filled in the manner of original appointment.

(B) The members of the committee shall elect a chairman and other officers as they consider necessary. The committee shall meet upon the call of the chairman or a majority of its members. Members shall receive per diem, mileage, and subsistence as provided by law for members of legislative or other state committees as appropriate to be paid from the approved accounts of the office or house of their appointing authority. Meeting space and staff support shall be provided by the General Assembly as needed and required. The committee shall make recommendations to the General Assembly as soon as practicable, at which time the committee is dissolved, unless otherwise continued as provided by law.

(C) The committee shall evaluate objectives including but not limited to the following:

(1) determine the manner in which the General Assembly may best protect ratepayers and taxpayers in regard to Santee Cooper;

(2) analyze whether selling Santee Cooper is in the best interests of South Carolina taxpayers, the ratepayers of Santee Cooper, and the ratepayers of the Electric Cooperatives of South Carolina;

(3) determine whether the assets of Santee Cooper should be considered for sale as a whole or in parts and which assets of Santee Cooper, if any, should be retained by the State;

(4) obtain a valuation of Santee Cooper and its assets;

(5) develop a transparent and public process to conduct hearings, receive bids from potential purchasers, and evaluate a potential sale of Santee Cooper;

(6) determine the future role of Santee Cooper, whether sold or retained by the State;

and

(7) determine the manner in which the natural resources owned by Santee Cooper are protected or managed for public enjoyment and wildlife habitat.

(D) To assist with meeting those objectives, it is recommended that the committee consider actions including but not limited to the following:

(1) determine the criteria necessary to assess the viability and feasibility of the potential sale of Santee Cooper;

(2) identify all assets of Santee Cooper and then determine which assets, if any, of Santee Cooper should be considered for sale;

(3) evaluate whether Santee Cooper's water system, the Santee Cooper lakes, or both should be part of any sale;

(4) obtain a valuation of Santee Cooper's assets, both collectively and separately, with a specific valuation for the transmission, distribution, and generation assets of Santee Cooper;

(5) establish the criteria, parameters, and process to receive bid proposals from potential purchasers of Santee Cooper's assets;

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(6) evaluate whether the South Carolina Consolidated Procurement Code or other state law impacts the sale parameters and, if so, determine the best course of action to address the same in its requests for proposals;

(7) as allowed by the South Carolina Consolidated Procurement Code or other state law, conduct public hearings to receive a bid from each potential prospective bidder and set a time for the same;

(8) analyze the impact of the potential sale of Santee Cooper on current employees and retirees and whether bidders must maintain current workforce levels and pension commitments for a set period post sale;

(9) develop or cause to be developed the request for proposals to be used by potential bidders;

(10) establish the time frame for receipts for proposals from potential bidders and evaluation of proposals by the committee and make a recommendation to the General Assembly on whether a sale is in the best interests of ratepayers and taxpayers;

(11) require that all bid proposals shall be made as the best and final offer from each bidder;

(12) identify legislation needed to complete any potential sale;

(13) determine whether the committee should hire an investment bank or other third-party expert to assist with the evaluation of offers received;

(14) determine the impact of Santee Cooper's debt, including all bonded indebtedness, in the sale of Santee Cooper's assets, including a requirement that all bids must satisfy the indebtedness of Santee Cooper existing at the close of sale;

(15) identify potential risks to South Carolina taxpayers and ratepayers that could result from the sale of Santee Cooper, either in whole or in part, including, but not limited to, the loss of tax exempt status of a buyer, impact on economic development, and whether sale at this time would not preclude South Carolina from recovering the full value of Santee Cooper;

(16) determine which course of action, whether the sale or retention of Santee Cooper or another option, provides maximum rate relief to Santee Cooper ratepayers, customers of the Electric Cooperatives of South Carolina, and industrial customers of Santee Cooper;

(17) determine the total assets of Santee Cooper and identify those not necessary for generation, transmission, or distribution needs in order for these assets to be sold without violating Section 58-31-360;

(18) evaluate Santee Cooper's plan and strategy for future generation facilities in order to meet future electric demand, Santee Cooper's timeline for the same, and costs for such projects to the ratepayers;

(19) ascertain future economic development projects for Santee Cooper and the projected revenue estimated from the same and whether an investor-owned utility can provide the same economic development impact as Santee Cooper;

(20) calculate the revenue to Santee Cooper from industrial and other nonresidential ratepayers, excluding revenue derived from the Electric Cooperatives of South Carolina;

(21) evaluate whether diversification of Santee Cooper's generation portfolio, including purchases of generation from outside Santee Cooper, provides a more cost effective manner to service customer needs;

(22) obtain information on the current amounts of cash on hand and in reserve of Santee Cooper;

(23) obtain a current estimate of Santee Cooper's pension liabilities;

(24) evaluate projected revenue growth and its impact on the ability of Santee Cooper to meet debt obligations;

(25) quantify the current amounts of long-term and short-term debt of Santee Cooper;

(26) identify the structure of each of Santee Cooper's bond offerings;

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(27) review proposed rate schedules in both the long and short terms to determine the full impact of V.C. Summer on ratepayers;

(28) determine whether Santee Cooper's debt-to-equity ratio comports with market ratios of other electric utilities;

(29) determine whether Santee Cooper has obtained efficiency or performance studies related to expenses for workforce management and how Santee Cooper's ratios relate to industry standards;

(30) evaluate the electric cooperatives' structure, including the role of the Central Electric Power Cooperative;

(31) evaluate options to provide maximum rate relief to electric cooperative customers either through the sale or retention of Santee Cooper;

(32) analyze the central contract between Santee Cooper and the electric cooperatives to determine the impact of that agreement on any sale or management agreement involving Santee Cooper;

(33) solicit input from the electric cooperatives and other industrial customers on the potential sale or long-term viability of Santee Cooper;

(34) direct Santee Cooper to inventory all assets at the V.C. Summer site and to obtain a salvage or sale valuation for those assets, with any monies received from such salvage or sale to be used as directed in the Rate Relief and Stabilization Fund;

(35) determine whether Santee Cooper should be subject to oversight by the Public Service Commission or Joint Bond Review Committee;

(36) provide alternative governance structures for Santee Cooper, other than a board of directors, based on other state-owned utilities; and

(37) study any other factors that the committee finds relevant to the objectives contained herein.

- 117.163** (Constitutional Officer Supplement) **SEN:** ADD new proviso to direct that in addition to the funds appropriated for the salaries of constitutional officers in Part IA, beginning on January 9, 2019 and for the rest of the fiscal year, the following annualized supplement shall be paid as follows: \$68,333 to the Superintendent of Education; \$13,473 to the Commissioner of Agriculture; \$24,276 to the Attorney General; \$41,863 to the Governor; \$3,283 to the Lieutenant Governor; \$13,473 to the Secretary of State; \$27,477 to the Comptroller General; \$27,477 to the State Treasurer; and \$25,732 to the Adjutant General. Sponsors: Sens. Malloy, Campsen, and Kimpson.

**117.163.** (GP: Constitutional Officer Supplement) In addition to the amounts appropriated in Part IA pursuant to Section 1-1-1210 for the salary of the Superintendent of Education, Commissioner of Agriculture, Attorney General, Governor, Lieutenant Governor, Secretary of State, Comptroller General, State Treasurer, and Adjutant General, beginning on January 9, 2019, and for the remainder of the fiscal year, each officer shall receive an annualized salary supplement which must be paid from the funds appropriated to each respective agency. The annualized supplement is equal to: Superintendent of Education \$68,333, Commissioner of Agriculture \$13,473, Attorney General \$24,276, Governor \$41,863, Lieutenant Governor \$3,283, Secretary of State \$13,473, Comptroller General \$27,477, State Treasurer \$27,477, and Adjutant General \$25,732.

