

FY 2023-24 Budget.

Section 1B Provisos

Section 1.92

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For Fiscal Year ~~2022-23~~ *the current fiscal year*, references to Base Student Cost and EFA for reimbursement purposes for other entities shall have the same meaning as in the previous fiscal year.

For Fiscal Year ~~2022-23~~ *the current fiscal year*, references to Base Student Cost and EFA for withholding purposes shall mean a withholding of State Aid to Classrooms **and for purposes of S.C. Code Section 59-71-155(B) references to amounts appropriated under the EFA shall mean all amounts appropriated as State Aid to Classrooms.**

~~From funds appropriated to the Department of Education, the department will make recommendations in their annual budget request for any changes to Base Student Cost or EFA references in the annual appropriations act.~~

(B) The county treasurer of a county in which any operating school unit has outstanding general obligation bonds shall notify the State Treasurer on the fifteenth day prior to the due date of any payment of principal or interest on the bonds if the county treasurer does not have on deposit, or there is not on deposit with a paying agent, the sum required to make that payment. If the county treasurer or paying agent does not have on deposit the sum required to make that payment on the third business day prior to the due date, the State Treasurer shall transfer to the county treasurer from the general fund of the State the sum necessary to enable the county treasurer or paying agent to make payment of principal and interest then coming due. However, the total amount to be advanced to operating school units for this purpose in any fiscal year may not exceed the amount appropriated in that year under the Education Finance Act. Immediately upon receipt of the sum from the State Treasurer on a bond for which a paying agent other than the county treasurer has been appointed, the county treasurer shall transfer to the paying agent all amounts required to effect punctual payment of the sum due. The State Treasurer shall withhold from the operating school unit from the next and subsequent distributions of any revenue to that operating school unit sufficient monies necessary to reimburse the general fund of the State for the sums applied to pay the principal and interest on the bonds and for the investment earnings that would have been received on the monies advanced from the general fund. In addition, the State Treasurer may direct the county treasurer to apply to the payment due on the bonds any monies being held by the county treasurer in any fund, other than the sinking fund, derived from state revenue for the operating school unit.

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1A.69. (SDE-EIA: Developmental Education and Therapy Services) Of the funds appropriated for Developmental Education and Therapy Services for students with multiple documented disabilities, \$486,486 shall be allocated to the Meyer Center, and \$1,513,514 shall be allocated to Pattison's Academy and \$1,300,000 shall be allocated to the SC Public Charter School district for Palmetto Excel. The funding allocated to the Public Charter School district is estimated to serve 150 students. If less students are served the money must be retained and not expended by the Public Charter School district on a pro rata bases. Any unexpended funds may be carried forward.

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Senators Peeler & Alexander

CONFORM TO FUNDING 113.3. (AS-TREAS: Salary Supplements) The amounts appropriated in Part IA, Section 113, for Aid Cnty-Clerks of Court, Aid Cnty-Probate Judges, Aid Cnty-Coroners, and Aid Cnty-Sheriffs shall be distributed by the State Treasurer to each county treasurer equally on a quarterly basis, and shall be used as a salary supplement for each clerk of court, probate judge, county coroner, and county sheriff. The amounts appropriated in Part IA, Section 113 for Aid Cnty-Register of Deeds, shall be equally distributed by the State Treasurer to the appropriate county treasurer on a quarterly basis, and shall be used as a salary supplement for registers of deeds.

The amount appropriated in Part IA, Section 113, for Aid Cnty-Auditors and Aid Cnty-Treasurers, shall be equally distributed to each county auditor and county treasurer as a salary supplement in addition to the salary and other benefits presently being provided by the county for these positions. It is the intent of the General Assembly that the amount appropriated by the county as salaries for these positions shall not be reduced as a result of the appropriation and that such appropriation shall not disqualify each county auditor and each county treasurer for salary increases that they might otherwise receive from county funds in the future. The salary supplement for each county auditor and county treasurer shall be paid in accordance with the schedule and method of payment established for state employees.

