

"THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT".

**REPORT OF THE
ECONOMIC DEVELOPMENT,
CAPITAL IMPROVEMENT &
OTHER TAXES SUBCOMMITTEE**
(Loftis, Simrill, Clyburn & Crawford - Staff Contact: Alyssa Weeks)

HOUSE BILL 3351

H. 3351 -- Rep. Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-11-102 SO AS TO PROVIDE FOR THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE FOR THE USE OF RESULTING PROCEEDS, AND TO PROVIDE ANNUAL REPORTING REQUIREMENTS; BY ADDING SECTION 60-11-103 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS OPERATIONS; AND TO REPEAL SECTION 60-11-120 RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF DEPARTMENT OF ARCHIVES AND HISTORY.

Received by Ways and Means:

Summary of Bill: Codifies provisos related to sale of materials and retention and reporting of proceeds.

Estimated Revenue Impact: Pending.

Subcommittee Recommendation: Favorable

Full Committee Recommendation:

Other Notes/Comments: [CLICK HERE](#) to Edit Notes/Comments

2nd Reading:

Amendments:

2nd Reading Vote:

Referred to Senate Finance: ENTER DATE

Finance Subcomm. Hearing Date: ENTER DATE

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Subcommittee Recommendation:

Full Committee Recommendation:

Other Notes/Comments:

[CLICK HERE](#) to Edit Notes/Comments

Senate 2nd Reading:

ENTER DATE

Amendments:

[CLICK HERE](#) to Enter Summary of
Amendments

2nd Reading Vote:

ENTER VOTE

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A BILL

11 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,
12 1976, BY ADDING SECTION 60-11-102 SO AS TO PROVIDE
13 FOR THE DISPOSITION OF CERTAIN DUPLICATIVE
14 MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF
15 ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR
16 NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE
17 FOR THE USE OF RESULTING PROCEEDS, AND TO
18 PROVIDE ANNUAL REPORTING REQUIREMENTS; BY
19 ADDING SECTION 60-11-103 SO AS TO PROVIDE FOR THE
20 RETENTION AND USE BY THE DEPARTMENT OF
21 ARCHIVES AND HISTORY OF CERTAIN PROCEEDS
22 GENERATED BY ITS OPERATIONS; AND TO REPEAL
23 SECTION 60-11-120 RELATING TO THE DISPOSITION OF
24 CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION
25 OF DEPARTMENT OF ARCHIVES AND HISTORY.

26
27 Be it enacted by the General Assembly of the State of South
28 Carolina:

29
30 SECTION 1. Article 1, Chapter 11, Title 60 of the 1976 Code is
31 amended by adding:

32
33 "Section 60-11-102. Upon approval by the commission, the
34 agency may remove certain record and nonrecord materials from its
35 collections by gift to another public or nonprofit institution or by
36 sale. This is a supplemental form of disposition beyond that
37 recognized in the Public Records Act for the retention, copying, and
38 destruction of public records, and it pertains only to those
39 accessioned archive materials having a market value and which
40 duplicate existing archival material, fall outside the scope of the
41 archives collection policy, or have no further possible research
42 value. All funds realized through sale must be placed in a special

1 account to be used for improved access to and preservation of the
2 state archives collections. The commission annually shall report to
3 the State Department of Administration regarding these
4 dispositions.

5

6 Section 60-11-103. The proceeds of facilities rentals, gift shop
7 operations, training sessions, sales of publications, reproduction of
8 documents, repair of documents, research fees, handling charges,
9 and the proceeds of sales of National Register of Historic Places
10 certificates and plaques by the Archives Department must be
11 deposited in a special account in the State Treasury, and may be used
12 by this department to cover the cost of facility operations and
13 maintenance, gift shop inventory, additional training sessions,
14 publications, reproduction expenses, repair expenses, and National
15 Register of Historic Places certificates and plaques, and selected
16 Historic Preservation Grants.”

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18 SECTION 2. Section 60-11-120 of the 1976 Code is repealed.

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20 SECTION 3. This act takes effect upon approval by the Governor.

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