- 117.164** (Criminal History Investigations) **SEN:** ADD new proviso to authorize state agencies, institutions, and political subdivisions to comply with IRS Publication 1075 [TAX INFORMATION

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SECURITY GUIDELINES FOR FEDERAL, STATE AND LOCAL AGENCIES] to obtain state and national criminal history background checks and investigations performed by SLED and the FBI for all employees and contractors who have access to federal tax information and authorize SLED to conduct fingerprint-based background checks for this purpose. Require the requesting state agency, institution, or political subdivision to pay the costs incurred to conduct background checks and investigations on their employees and/or authorize the requesting entity to require a contractor to pay for the background investigations on their employees. Require written policies to be established on implementation and use of these background checks and investigations. Sponsor: Martin.

117.164. (GP: Criminal History Investigations) (A) State agencies, state institutions and political subdivisions of the state are authorized, as necessary to comply with internal revenue service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain state and national criminal history background checks and investigations performed by the State Law Enforcement Division and the Federal Bureau of Investigation on all employees and contractors with access to federal tax information. The State Law Enforcement Division is authorized to conduct fingerprint-based state and national background checks for state agencies, state institutions and political subdivisions of the state which have access to federal tax information in order to comply with Publication 1075.

(B) An employee or contractor of a state agency, state institution and political subdivision of the state with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the state agency, state institution or political subdivision of the state for the purpose of verifying criminal history information for non-criminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the State Law Enforcement Division, and then submit to a national criminal history background check to be conducted by the Federal Bureau of Investigation.

(C) Except as otherwise provided in this section, a state agency, state institution or political subdivision of the state shall pay any costs incurred to conduct background checks and investigations requested by the state agency. The state agency, state institution or political subdivision of the state may require a person or entity contracting with the agency to pay the costs associated with the background investigations for all employees of the contractor. The requirement may be a condition of the contract with the agency, state institution or political subdivision of the state.

(D) Each state agency, state institution or political subdivision of the state required to conduct background checks and investigations pursuant to this provision shall establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this provision.

**117.165** (Criminal Justice Case Management Integration Study Committee) **SEN:** ADD new proviso to establish the South Carolina Criminal Justice Case Management Integration Study Committee composed of 10 members to study the requirements of the State's solicitors, public defenders, clerks of court, Departments of Corrections and Probation, Parole, and Pardon Services, SLED, and all other law enforcement agencies regarding consolidation of their separate case management information technology systems into a standardized system; to calculate the costs associated with implementing a standardized system; and to submit study results to the General Assembly by February 15, 2019. Sponsor: Sen. Timmons.

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117.165. (GP: Criminal Justice Case Management Integration Study Committee) There is established for the current fiscal year the South Carolina Criminal Justice Case Management Integration Study Committee. The study committee shall be composed of ten members, two of whom shall be members of the Senate, one appointed by the President Pro Tempore of the Senate and one appointed by the Chairman of the Senate Judiciary Committee; two of whom shall be members of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Chairman of the House Ways and Means Committee; six of whom shall be appointed by the Governor, one representing solicitors, one representing public defenders, one representing clerks of court, one representing the Department of Corrections, one representing the Department of Probation, Parole and Pardon Services, and one representing the State Law Enforcement Division.

The study committee must meet as soon as practicable after appointment and organize itself by electing one of its members as chair and such other officers as the study committee may consider necessary. Thereafter, the study committee must meet at the call of the chair or by a majority of the members. A quorum consists of seven members.

The study committee shall have the following powers and duties:

(1) to study the requirements of the State's solicitors, public defenders, clerks of court, the Department of Corrections, the Department of Probation, Parole and Pardon Services, the State Law Enforcement Division, and all other law enforcement agencies in regard to the consolidation of their separate case management information technology systems into a standardized, fully integrated, paperless incident and case management system that facilitates the collection, storage, maintenance, and availability of case-related data;

(2) to calculate the costs associated with implementation of a standardized, fully integrated, paperless incident and case management system; and

(3) to submit to the General Assembly and the Governor no later than February 15, 2019, the results of the study.

The study committee members are entitled to such mileage, subsistence, and per diem as authorized by law for members of boards, committees, and commissions while in the performance of the duties for which appointed. These expenses shall be paid from the general fund of the State on warrants duly signed by the chair of the study committee and payable by the authorities from which a member is appointed.

The study committee is encouraged to apply for and may expend grants, gifts, or federal funds it receives from other sources to carry out its duties and responsibilities.

The study committee must use clerical and professional employees of the General Assembly for its staff, who must be made available to the study committee.

The study committee may employ or retain other professional staff or consultants, upon the determination of the necessity for other staff by the study committee.

- 117.166** (Contract Violations) **SEN:** ADD new proviso to direct that if the Department of Health and Human Services Director determines that a hospital system which has entered into a merger, consolidation, acquisition, partnership, or new association with another hospital system and had previously contracted to give seats on its board of directors and/or a pro-rata share of representation on a successor board of directors to a previously acquired hospital, violates that provision, no state agency may distribute any state funds to the hospital system until the DHHS director determines the hospital system is no longer in violation. Direct that this does not apply to nor prohibit distributions for the Medicaid state plan of services disproportionate share or associated state match share. Sponsor: Sen. McElveen.

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117.166. (GP: Contract Violations) In the current fiscal year, if the Director of the Department of Health and Human Services determines that a hospital system which has entered into a merger, consolidation, acquisition, partnership, or new association with another hospital system and which previously contracted to give seats on its board of directors and/or a pro rata share thereof as representation on a successor board of directors, to a previously acquired hospital, and the hospital system violates that provision of the relevant contract or support agreement prescribing such representation, then no state agency may distribute any state funds appropriated or authorized in this act to the violating hospital system until the Director of the Department of Health and Human Services determines that the hospital system is no longer in violation of the contract or support agreement. However, this proviso does not apply to and does not prohibit distributions for the Medicaid state plan of services disproportionate share or the associated state match share.

- 117.167** (Medical Marijuana Research) **SEN:** ADD new proviso to authorize the USC College of Pharmacy and MUSC, to the extent permitted and in accordance with federal laws and regulations, to acquire pharmaceutical grade marijuana, and similar compounds to use for research and clinical trials to develop potential therapeutic agents for certain illnesses. Authorize USC and MUSC to work with other public and private entities to conduct the research and clinical trials as permitted by federal law and regs. Direct USC and MUSC, by the first day of the 2019 legislative session, to provide the General Assembly with a written summary of actions taken and material findings, if any, resulting from these activities. Sponsor: Sen. Davis.

117.167. (GP: Medical Marijuana Research) With funds provided in this fiscal year, the University of South Carolina College of Pharmacy and the Medical University of South Carolina are authorized, to the extent permitted by and in accordance with federal laws and regulations, to undertake the following actions: acquire pharmaceutical grade marijuana, marijuana extracts, semi-pure isolates, and purified compounds, including, but not limited to, THC, CBD, CBO, cannabitol, and cannabigerol for use in research and clinical trials to develop potential therapeutic agents for epilepsy, Dravet's Syndrome, chronic pain, cancer, reduction of nausea, and vomiting induced by chemotherapy, glaucoma, obesity, multiple sclerosis, drug abuse, inflammation, and autoimmune disorders, including encephalomyelitis.

The University of South Carolina and the Medical University of the South Carolina are further authorized to form collaborations, agreements, and partnerships with other public and private entities in order to conduct this research and clinical trials, to the extent permitted by and in accordance with federal laws and regulations, as well as to pursue both public and private funding. Further, the University of South Carolina and the Medical University of South Carolina are directed to provide to the members of the South Carolina General Assembly, on or before the first day of the 2019 legislative session, with a written summary of the actions they have undertaken pursuant to this proviso and the material findings, if any, resulting from such activities.