The amounts appropriated in Part IA, Section 113 for Clerks of Court, Probate Judges, Sheriffs, Register of Deeds, Coroners, Auditors, and Treasurers shall be exempt from any across the board cut mandated by the Executive Budget Office or General Assembly. However, the governing body of a county may reduce the expenditures in the operation of the offices of these officials without any required corresponding reduction in the county's state aid to subdivisions distribution. However, any reduction in these officials' budgets must be made in consultation with the affected official.

Of the amount appropriated in Part IA Section 113, for Aid Cnty-Magistrates, a salary supplement of five thousand dollars per full time magistrate and one thousand two hundred and fifty dollars per part time magistrate shall be provided. These amounts shall be distributed quarterly, and the amount appropriated by the county as salaries for these positions shall not be reduced as a result of the appropriation. The salary supplement shall not disqualify each magistrate for salary increases that they might otherwise receive from county funds in the future.

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SENATOR ALEXANDER

35.cc. (DMH: 988 Call Centers) In the current fiscal year, from the funds appropriated in this act for 988 Call Centers, the department is authorized to provide grants to call centers under a current network agreement with the 988 Suicide and Crisis Lifeline in this State. Call centers qualifying for the grants shall utilize the funds for the costs associated with answering calls, chats, or texts to the 988 line. Grants may be made available for up to one year. By the end of each month, grant recipients shall provide a report on their expenditures of the granted funds to the department. The department shall provide a report on the use of funds to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by June 30, 2024. Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department.

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SENATOR ALEXANDER

117.atm. (GP: Abandoned Textile Mills) For any project involving an abandoned textile mill of between 130,000 and 135,000 square feet and estimated rehabilitation expenses of between \$5,500,000 and \$6,500,000, a Notice of Intent to Rehabilitate filed pursuant to the South Carolina Textile Communities Revitalization Act on or before June 30, 2024, shall be effective as of the effective date designated by the taxpayer in the Notice to Intent to Rehabilitate for purposes of Section 12-65-30(C)(2), which effective date may be earlier than the date of the Notice of Intent to Rehabilitate, and any rehabilitation expenses incurred on or after the effective date designated by the taxpayer shall be eligible for credits under Section 12-65-30(A)(2), provided all other applicable statutory requirements are satisfied.

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SENATOR GROOMS

117.pt. (GP: Program Transfer) In Fiscal Year 2023-24, the Department of Health and Environmental Control shall work with the Department of Education and the Department of Administration, Executive Budget Office, to transition the Abstinence-Until-Marriage Emerging Program and Abstinence Until Marriage Evidence-Based Program to the Department of Education effective no later than June 30, 2024. The Executive Budget Office is authorized to make necessary permanent transfers to facilitate the transfer of these programs. The Department of Health and Environmental Control shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, no later than December 1, 2023, on the progress of the transition and any necessary proviso and budgetary changes required by the General Assembly to complete the transfer of the programs.

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SENATOR MARTIN

117.ep. (GP: Equal Parenting and Alimony Reform Study Committee) There is created the Equal Parenting and Alimony Reform Study Committee. The committee shall study the concept of the presumption of equally shared parenting time in custody orders and on reforms to the alimony system with a focus on permanent alimony to ensure fair and equitable economic allocations. Membership of the study committee shall be comprised of five members as follows:

- (1) the Chairman of the Senate Judiciary Committee, or their designee, who shall serve as Co-Chair;
- (2) the Chairman of the House of Representatives Judiciary Committee, or their designee, who shall serve as Co-Chair;
- (3) one member appointed by the President of the Senate, or their designee;
- (4) one member appointed by the Speaker of the House of Representatives, or their designee; and
- (5) one member appointed by the Governor.

The study committee shall submit findings and recommendations to the General Assembly by March 1, 2023, at which time the study committee shall be dissolved. Members of the study committee shall receive mileage, per diem, and subsistence from the Judicial Department, as provided by law. Staff support for the study committee shall be provided by the relevant standing committees of the Senate and the House of Representatives, as appropriate.