- 117.168** (Immigration Compliance ~~Report~~) **HOU2:** AMEND House version to ADD new proviso to allow a resident of a political subdivision and/or the Attorney General to bring a civil action in circuit court to enjoin a political subdivision from an enactment that seeks to limit or prohibit enforcement of a state law regarding immigration. Provide for penalties against any political subdivision that the courts find intentionally violated state immigration law and in addition directs that the political subdivision may not receive Local Government Fund appropriations for

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the current fiscal year after the finding is made. Sponsors: Reps. Caskey and Robinson-Simpson.  
*Note: Proviso was 117.159 in HOU2 version.*

**117.168.** (GP: Immigration Compliance) A resident of a political subdivision in this State, the Attorney General, or both, may bring a civil action in the circuit court in which the resident and political subdivision are located to enjoin:

(1) an enactment by the political subdivision of any ordinance or policy that intentionally limits or prohibits a law enforcement officer, local official, or local government employee from seeking to enforce a state law with regard to immigration;

(2) an enactment by the political subdivision of any ordinance or policy that intentionally limits or prohibits a law enforcement officer, local official, or local government employee from communicating to appropriate federal or state officials regarding the immigration status of a person within this State; or

(3) an enactment by the political subdivision of any ordinance, policy, regulation, or other legislation pertaining to the employment, licensing, permitting, or otherwise doing business with a person based upon that person's authorization to work in the United States, which intentionally exceeds or conflicts with federal law or that intentionally conflicts with state law.

A person who is not a resident of the political subdivision may not bring an action against the political subdivision pursuant to this provision. The action must be brought against the political subdivision and not against an employee of the political subdivision acting in the employee's individual capacity.

If the court finds that the political subdivision has intentionally violated this provision:

(1) the court shall enjoin the enactment, action, policy, or practice, and may enter a judgment against the political subdivision of not less than one thousand dollars nor more than five thousand dollars for each day that the enactment, action, policy, or practice remains or remained in effect; provided, the proceeds from any such judgment must be used to reimburse the resident's reasonable attorney's fees and any remaining proceeds must be used to cover the administrative costs of implementing, investigating, and enforcing the provisions of Chapter 8, Title 41; and

(2) the political subdivision may not receive Local Government Fund appropriations for the current fiscal year after the finding is made.

Except as provided by federal law, officers and agencies of this State and political subdivisions of this State may not be prohibited or restricted from sending, receiving, or maintaining information related to the immigration status of any person or exchanging that information with other federal, state, or local government entities for the following purposes:

(1) determining eligibility for any public benefit, service, or license provided by the federal government, this State, or a political subdivision of this State;

(2) verifying any claim of residence or domicile, if determination of residence or domicile is required under the laws of this State or a judicial order issued pursuant to a civil or criminal proceeding in this State;

(3) determining whether an alien is in compliance with the federal registration laws prescribed by Chapter 7, Title II of the federal Immigration and Nationality Act; or

(4) pursuant to 8 U.S.C. Section 1373 and 8 U.S.C. Section 1644.

A political subdivision that pursuant to this provision has been afforded due process and found by a court to have violated this provision may not receive Local Government Fund appropriations for the current fiscal year after the finding is made.

**SEN:** ADD new proviso to direct SLED to publish the Immigration Compliance Report; allow SLED to conduct investigations to ensure that counties and municipalities are providing accurate information; and direct that the report contain a list of county and municipal governments that

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SLED has certified to be compliant with Sections 17-13-170(E) [LAW ENFORCEMENT AUTHORIZATION TO DETERMINE IMMIGRATION STATUS; REASONABLE SUSPICION; PROCEDURES; DATA COLLECTION ON MOTOR VEHICLE STOPS] and 23-3-1100 [DETERMINATION OF LAWFULNESS OF PRISONER'S PRESENCE IN UNITED STATES; NOTIFICATION OF DEPARTMENT OF HOMELAND SECURITY OF PRESENCE OF UNLAWFUL ALIEN; HOUSING AND MAINTENANCE EXPENSES; TRANSPORTATION] as well as federal laws related to the presence of a person who was in the U.S. unlawfully in the previous fiscal year. Direct that the report be provided to the General Assembly, Governor, and State Treasurer by December 31st. Direct the State Treasurer, once the report is published, to withhold any remaining Local Government Funds from any county or municipality that is not certified as compliant in the report. Sponsor: Sen. Timmons.

*117.168. (GP: Immigration Compliance Report) From the funds appropriated to the South Carolina Law Enforcement Division (SLED), the agency shall publish the Immigration Compliance Report (ICR). SLED may conduct investigations necessary to ensure the accuracy of information provided by counties and municipal governments within the ICR. Every agency of this State, and political subdivisions thereof, shall provide documentation that SLED considers necessary for the publication of the ICR. The ICR shall contain a list of county and municipal governments that SLED has certified to be compliant with Sections 17-13-170(E) and 23-3-1100 of the 1976 Code as well as compliance with any federal laws related to the presence of an unlawful person in the United States in the previous fiscal year. The ICR must be provided to the General Assembly, the Governor, and the State Treasurer by December thirty-first of the current fiscal year.*

*The State Treasurer shall withhold any remaining disbursement from the Local Government Fund to any county or municipality that is not certified as "compliant" in the ICR; however, this requirement may not be imposed until the first publication of the ICR.*

- 117.169** (School Resource Officer Critical Needs) **HOU2:** AMEND House version to ADD new proviso to allow any Class 1 law enforcement officer who retired under PORS on or before December 31, 2017, to return to work with a public school district as a critical needs School Resource Officer without affecting their PORS monthly allowance. Direct the Law Enforcement Training Council to develop guidelines for these officers to be recertified and to not require them to be recertified through basic training. Sponsor: Rep. White. *Note: Proviso was 117.154 in HOU2 version.*

*117.169. (GP: School Resource Officer Critical Needs) Any Class 1 law enforcement officer who retired under the Police Officers Retirement System on or before December 31, 2017, may return to employment with a public school district as a critical needs School Resource Officer without affecting the monthly retirement allowance that they are receiving from the Police Officers Retirement System. The Law Enforcement Training Council must develop guidelines and curriculum for these officers to be recertified and must not require recertification through basic training for those that have been inactive for a year or more.*

- 117.170** (Workforce Pathways Grant Fund) **HOU2:** AMEND House version to ADD new proviso to create a Pathways Grant Fund to award grants to eligible technical colleges to provide and support infrastructure to offer Pathways programs; direct that the funds may only be used for Pathways specific expenses; and direct that eligibility criteria be developed for these competitive grants. Require the State Board to annually prepare a report on the Pathways program and grant awards by September 1st and submit it to the Coordinating Council for Workforce Development for

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inclusion in its annual report. Sponsor: Rep. White. Note: Proviso was 117.156 in HOU2 version.

117.170. (GP: Workforce Pathways Grant Fund) Of the funds appropriated to the State Board for Technical and Comprehensive Education (SBTCE) for the Workforce Pathways Program, there is created a Pathways Grant Fund, which shall be administered by the SBTCE.

(A) The purpose of the fund is to award grants to eligible technical colleges in order to provide and support the infrastructure necessary to offer Pathways programs. Grants awarded to technical colleges must be used only for Pathways-specific expenses, to include program administration, career and technical equipment, facilities, instructional materials, transportation, and tuition grants. The SBTCE or board-appointed committee, in consultation with the Department of Education, shall develop and maintain eligibility criteria for these competitive grants.

(B) Funds available through these competitive grants are awarded to technical colleges that demonstrate the strongest ability to meet grant criteria. Funds may not be awarded to all colleges in a given year.

(C) Funds must be used to establish new pathways or enhance existing pathways that confer the necessary skills and training to prepare students for careers in high-demand fields. Funds shall only support career and technical education programs and courses in industry sectors with critical workforce needs.

(D) To qualify for Pathways grant funding as established pursuant to this provision, the technical college and school or school district must enter into Memorandums of Understanding that meet the grant requirements.

(E) The SBTCE or board-appointed committee, in consultation with the Department of Education, is responsible for determining if a pathway meets the established criteria and may promulgate regulations further enumerating the specifics of these criteria and the evaluation process.

(F) The SBTCE shall prepare an annual report on the Pathways program and grant awards by September first of each year. The report must be submitted to the Coordinating Council for Workforce Development for inclusion in its annual report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee. The report must include, at minimum, an update of progress toward full statewide implementation of the Pathways program, and upon implementation, an analysis of program accountability measures and key performance indicators.

(G) As used in this provision:

(1) 'Industry sectors with critical workforce needs' means the industry sectors as outlined by the Coordinating Council for Workforce Development and their business and industry partners.

(2) 'Pathways' means a partnership between a secondary education provider, a technical college, and a business or industry that incorporates the following elements:

(a) secondary and postsecondary education elements;

(b) coherent and rigorous content aligned with challenging academic standards and relevant career and technical content in a coordinated, non-duplicative progression of courses that align secondary education with postsecondary education to adequately prepare students to succeed in postsecondary education;

(c) opportunity for secondary education students to participate in dual or concurrent enrollment programs or other ways to acquire postsecondary education credits at no cost to the student; and

(d) student attainment of an industry-recognized credential, or a postsecondary certificate, diploma, or associate degree, with multiple entrance and exit points.

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**117.171** (Net Energy Metering) **HOU2:** AMEND House version to ADD new proviso to direct electrical utilities to make net energy metering available to customer-generators on a first-come, first-served basis based on Commission Order 2015-194 until specific percentages are met. Create the Renewable Energy Development Joint Study Committee to support development of renewable energy resources and production facilities to generate electricity; provide for the composition of the committee; direct that findings and recommendations be submitted to the Speaker of the House of Representatives and the President Pro Tempore of the Senate by January 8, 2019, and that the committee be dissolved once the report has been submitted. Sponsor: Rep. Ballentine. *Note: Proviso was 117.157 in HOU2 version.*

117.171. (GP: Net Energy Metering) (A) The General Assembly finds:

(1) the General Assembly passed Act 236 of 2014 to promote the establishment of a reliable, efficient, and diversified portfolio of distributed energy resources for the State; and

(2) Act 236 of 2014 successfully resulted in the rapid development and expansion of the solar power marketplace in this State; and

(3) it is necessary to preserve the important role of the emerging solar industry as it becomes sustainable, without subsidies, in our diversifying energy market; and

(4) the Public Service Commission approved in Order 2015-194 a settlement agreement that provides for a 1:1 kilowatt hour ("kWh") crediting rate ("1:1 Rate") whereby each kWh of electricity produced by a customer-generator is credited at the full retail rate.

(B) In the current fiscal year and from the funds appropriated and/or authorized to the Public Service Commission, for purposes of Chapter 40, Title 58 of the 1976 Code, an electrical utility shall make net energy metering available to customer-generators on a first-come, first-served basis, according to the rights accorded customer-generators by Commission Order 2015-194 until the total nameplate generating capacity of net energy metering systems equals four percent of the previous five-year average of the electrical utility's South Carolina retail peak demand. No electrical utility must be required to approve an application for interconnection from net energy metering customer-generators if the total rated generating capacity of all applications for interconnection from net energy metering customer-generators already approved to date by the electrical utility equals or exceeds four percent of the previous five-year average of the electrical utility's South Carolina retail peak demand.

(C) (1) From the funds appropriated and/or authorized to the Public Service Commission, there is created the "Renewable Energy Development Joint Study Committee" to support the development of renewable energy resources and production facilities to generate electricity. The study committee specifically shall investigate, examine, and develop appropriate recommendations addressing:

(a) ratemaking methodologies, cost allocations, and rate designs for all retail electric customers in South Carolina;

(b) strategies for ensuring the fairest allocation of system costs and benefits related to renewable energy resources and Act 236 of 2014 between consumers, including consumers who either do or do not utilize distributed energy resources;

(c) strategies to build upon the successful deployment of renewable energy generating capacity through the South Carolina Distributed Resource Act and to continue enabling market-driven, private investment in distributed energy resources across the State by reducing regulatory and administrative burdens to customer installation and utilization of onsite distributed energy resources;

(d) the current status of the progress and implementation of Act 236 of 2014 and strategies to enhance the act's progress and success; and

(e) job retention and growth in the renewable energy industry.

(2) The study committee must be composed of the following members:

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(a) one member of the House of Representatives appointed by the Speaker of the House of Representatives;

(b) one member of the House of Representatives appointed by the majority leader of the House of Representatives;

(c) one member of the House of Representatives appointed by the minority leader of the House of Representatives;

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

(e) one member of the Senate appointed by the majority leader of the Senate;

(f) one member of the Senate appointed by the minority leader of the Senate; and

(g) one member representing each of the following organizations to be appointed by the Governor:

South Carolina Public Service Authority

Central Electric Power Cooperative, Inc.

The Electric Cooperatives of South Carolina, Inc.

South Carolina Small Business Chamber of Commerce

South Carolina Chamber of Commerce

South Carolina Manufacturing Alliance

Nucor Steel

Solbridge Energy, LLC

South Carolina Coastal Conservation League

South Carolina Solar Business Alliance, LLC

Southern Alliance for Clean Energy

Sustainable Energy Solutions, LLC

The Alliance for Solar Choice

South Carolina Electric & Gas Company

Duke Energy Carolinas, LLC

Duke Energy Progress, Inc.

South Carolina Office of Regulatory Staff

Sierra Club

Sunrun Solar

South Carolina Energy Users Committee

Wal-Mart Stores East, LP and Sam's East, Inc.

Municipal Association of South Carolina

South Carolina Association of Counties

Conservation Voters of South Carolina

South Carolina Appleseed Legal Justice Center

Southern Environmental Law Center

Vote Solar

Solar Energy Industries Association

South Carolina Chapter of the NAACP

South Carolina Department of Health and Environmental Control.

The study committee must be co-chaired by the appointee of the President Pro Tempore of the Senate and the appointee of the Speaker of the House of Representatives. The study committee shall conduct its meetings at places and times it deems necessary to enable it to perform its duties and accomplish its objectives and purposes. The study committee may request administrative assistance from staffs of the House of Representatives Labor, Commerce and Industry Committee and the Senate Judiciary Committee. The members of the study committee shall serve without compensation, and service on the committee does not constitute an office for purposes of the South Carolina Constitution's prohibition against dual office holding.

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(3) The study committee shall prepare a report for the General Assembly that sets forth its findings and recommendations. The study committee shall deliver copies of its report to the Speaker of the House of Representatives and to the President Pro Tempore of the Senate no later than January 8, 2019, at which time the study committee is dissolved.

**117.172** (Prohibited Subsidization) **HOU2:** AMEND House version to ADD new proviso to direct that for purposes of Chapter 40 of Title 58 [NET ENERGY METERING] utility customers who are not customer-generators are not required to subsidize the costs of customer-generators. Sponsor: Rep. J.E. Smith. *Note: Proviso was 117.158 in HOU2 version.*

**117.172.** (GP: Prohibited Subsidization) In the current fiscal year and from the funds appropriated and/or authorized to the Public Service Commission, for purposes of Chapter 40, Title 58 of the 1976 Code, customers of a utility who are not customer-generators are not required to subsidize the costs of customer-generators.

**SECTION 118 - X910 - STATEWIDE REVENUE**

**118.6** (Prohibits Public Funded Lobbyists) Prohibits state agencies and institutions from using “general fund appropriations” to pay employees to lobby on their behalf. Directs the Ethics Commission to require agencies and institutions that report lobbying activities to certify that they did not use general funds to pay for such activities. Prohibits agencies and institutions from using general funds to enter into contracts for lobbying services.

**SEN:** AMEND proviso to delete the prohibition on using general funds to enter into contracts and instead prohibit agencies and institutions from employing or contracting with a lobbyist as defined in Section 2-17-10 [LOBBYISTS AND LOBBYING DEFINITIONS] who is not an FTE. Sponsor: Sen. Massey.

**118.6.** (SR: Prohibits Public Funded Lobbyists) All state agencies and institutions are prohibited from using general fund appropriations to compensate employees who engage in lobbying on behalf of the state agency or institution. The State Ethics Commission shall require state agencies and institutions that report lobbying activities to the commission to certify that the lobbying activities were not funded by general fund appropriations.