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SENATOR MARTIN

65.25. (CORR: Cell Phone Interdiction) An inmate under the jurisdiction of the Department of Corrections is not permitted to possess a telecommunications device unless authorized by the Director. Therefore, 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.

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SENATOR MARTIN

117.tar. (GP: TikTok Access Restriction) State agencies with law enforcement functions are prohibited from accessing the TikTok application using any agency device or with any agency resources. The prohibition is extended to any application with any ownership by ByteDance Ltd., which is the parent company of TikTok. The restriction on accessing TikTok does not apply when a law enforcement officer is investigating a criminal matter which necessitates the collection of evidence on the TikTok platform. Such access shall be documented by the law enforcement officer and the state agency.

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SENATOR MARTIN

38.9. (DSS: TANF - Immunizations Certificates) The department shall require all TANF applicants and/or recipients to provide proof of age appropriate immunizations for children. If such immunizations have not been administered, the department shall assist in referring applicants to appropriate county health departments to obtain the immunizations. For the purposes of this proviso, COVID-19 vaccinations are not "age appropriate immunizations".

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SENATOR MARTIN

117.mhcf. (GP: Masks at Higher Education Facilities) A public institution of higher learning, including a technical college, may not use any funds appropriated or authorized pursuant to this act to require that its students have received the COVID-19 vaccination to be present at the institution's facilities without being required to wear a facemask. This prohibition extends to the announcement or enforcement of any such policy.

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SENATOR MARTIN

117.pvr. (GP: COVID-19 Proof of Vaccination Restriction - Institutions) For the current fiscal year, state-supported institutions of higher learning that receive funds appropriated or authorized through the general appropriations act shall be restricted from requiring proof of COVID-19 vaccination, the wearing of a facemask, or a COVID-19 diagnostic test result, for any student as a condition of enrollment, attendance at on campus instruction, use of facilities, or residence on campus. The COVID-19 diagnostic test result shall also extend to a COVID-19 antibody test. In instances of off-campus learning events for which third party program providers require proof of vaccination, the third party requirements shall apply.

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SENATOR CORBIN

117.fp. (GP: Film Production) From the funds authorized to the Department of Parks, Recreation and Tourism for the South Carolina Film Commission, in order to recruit and encourage film production in this State, the Department and the Department of Commerce, through the Commission, shall coordinate and collaborate to make recommendations for any potential film or film-related business requesting participation in the Motion Picture Incentive Act. The Department and the Department of Commerce shall report the recommendations to the Chairmen of the Senate Finance Committee and House Ways and Means Committee by June 30, 2024.

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SENATOR SETZLER

117.1a. (Land Acquisitions) Prior to entering into contracts to utilize funds appropriated or authorized by the General Assembly to acquire interests in land for natural resource protection and rural land preservation, including conservation easements, the Department of Natural Resources, Department of Parks, Recreation, and Tourism, Office of Resilience, and Forestry Commission (Resource Agencies) shall coordinate and collaborate with the SC Conservation Bank to maximize the most cost effective options available for the acquisition with the greatest public benefit. The Conservation Bank shall coordinate with the Resource Agency to ensure that the funds are used for projects that support the agency's objectives, the State's broader conservation objectives, and that demonstrate a satisfactory degree of financial leverage, partnerships, and other indicators of quality as determined by the Bank and Resource Agency.

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SENATOR SETZLER

118.gagr. (Growing Agribusiness Fund Report) The Department of Agriculture shall prepare a report on the utilization of the Growing Agribusiness Fund that includes the amount of each grant awarded, the recipient of the funds, the date of the grant award, and the qualifications met by the recipient upon review by the Department of Agriculture Infrastructure Incentives Panel. The report shall be submitted quarterly to the Chairmen of the Senate Finance Committee, the House Ways and Means Committee, the Senate Finance Natural Resources and Economic Development Subcommittee, and the House Ways and Means Economic Development Subcommittee.