All state agencies and institutions are further prohibited from ~~entering into contracts using general fund appropriations to provide lobbying services to the agency or institution~~ employing or contracting with a lobbyist, as defined in Section 2-17-10, who is not a full-time employee of the State.

**118.9** (Tax Relief Reserve Fund) Creates the Tax Relief Reserve Fund; directs that accrued interest remain in the fund; and directs the State Treasurer, on December 31, 2017, to transfer from the General Fund any funds identified in this act designated for the Tax Relief Reserve Fund. Directs that the fund may only be used to provide tax relief to businesses and individuals as provided by law and authorizes these funds to be retained, carried forward, and used for the same purpose.

**WMC:** AMEND proviso to update calendar year reference from “2017” to “2018.”

**HOU:** ADOPT proviso as amended.

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**118.9.** (SR: Tax Relief Reserve Fund) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2017~~ 2018, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

**SFC:** ADOPT proviso as amended.

**SEN:** AMEND FURTHER to direct that if the state has not enacted tax conformity by July 1, 2018, the RFA director shall monthly certify the amount of actual general fund revenues that have exceeded the April 10, 2018 revenue estimate that is directly attributable to not conforming to the changes to the federal tax code. Direct that these monthly certifications be provided to the Governor, Comptroller General, State Treasurer, President Pro Tempore of the Senate, Speaker of the House, and the Chairmen of the House Ways and Means and Senate Finance Committees. Direct the State Treasurer, upon receipt of the certification, to transfer the amount certified, if available, from the General Fund to the Tax Relief Reserve Fund and direct that these funds shall not be dispersed. Sponsor: Senators Bennett and Turner.

**118.9.** (SR: Tax Relief Reserve Fund) (A) There is created the Tax Relief Reserve Fund, which shall be separate and distinct from the General Fund. Interest accrued by the fund must remain in the fund. Notwithstanding any other provision of law, on December 31, ~~2017~~ 2018, the State Treasurer shall transfer funds identified in this act from the General Fund to the Tax Relief Reserve Fund. These funds may only be used to provide tax relief to businesses and individuals as provided by law. Funds within the Tax Relief Reserve Fund shall be retained and carried forward to be used for the same purpose.

(B) In the event that, by July 1, 2018, no law has been enacted to specifically conform State tax law with respect to changes made to the Internal Revenue Code of 1986 due to the congressional enactment of the Tax Cuts and Jobs Act, P.L. 115-97, then in the current fiscal year, the Executive Director of the Revenue and Fiscal Affairs Office each month shall certify the amount by which actual general fund revenues have exceeded the amount forecast according to the revenue estimate that had been most recently certified as of April 10, 2018. This certification must be limited to the amount of excess revenue, if any, that is directly attributable to not conforming to the Tax Cuts and Jobs Act by July 1, 2018, if applicable. Each monthly certification must be promptly provided to the Governor, the Comptroller General, the State Treasurer, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the House Ways and Means Committee, and the Chairman of the Senate Finance Committee. Upon receipt of each certification and subject to the availability of funds, the State Treasurer shall immediately transfer, but not disperse, the certified amount from the general fund to the Tax Relief Reserve Fund. In any month in which actual general fund revenues are less than the amount forecasted by the estimate that had been most recently certified as of April 10, 2018, no transfer pursuant to this proviso may be made.

**118.11** (Tobacco Settlement) Directs expenditure of Tobacco Master Settlement Agreement (MSA) funds for Fiscal Year 2017-18. Suspends the requirements of Section 11-11-170 [USE OF REVENUES PAYABLE PURSUANT TO MASTER SETTLEMENT AGREEMENT] for Fiscal Year 2017-18.

**WMC:** AMEND proviso to update fiscal year references from “2017-18” to “the current fiscal year.” Direct that the remaining balance be transferred to “a restricted account authorized solely

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for use by” DHHS for the Medicaid program. Require fund earnings to be credited to the fund and authorize balances to be carried forward and used for the same purpose.

**HOU:** ADOPT proviso as amended.

**HOU2:** AMEND House version FURTHER to change the amount of funds to be transferred to DOR for Diligent Enforcement from “\$325,000” to “\$450,000;” direct the Attorney General to maintain a balance of \$828,000 for Tobacco arbitration, and direct that funds above that amount may be used for information technology expenses and infrastructure upgrades. Authorize these funds to be carried forward and used for the same purpose. Sponsor: Rep. Bannister.

**118.11.** (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement (“MSA”) ~~during Fiscal Year 2017-18~~ in the current fiscal year, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority, to transfer the remaining funds as follows:

(1) \$1,253,000 to the Attorney General’s Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State Law Enforcement Division for Diligent Enforcement; and ~~\$325,000~~ \$450,000 to the Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act; and

(2) The remaining balance shall be transferred to a restricted account authorized solely for use by the Department of Health and Human Services for the Medicaid program. Earnings on this fund must be credited to the fund and balances may be carried forward from the prior fiscal year for the same purpose.

(3) The Attorney General's Office shall maintain a balance of \$828,000 in a fund for Tobacco arbitration. Attorney General funds in excess of \$828,000 may be utilized for information technology expenses and infrastructure upgrades. These funds may be carried forward from the prior fiscal year into the current fiscal year and utilized for the same purpose.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for ~~Fiscal Year 2017-18~~ the current fiscal year.

**SFC:** ADOPT proviso as amended.

**SEN:** ADOPT proviso as amended.

**118.11.** (SR: Tobacco Settlement) (A) To the extent funds are available from payments received on behalf of the State by the Tobacco Settlement Revenue Management Authority from the Tobacco Master Settlement Agreement (“MSA”) ~~during Fiscal Year 2017-18~~ in the current fiscal year, the State Treasurer is authorized and directed, after transferring funds sufficient to cover the operating expenses of the Authority, to transfer the remaining funds as follows:

(1) \$1,253,000 to the Attorney General’s Office for Diligent Enforcement and Arbitration Litigation; \$450,000 to the State Law Enforcement Division for Diligent Enforcement; and \$325,000 to the Department of Revenue for Diligent Enforcement, all to enforce Chapter 47 of Title 11, the Tobacco Escrow Fund Act; and

(2) The remaining balance shall be transferred to a restricted account authorized solely for use by the Department of Health and Human Services for the Medicaid program. Earnings on this fund must be credited to the fund and balances may be carried forward from the prior fiscal year for the same purpose.

(B) The requirements of Section 11-11-170 of the 1976 Code shall be suspended for ~~Fiscal Year 2017-18~~ the current fiscal year.

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- 118.14** (Lottery Reserve Trust Fund) **WMC:** ADD new proviso to create the Lottery Reserve Trust Fund effective July 1, 2018. Direct that the fund is separate and distinct from the General Fund and any other lottery account; direct that all net lottery proceeds, investment earnings, and unclaimed prize funds received in the current fiscal year that are above the amounts certified by the BEA or amounts appropriated by the General Assembly shall be deposited into the reserve fund; direct that interest or income earned by the fund must be retained in the fund unless the General Assembly appropriates the funds for increased scholarship obligations or other liabilities.  
**HOU:** ADOPT new proviso.

*118.14. (SR: Lottery Reserve Trust Fund) Effective July 1, 2018, there is created, within the Office of the State Treasurer, the Lottery Reserve Trust Fund that shall be separate and distinct from the General Fund and any other lottery account. All net lottery proceeds, investment earnings, and unclaimed prize funds received in the current fiscal year above the amounts certified by the Board of Economic Advisors or any amount appropriated by the General Assembly shall be deposited into the Lottery Reserve Trust Fund. All interest or income earned by the fund must be retained in the account unless appropriated by the General Assembly for the purpose of increased scholarship obligations or other liabilities.*

**SFC:** DELETE new proviso.

**SEN:** DELETE new proviso.

*118.14. (SR: Lottery Reserve Trust Fund) DELETED*

- 118.15** (Nonrecurring Revenue) **WMC:** ADD new proviso to (A) appropriate non-recurring revenue for FY 2018-19 generated from FY 2017-18 Debt Service Lapse and the Litigation Recovery Account; (B) appropriate funds to various agencies for specific purposes; add item 11.1 to direct that the \$500,000 appropriated to the Arts Commission for the SC Children’s Theatre must be matched 2:1 by the organization and require the Arts Commission to verify the match before disbursing the funds; (C) authorize unexpended funds to be carried forward and spent for the same purpose.

**HOU:** ADOPT new proviso.

**HOU2:** AMEND House version FURTHER (A) to add \$293,301 from FY 2017-18 Capital Reserve Fund Lapse to the sources of revenue in this provision; (B) appropriate funds to various agencies for specific purposes; add (10.1) to direct that funds appropriated to Vocational Rehabilitation for the Equestrian Center PTSD Program be used to develop an equine therapy program to serve veterans with PTSD; direct Lander University to transfer any unexpended funds they received in previous fiscal years for this purpose to Voc Rehab; and allow Voc Rehab to use existing contract proposals to establish a pilot program at a single location and provide for potential expansion to other locations. Sponsor: Rep. White.

*118.15. (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:*

*(1) \$16,567,887 from Fiscal Year 2017-18 Debt Service Lapse;*

*(2) \$4,119,137 from the Litigation Recovery Account; and*

*(3) \$293,301 from Fiscal Year 2017-18 Capital Reserve Fund Lapse (Per SC Code 11-11-320).*

*Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2017-18 and shall be available for use in Fiscal Year 2018-19.*

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This revenue is deemed to have occurred and is available for use in Fiscal Year 2018-19 after September 1, 2018, following the Comptroller General's close of the state's books on Fiscal Year 2017-18.

(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2018, for the purposes stated:

(1) H630 - Department of Education

(a) Bus Lease..... \$ 2,527,812;

(b) Governor's School for the Arts and the Humanities Fire Protection  
Component Upgrade \$..... 480,000;

(c) Governor's School for the Arts and the Humanities Core Switch Replacement  
\$ 65,000;

(2) P320 - Department of Commerce

(a) Locate SC ..... \$ 4,000,000;

(b) Applied Research Centers ..... \$ 1;

(c) Military Base Task Force ..... \$ 600,000;

(3) P280 - Department of Parks, Recreation and Tourism

Parks and Recreation Development Fund ..... \$ 1;

(4) J020 - Department of Health and Human Services

Medical Contracts..... \$ 4,000,000;

(5) P120 - Forestry Commission

Firefighting Equipment..... \$ 1,000,000;

(6) J040 - Department of Health and Environmental Control

Water Quality..... \$ 1;

(7) E280 - Election Commission

Special Election Fund Recoupment ..... \$ 600,000;

(8) H710 - Wil Lou Gray Opportunity School

Capital Improvements..... \$ 500,000;

(9) P240 - Department of Natural Resources

Statewide Public Wildlife and Fisheries Management Projects.. \$ 500,000;

(10) H730 - Department of Vocational Rehabilitation

Equestrian Center PTSD Program..... \$ 500,000;

(10.1) The funds appropriated to the Department of Vocational Rehabilitation in Item (10) for the Equestrian Center PTSD Program shall be used by the department to develop an equine therapy program with an emphasis on serving veterans with Post-Traumatic Stress Disorder. Any unexpended funds appropriated to Lander University in previous fiscal years for this purpose shall be transferred to the Department of Vocational Rehabilitation to be expended for this program. The department may utilize existing contract proposals to establish a pilot program at a single location and provide for potential expansion to other locations.

(11) H910 - Arts Commission

SC Children's Theatre ..... \$ 500,000;

(11.1) The funds appropriated to the Arts Commission in item (11) for the SC Children's Theatre must be matched 2:1 by the organization and the Arts Commission must verify that the organization has matched the funds prior to disbursement.

(12) H790 - Department of Archives and History

(a) Conservation of South Carolina's Constitutions..... \$ 200,000;

(b) Charleston Library Society Beaux Arts Building ..... \$ 250,000;

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<u>(13) N120 - Department of Juvenile Justice</u>	
<u>Child Advocacy Centers.....</u>	<u>\$ 170,000;</u>
<u>(14) C050 - Administrative Law Court</u>	
<u>Technology Upgrades.....</u>	<u>\$ 80,000;</u>
<u>(15) H180 - Francis Marion University</u>	
<u>(a) Medical and Health Education Classroom Complex.....</u>	<u>\$ 5,000,000;</u>
<u>(b) Honors College.....</u>	<u>\$ 1;</u>
<u>(16) H630 - Department of Education</u>	
<u>Low Achieving Schools, Proviso IA.51.....</u>	<u>\$ 1;</u>
<u>(17) H030 - Commission on Higher Education</u>	
<u>Statewide Higher Education Repair and Renovation Fund.....</u>	<u>\$ 1;</u>
<u>(18) H590 - State Board for Technical and Comprehensive Education</u>	
<u>Orangeburg-Calhoun Technical College Nursing Cooperative</u>	
<u>Program with Claflin University.....</u>	<u>\$ 1;</u>
<u>(19) J040 - Department of Health and Environmental Control</u>	
<u>(a) M.A.D. USA Men Against Domestic Violence.....</u>	<u>\$ 1;</u>
<u>(b) SC Cervical Cancer Awareness Initiative.....</u>	<u>\$ 1;</u>
<u>(20) L040 - Department of Social Services</u>	
<u>Florence Crittenton.....</u>	<u>\$ 1;</u>
<u>(21) H790 - Department of Archives and History</u>	
<u>Historic Buildings Preservation.....</u>	<u>\$ 1;</u>
<u>(22) P160 - Department of Agriculture</u>	
<u>Statewide Agribusiness Infrastructure.....</u>	<u>\$ 1;</u>
<u>(23) P320 - Department of Commerce</u>	
<u>(a) Deal Closing Fund.....</u>	<u>\$ 1;</u>
<u>(b) Economic Development Hubs and Community</u>	
<u>Development Infrastructure.....</u>	<u>\$ 1;</u>
<u>(24) Y140 - State Ports Authority</u>	
<u>Jasper Ocean Terminal Port.....</u>	<u>\$ 1;</u>
<u>(25) B040 - Judicial Department</u>	
<u>Digital Recording (5 Court Rooms).....</u>	<u>\$ 1;</u>
<u>(26) D100 - State Law Enforcement Division</u>	
<u>(a) Forensics Equipment.....</u>	<u>\$ 1;</u>
<u>(b) First Responder PTSD Treatment.....</u>	<u>\$ 1;</u>
<u>(27) E200 - Office of the Attorney General</u>	
<u>IT/Infrastructure Upgrades.....</u>	<u>\$ 1;</u>
<u>(28) E210 - Prosecution Coordination Commission</u>	
<u>Case Management System.....</u>	<u>\$ 1;</u>
<u>(29) K050 - Department of Public Safety</u>	
<u>(a) Rifles for Highway Patrol.....</u>	<u>\$ 1;</u>
<u>(b) Local Law Enforcement Grants.....</u>	<u>\$ 1;</u>
<u>(30) N040 - Department of Corrections</u>	
<u>Security Systems and Equipment Repairs and Upgrades.....</u>	<u>\$ 1;</u>
<u>(31) P240 - Department of Natural Resources</u>	
<u>Natural Resources Significant Sites Grant Program.....</u>	<u>\$ 1;</u>
<u>(32) P400 - S C Conservation Bank</u>	
<u>Conservation Bank Trust.....</u>	<u>\$ 1;</u>
<u>(33) R360 - Department of Labor, Licensing and Regulation</u>	
<u>Local Fire Department Grants.....</u>	<u>\$ 1;</u>