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88. SPA: Transfer of Interest in Joint Venture Analysis Of the funds previously appropriated to the South Carolina State Ports Authority (SCSPA) in the Jasper Ocean Terminal Facility Permitting and Infrastructure Fund, SCSPA is directed to distribute, in installments and subject to the approvals as hereinafter provided, up to \$1,500,000 to the Southern Carolina Regional Development Alliance (SCRDA) for SCRDA's service as an intermediary and service provider on behalf of a coalition of its interested member counties with economic interests in Jasper County's ocean terminal-related improvements to procure legal, financial, and other professional services necessary to analyze, and to the extent appropriate, engage in negotiations with the Georgia Ports Authority (GPA) regarding a potential assignment of SCSPA's one-half interest in the Jasper Ocean Terminal Joint Venture Agreement to either SCRDA or an entity comprised of its interested member counties. Prior to receiving funds from SCSPA, SCRDA shall submit a written request to the Department of Commerce for the review and written approval of a distribution from SCSPA to SCRDA, which approval shall not be unreasonably withheld, with a copy of the written request by SCRDA and the written approval from the Department of Commerce to be provided to SCSPA prior to the distribution of funds. On or before January 31, 2024, SCRDA shall submit a written report to the President of the South Carolina Senate, the Speaker of the South Carolina House of Representatives, and the Governor of South Carolina, summarizing the substance of its negotiations and communications with GPA and recommending a course of action for consideration.

Senator Williams

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25.fdmc (TEC: Florence-Darlington Marion Campus) Funds appropriated in this act to Florence-Darlington Technical College for Maintenance, Renovation, and Replacement may be used to conduct a feasibility study and engineering related to the construction of a Marion County Campus.

Conform to funding

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SENATOR SHEALY

1.68. (SDE: Student Meals) For the current fiscal year, all school districts shall conduct an updated analysis 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 because participation causes a financial hardship, the local board of trustees shall adopt a resolution stating that it is unable to participate in CEP and demonstrate ~~the reasons why~~ the financial hardship. 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 publicly identify or penalize a student who is unable to pay for a meal or accrues meal debt for any reason including, but not limited to, denying meals, serving alternative meals, discarding meals after serving them to a student, requiring chores or work in exchange for meals, prohibiting participation in extracurricular activities, denying participation in graduation, withholding diplomas, or refusing transcript requests. 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.

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Senator McElveen

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117.1sr (GP: Life Scholarship Retention)

For the current fiscal year, of the funds allocated to the Commission on Higher Education for Life Scholarships, no monies shall be withheld from a student otherwise eligible for their second year of Life Scholarship funding based solely upon a grade earned in a dual enrollment class.

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SENATOR HEMBREE

117.144. (GP: Employee Compensation) The amounts appropriated to F300-Statewide Employee Benefits for Employee Pay Increases must be allocated by the Department of Administration, Executive Budget Office to the various state agencies to provide for employee pay increases in accordance with the following plan:

(1) With respect to classified and non-judge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000.

(2) With respect to unclassified and non-judge judicial unclassified employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000. Any employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.

(3) With respect to unclassified employees of institutions of higher education and technical colleges eligible in this item, institutions and technical colleges are authorized to allot the total funds for compensation increases among individual employees without uniformity. The funds provided for compensation increases for any employee subject to the provisions of this item are based on an annual average \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000 increase and may be based on performance.

(4) Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000.

(5) With respect to Transformation Coaches at the Department of Education and local health care providers, compensation increases shall be \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000 effective on the first pay date that occurs on or after July first of the current fiscal year. School Bus Driver salary and fringe funding to school districts shall be increased by \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000.

(6) Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000.

(7) Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000.

For Fiscal Year ~~2022-23~~ 2023-24, the Executive Budget Office is directed to review Executive Branch agencies to determine whether their budgets warrant another fund authorization increase due to the \$2,500 for FTEs making \$83,000 and under and three percent for FTEs making over \$83,000 compensation increase for all full-time employees. If so warranted, the Executive Budget Office shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.