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<u>(34) R400 - Department of Motor Vehicles</u>	
<u>Act 40 of 2017 Implementation Costs .....</u>	<u>\$ 1;</u>
<u>(35) R600 - Department of Employment and Workforce</u>	
<u>Be Pro Be Proud.....</u>	<u>\$ 1;</u>
<u>(36) D500 - Department of Administration</u>	
<u>State-Owned Building Maintenance .....</u>	<u>\$ 1;</u>
<u>(37) E240 - Office of Adjutant General</u>	
<u>(a) Statewide Readiness Centers - Female Latrines (12).....</u>	<u>\$ 1;</u>
<u>(b) Standalone Kitchens.....</u>	<u>\$ 1;</u>
<u>(c) Infrastructure Improvements.....</u>	<u>\$ 1;</u>
<u>(38) P280 - Department of Parks, Recreation and Tourism</u>	
<u>(a) State Park Maintenance Needs.....</u>	<u>\$ 1;</u>
<u>(b) International African American Museum.....</u>	<u>\$ 1;</u>
<u>(c) Murrells Inlet Channel Clearing.....</u>	<u>\$ 1; and</u>
<u>(d) Morris Island Lighthouse.....</u>	<u>\$ 1.</u>

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

**SFC:** AMEND new proviso (A) to direct that non-recurring revenue for FY 2018-19 is generated from FY 2017-18 Debt Service Lapse, the Litigation Recovery Account, FY 2017-18 Capital Reserve Fund Lapse; and FY 2018-19 Unobligated Debt Service; (B) appropriate funds to various agencies for specific purposes; adopt item 10.1 to direct that the \$500,000 appropriated to the Arts Commission for the SC Children’s Theatre must be matched 2:1 by the organization and require the Arts Commission to verify the match before disbursing the funds; and add item (29.1) to direct PRT transfer the \$5,000,000 appropriated for the International African American Museum to DOA, Executive Budget Office which must hold the funds in a restricted account until the City of Charleston has submitted documentation that certifies all funds to implement the project have been deposited in City accounts.

**SEN:** AMEND FURTHER (A) to change the revenue source of Fiscal Year 2018-19 Unobligated Debt Service from “\$59,803,017” to “\$61,128,017” and (B) change and add appropriations for various agencies. Sponsor: Sen. Leatherman.

AMEND FURTHER (B) to add item (30.2) to direct PRT to allocate the funds appropriated for PARD as follows: a minimum of \$30,000 to each county area; 3/4 of the remaining funds to each county area on a per capita basis; and 1/4 of the remaining funds to PRT for new state parks and recreation facilities planning, development and renovation. Sponsor: Sen. Williams.

**118.15.** (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:

- (1) \$16,567,887 from Fiscal Year 2017-18 Debt Service Lapse;
- (2) \$4,119,137 from the Litigation Recovery Account;
- (3) \$293,301 from Fiscal Year 2017-18 Capital Reserve Fund Lapse (Per SC Code 11-11-320); and
- (4) \$61,128,017 from Fiscal Year 2018-19 Unobligated Debt Service.

Any restrictions concerning specific utilization of these funds are lifted for the specified fiscal year. The above agency transfers shall occur no later than thirty days after the close of the books on Fiscal Year 2017-18 and shall be available for use in Fiscal Year 2018-19.

This revenue is deemed to have occurred and is available for use in Fiscal Year 2018-19 after September 1, 2018, following the Comptroller General’s close of the state’s books on Fiscal Year 2017-18.

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(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.

The State Treasurer shall disburse the following appropriations by September 30, 2018, for the purposes stated:

- (1) H630 - Department of Education
  - (a) Bus Lease..... \$ 2,527,812;
  - (b) Governor’s School for the Arts and the Humanities Fire Protection Component Upgrade ..... \$ 480,000;
  - (c) Governor’s School for the Arts and the Humanities Core Switch Replacement..... \$ 65,000;
  - (d) Low Achieving Schools, Proviso 1A.51..... \$ 125,000;
- (2) P320 - Department of Commerce
  - (a) Deal Closing Fund ..... \$ 3,500,000;
  - (b) Applied Research Centers ..... \$ 500,000;
  - (c) Military Base Task Force..... \$ 600,000;
  - (d) Locate SC ..... \$ 4,000,000;
  - (e) Economic Development Hubs and Community Development Infrastructure ..... \$ 1,300,000;
- (3) J020 - Department of Health and Human Services
  - Medical Contracts..... \$ 4,000,000;
- (4) P120 - Forestry Commission
  - Firefighting Equipment..... \$ 1,000,000;
- (5) J040 - Department of Health and Environmental Control
  - (a) Water Quality..... \$ 2,100,000;
  - (b) M.A.D. USA Men Against Domestic Violence..... \$ 150,000;
  - (c) SC Cervical Cancer Awareness Initiative..... \$ 130,000;
- (6) E280 - Election Commission
  - Special Election Fund Recoupment ..... \$ 650,000;
- (7) H710 - Wil Lou Gray Opportunity School
  - Capital Improvements..... \$ 500,000;
- (8) P240 - Department of Natural Resources
  - (a) Statewide Public Wildlife and Fisheries Management Projects..... \$ 1;
  - (b) Natural Resources Significant Sites Grant Program (Proviso 47.12)..... \$ 1,000,000;
- (9) H210 - Lander University
  - Lander Equestrian Center PTSD Program..... \$ 1;
- (10) H590 - State Board for Technical and Comprehensive Education
  - Orangeburg-Calhoun Technical College Nursing Cooperative Program with Claflin University..... \$ 200,000;
- (11) H910 - Arts Commission
  - SC Children’s Theatre ..... \$ 500,000;

(11.1) The funds appropriated to the Arts Commission above in item (11) for the SC Children’s Theatre must be matched 2:1 by the organization and the Arts Commission must verify that the organization has matched the funds prior to disbursement.
- (12) H790 - Department of Archives and History
  - (a) Conservation of South Carolina’s Constitutions..... \$ 200,000;
  - (b) Charleston Library Society Beaux Arts Building..... \$ 250,000;

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<u>(c) Historic Buildings Preservation.....</u>	<u>\$ 750,000;</u>
<u>(13) NI20 - Department of Juvenile Justice</u>	
<u>    Child Advocacy Centers.....</u>	<u>\$ 100,000;</u>
<u>(14) C050 - Administrative Law Court</u>	
<u>    Technology Upgrades.....</u>	<u>\$ 80,000;</u>
<u>(15) N200 - Law Enforcement Training Council</u>	
<u>    Criminal Justice Academy Clothing and Equipment</u>	
<u>        for Expansion of Training .....</u>	<u>\$ 1;</u>
<u>(16) H950 - State Museum</u>	
<u>    IT Equipment .....</u>	<u>\$ 69,000;</u>
<u>(17) B040 - Judicial Department</u>	
<u>    Digital Recording (5 Court Rooms).....</u>	<u>\$ 220,000;</u>
<u>(18) E210 - Prosecution Coordination Commission</u>	
<u>    Case Management System .....</u>	<u>\$ 1,600,000;</u>
<u>(19) D100 - State Law Enforcement Division</u>	
<u>    (a) Forensics Equipment.....</u>	<u>\$ 26,000;</u>
<u>    (b) First Responder PTSD Treatment .....</u>	<u>\$ 500,000;</u>
<u>(20) K050 - Department of Public Safety</u>	
<u>    (a) Rifles for Highway Patrol .....</u>	<u>\$ 500,000;</u>
<u>    (b) Local Law Enforcement Grants .....</u>	<u>\$ 1,500,000;</u>
<u>(21) N040 - Department of Corrections</u>	
<u>    Security Systems and Equipment Repairs and Upgrades .....</u>	<u>\$ 3,050,590;</u>
<u>(22) H030 - Commission on Higher Education</u>	
<u>    Statewide Higher Education Repair and Renovation Fund</u>	
<u>        (Proviso 11.22).....</u>	<u>\$19,900,000;</u>
<u>(23) H180 - Francis Marion University</u>	
<u>    (a) Medical and Health Education Classroom Complex.....</u>	<u>\$ 5,000,000;</u>
<u>    (b) Honors College .....</u>	<u>\$ 2,100,000;</u>
<u>(24) L040 - Department of Social Services</u>	
<u>    Florence Crittenton.....</u>	<u>\$ 150,000;</u>
<u>(25) P160 - Department Agriculture</u>	
<u>    Statewide Agribusiness Infrastructure.....</u>	<u>\$ 210,000;</u>
<u>(26) P400 - S C Conservation Bank</u>	
<u>    Conservation Bank Trust.....</u>	<u>\$ 1,500,000;</u>
<u>(27) R360 - Department of Labor, Licensing and Regulation</u>	
<u>    Local Fire Department Grants .....</u>	<u>\$ 400,000;</u>
<u>(28) Y140 - State Ports Authority</u>	
<u>    Jasper Ocean Terminal Port.....</u>	<u>\$ 2,000,000;</u>
<u>(29) E200 - Office of the Attorney General</u>	
<u>    IT/Infrastructure Upgrades.....</u>	<u>\$ 400,000;</u>
<u>(30) P280 - Department of Parks, Recreation and Tourism</u>	
<u>    (a) State Park Maintenance Needs.....</u>	<u>\$ 2,600,000;</u>
<u>    (b) Parks and Recreation Development Fund.....</u>	<u>\$ 3,119,137;</u>
<u>    (c) International African American Museum.....</u>	<u>\$ 5,000,000;</u>
<u>    (d) Murrells Inlet Channel Clearing.....</u>	<u>\$ 300,000;</u>
<u>    (e) Morris Island Lighthouse .....</u>	<u>\$ 175,000;</u>
<u>(30.1) The Department of Parks, Recreation, and Tourism is directed to transfer the funds appropriated above in item 30 for the International African American Museum to the Department of Administration, Executive Budget Office which must hold such funds in a restricted account. Release of the funding shall be contingent upon documentation submitted by the City of</u>	

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Charleston certifying all necessary funds for project implementation are deposited in accounts of the City.

The certification must include documentation that the financial plan of \$25 million from the City of Charleston and the County of Charleston combined is attained as cash deposits. Also, the certification must include documentation that the financial plan of \$25 million from private donations is attained as cash deposits.

(30.2) Of the funds appropriated to the Department of Parks, Recreation and Tourism above in item (30)(b) for the Parks and Recreation Development Fund, the department shall allocate thirty thousand dollars to each county area as the minimum distribution. Three-quarters of the remaining funds must be allocated to each county area on a per capita basis according to the annual population estimates for counties, and one-quarter may be used by the department for planning, development, and renovation of new state parks and recreation facilities.

(31) D500 - Department of Administration

(a) State-Owned Building Maintenance..... \$ 2,000,000;

(b) Office of Veterans' Affairs - Low Country Veterans Group.. \$ 25,000;

(32) E160 - Office of State Treasurer

S.1067 Palmetto Trust Fund..... \$ 3,000,000;

(33) E240 - Office of Adjutant General

(a) Statewide Readiness Centers - Female Latrines (12)..... \$ 225,000;

(b) Standalone Kitchens..... \$ 150,000;

(c) POV Parking Improvements..... \$ 75,000;

(d) Infrastructure Improvements..... \$ 325,000;

(34) R400 - Department of Motor Vehicles

Act 40 of 2017 Implementation Costs..... \$ 330,800; and

(35) R600 - Department of Employment and Workforce

Be Pro Be Proud..... \$ 950,000;

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

**118.16** (Prohibits Publicly Funded Consultants) **SEN:** ADD new proviso to prohibit state agencies and institutions from using public funds, without prior SFAA approval, to hire a former state agency head as a consultant on subject matters related to the scope of their employment as an agency head. Sponsor: Sen. Kimpson.

**118.16.** (SR: Prohibits Publicly Funded Consultants) Without prior approval from the State Fiscal Accountability Authority, all state agencies and institutions are prohibited from using public funds to employ the former head of a state agency for consulting on subject matter related to the scope of the person's employment as an agency head.

**118.17** (Contingency Reserve Fund) **SEN:** ADD new proviso (A) to direct that the source of revenue in this provision is from funds earned in FY 2017-18 and deposited into the Contingency Reserve Fund in FY 2018-19. Direct that the appropriations are listed in priority order and each item must be fully funded before the next item can be funded, however allow an item to be partially funded to the extent funds are available; (B) to appropriate \$100,000 to the Department of Commerce for Minority Business Development; and (C) to authorize unexpended funds to be carried forward. Sponsor: Sen. McLeod.

AMEND new proviso (B) to appropriate \$500,000 to the Department of Mental Health for Crisis Stabilization. Sponsor: Sen. Kimpson.

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AMEND FURTHER (B) to appropriate \$150,000 for Marsh Dover Rescue Substation and \$200,000 for Jasper EMS Building Repair to the Department of Labor, Licensing and Regulation: \$50,000 to Department of Archives and History for Springtown Historical School. Sponsor: Sen. Margie B. Matthews.

AMEND FURTHER (B) to appropriate \$2,500,000 to Division of Aeronautics for General Aviation Airports Match Funds. Sponsor: Sen. Campbell.

AMEND FURTHER (B) to appropriate \$2,000,000 to S.C. State University for Truth Hall Repairs and Renovations. Sponsor: Sen. Scott.

AMEND FURTHER (B) to appropriate \$10,659,725 to Statewide Employee Benefits for Employee Bonus. Add item (7.1) to direct that effective on the first pay date on or after October 16, 2018 the Department of Administration is to allocate a \$500 one-time lump sum bonus to each permanent state employee who has been in continuous service for at least six months and who earns \$50,000 or less. Add item (7.2) to direct that if there are not sufficient revenues to provide a \$500 bonus, the amount shall be reduced, however if there is not enough for at least a \$100 bonus, then no bonus shall be provided. Sponsor: Sen. Jackson.

*118.17. (SR: Contingency Reserve Fund) (A) The source of revenue appropriated in subsection (B) is from the funds earned in Fiscal Year 2017-18 and deposited into the Contingency Reserve Fund in Fiscal Year 2018-19.*

*This revenue is deemed to have occurred and is available for use in Fiscal Year 2018-19 after September 1, 2018, following the Comptroller General's close of the state's books on Fiscal Year 2017-18.*

*(B) The appropriations in this provision are listed in priority order. Item (1) must be funded first and each remaining item must be fully funded before any funds are allocated to the next item. Provided, however, that any individual item may be partially funded in the order in which it appears to the extent that revenues are available.*

*The State Treasurer shall disburse the following appropriations by September 30, 2018, for the purposes stated:*

- (1) P320 - Department of Commerce*  
*Minority Business Development ..... \$ 100,000;*
- (2) J200 - Department of Mental Health*  
*Crisis Stabilization..... \$ 500,000;*
- (3) R360 - Department of Labor, Licensing, and Regulation*  
*(a) Marsh Dover Rescue Substation ..... \$ 150,000;*  
*(b) Jasper EMS Building Repair..... \$ 200,000;*
- (4) H790 - Department of Archives and History*  
*Springtown Historical School..... \$ 50,000;*
- (5) U300 - Division of Aeronautics*  
*General Aviation Airports Match Funds ..... \$ 2,500,000;*
- (6) H240 - South Carolina State University*  
*Truth Hall Repairs and Renovations ..... \$ 2,000,000; and*
- (7) F300 - Statewide Employee Benefits*  
*Employee Bonus..... \$10,659,725.*

*(7.1) From the funds appropriated to Statewide Employee Benefits for Employee Bonus, effective on the first pay date that occurs on or after October 16, 2018, the Department of Administration shall allocate to state agencies \$10,659,725 to provide for a one-time lump sum bonus. Each permanent state employee, in a full-time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2018, and who earns \$50,000 or less, shall receive a \$500 one-time lump sum payment. This payment is not a part of the state*

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employee's base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee's base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full-time equivalent position employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee's salary. The earnings limitation in Proviso 117.55 of this act do not apply to this bonus.

(7.2)Notwithstanding any other provision of this section, if the Contingency Reserve Fund revenues are not sufficient to provide a \$500 bonus, the amount for each qualifying employee shall be reduced equally. However, if the revenues are not sufficient to provide at least a \$100 bonus, then the provisions of this item do not apply.

(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.