The Department of Administration shall allocate associated compensation increases for retirement employer contributions based on the retirement rate of the retirement system in which individual employees participate.

The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency's base budget.

Funds appropriated in Part IA, F300, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year.

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SENATOR GOLDFINCH

47.whm. (DNR: Wildlife Habitat Management) Funds appropriated to the department shall be used to conduct wildlife habitat management activities on the Department of Parks, Recreation, and Tourism property in Georgetown County known as Ramsey Grove. The Department may provide opportunities for limited public waterfowl hunts on the property through the department's Wildlife Management Area program.

Senator Hembree

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JS

117.135. (GP: Transfer Student Credits) The Commission on Higher Education shall continue to work with the State Board for Technical and Comprehensive Education and the public institutions of higher learning to develop policies, to guarantee students implement the recommendations of the South Carolina Transfer Task Force's Transfer and Articulation Action Plan. ~~Students who have earned an Associate of Arts or Associate of Science degree from a public two-year institution of higher learning shall receive a minimum of sixty transfer credit hours at a public four-year college or university and shall be given a junior status at the college or university. Course prerequisites and minimum credit requirements for awarding degrees shall still apply. Additionally, the public four-year institutions and public two-year institutions shall implement reverse transfer policies for South Carolina college students who enroll at a four-year institution without completing the Associate of Arts or Associate of Science degree. Upon successful completion of coursework and hours at the public four-year institution and with permission of the student, credits earned at the institution will be transferred back to the originating South Carolina two-year institution and applied toward an associate degree. Course prerequisites and minimum credit requirements for awarding degrees shall still apply. Implementation of the provisions shall be effective no later than April 30, 2024.~~ The Commission shall report on the implementation of these policies to the Chairmen of the Senate Finance Committee, House Ways and Means Committee, Senate Education Committee, and House Education and Public Works Committee by April 30, 2023 2024.

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SENATOR CROMER

81.ha. (LLR: Healthcare Access) In order to preserve healthcare access in anticipation of the sunset of the Public Readiness and Emergency Preparedness Act (PREP Act) during Fiscal Year 2023-24, the following are authorized and the Department of Labor, Licensing and Regulation must expend necessary funds to publicize on the websites of the Board of Pharmacy & Board of Medical Examiners:

(1) pharmacists may initiate, order, and administer flu and COVID tests and may delegate the authority to administer these tests to a trained pharmacy technician or pharmacy intern, but interpretation of the results must not be delegated; and

(2) pharmacists may delegate the administration of vaccines to a pharmacy technician so long as:

(a) the pharmacist is readily and immediately available to the person who they are supervising;

(b) the pharmacy technician has completed vaccination training described in Section 40-43-190(B)(1); is certified through a basic life support or CPR provider-level course that is jointly approved by the Board of Medical Examiners and the Board of Pharmacy; is either state-certified or has administered vaccinations and received training pursuant to the PREP Act prior to July 1, 2023; and registers with the Board of Pharmacy as an authorized vaccination provider; and

(c) completes at least one hour of continuing education during the current fiscal year regarding administration of vaccinations.

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Senator Grooms

98.fbc. (TREAS: Fund Balances & Closing Packages) For the current fiscal year, the Office of the State Treasurer shall provide the Office of the Comptroller General all cash and investment fund balances by aggregation of funds by unique disclosure entity for the purposes of cash reconciliation and annual comprehensive financial report compilation. Further, the Office of the State Treasurer shall fully comply with information requested in the form of closing packages from the Office of the Comptroller General for the same purposes.

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SENATOR YOUNG

20.mrr. (USC: Maintenance, Renovation, and Replacement) Funds appropriated in this act to University of South Carolina-Aiken for Maintenance, Renovation, and Replacement may be used to offset impacts on its campus by the construction of any building for the U.S. Department of Energy's Advanced Manufacturing Collaborative.

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