

## S.435

### Section by Section Summary

Bill Section	SC Code Section	SC Code Subject	Description	Amendment
1	N/A	N/A	States that the intent of the bill is to make technical and conforming changes to the Code to reflect the dissolution of the Budget & Control Board (B&CB) pursuant to the Restructuring Act of 2014	N/A
2	1-7-85	Attorney General	Replace (B&CB) approval with State Fiscal Accountability Authority (SFAA) approval	N/A
3	1-7-160	Attorney General	Replace B&CB with Department of Administration (DOA)	N/A
4	1-7-170(A)	Attorney General	Replace B&CB with DOA	N/A
5	1-11-141(A)	Insurance Reserve Fund (IRF)	Replace B&CB with SFAA	Replace B&CB with IRF of the SFAA
6	1-11-141(C)	IRF	Replace B&CB with SFAA	Replace B&CB with IRF of the SFAA
7	1-11-145	IRF	Replace B&CB with SFAA	Replace B&CB with IRF of the SFAA
8	1-11-147	IRF	Replace B&CB with SFAA	Replace B&CB with IRF of the SFAA
9	1-11-160	Division of General Services	Replace General Services Division with Division of General Services <u>and</u> replace B&CB with DOA	N/A
10	1-11-405	Aircraft Leases/Purchases	Replace B&CB with SFAA	N/A
11	1-11-460	IRF	Replace B&CB with SFAA and Division of Insurance Services with Insurance Reserve Fund (IRF)	N/A
12	2-7-69(A)	Report on New FTEs	Replace B&CB with Executive Budget Office (EBO)	N/A
13	6-27-20	Local Government Fund (LGF) Mid-year Cuts	1. Section refers to mid-year cuts mandated by the B&CB. Replace B&CB with "the EBO or the General Assembly, as appropriate, pursuant to section 11-9-890(B)". 2. Section also states LGF is not subject to mid-year cuts except by majority vote of the B&CB. Replace B&CB with SFAA.	N/A
14	8-1-190	Agency Productivity Pilot Programs	Replace B&CB with DOA	N/A

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15	8-11-165	Agency Head Salaries	1. Regarding approval of employee salaries, replace B&CB with "DOA and the Agency Head Salary Commission." 2. Regarding president and agency head salaries, delete B&CB reference, leaving approvals to Agency Head Salary Commission.	N/A
16	8-11-170(A)	Agency Head Dual Employment	Delete B&CB reference, leaving approvals to Agency Head Salary Commission.	N/A
17	8-11-186	Request for New Interim FTEs	Replace B&CB with EBO	N/A
18	8-11-193	State Employee Furloughs	Replace B&CB with Director of the EBO	N/A
19	8-11-195(A)	State Employee Furloughs	Replace B&CB with DOA (regarding who formally certifies that revenues will likely result in a deficit after the BEA has made such an estimate)	Replace B&CB certification of revenues with certification "pursuant to Section 11-9-890."
20	8-11-195(B)	State Employee Furloughs	Replace B&CB with DOA	N/A
21	8-11-700(5)	State Employee Leave	Replace "Human Management Division of the B&CB" with "Office of Human Resources of the DOA"	N/A
22	8-11-920(2)	State Employee Pay Plan	Replace B&CB with DOA	N/A
23	10-1-105	State Buildings	Replace B&CB with Director of the DOA	Also, add the word, "otherwise" for phrase to read, "Unless <u>otherwise</u> agreed to..."
24	10-1-130	Easements over State Property	Regarding easement approvals, strike "upon the concurrence and acquiescence of the State B&CB," and replace with "subject to the provisions contained in Section 1-11-65(A)," which is the section dealing with approvals for transactions involving state-owned real property.	N/A

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25	10-1-135	Encroachments over State Property	Replace B&CB with "DOA, or the SFAA, as appropriate"	N/A
26	10-1-163(B)	Monuments /Portraits	Replace "General Services, Division of the State Budget and Control Board" with "the Division of General Services of the DOA."	N/A
27	10-1-180	Permanent Improvement Projects	1. Replace B&CB with "DOA or the SFAA, as appropriate." 2. Replace B&CB with DOA. 3. Replace Joint Bond Review Committee with DOA. 4. Replace "Director of Office of General Services" with SFAA.	1. Also, add "pursuant to Section 1-11-185(A) or as otherwise provided by law," which section relates to approvals for permanent improvement projects.
28	10-7-80	School Buildings	Replace B&CB with "SFAA and DOA"	N/A
29	11-9-30	Transferring Funds Between Agencies	Replace B&CB with SFAA	Replace B&CB with EBO. Relates to money transfers from one agency to another
30	11-9-810	BEA Reporting	1. Strike, "the present system of advising the B&CB and General Assembly on economic trends has, at times, developed in a fragmented manner"... 2. Replace "Office of the Board of Economic Advisors" with "Revenue and Fiscal Affairs Office" (RFAO)	N/A
31	11-11-15	Governor's Budget Recommendations	Strike language describing the former role of the B&CB in preparing initial budget recommendations as devolving to the Governor and replace with, "The Governor shall annually prepare and submit to the General Assembly a recommended state budget."	N/A

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32	11-11-170(B)(4)	Master Settlement Agreement	Replace "Office of Local Government of the Division of Regional Development of the B&CB" with Division of Local Government of the Rural Infrastructure Authority."	N/A
33	11-11-180(A)	Annual Report of General Funds Revenues & Expenditures	1. Replace B&CB with "EBO and RFAO." 2. Strike language describing B&CB meetings to discuss a general fund deficit and replace with "the deficit must be addressed in the manner that revenue forecasts shortfalls are addressed in Section 11-9-890(B)," which is the section relating to action necessary in the event of a deficit.	N/A
34	11-11-320(D)(1)	Capital Reserve Fund	Replace B&CB with SFAA	N/A
35	11-11-420(B)	FTEs	Change the word "insure" to "ensure"	N/A
36	11-49-100	Tobacco Settlement Revenue Management Authority Act	Replace B&CB with SFAA	N/A
37	11-53-10	SC Enterprise Information System (SCEIS)	Refers to mid-year cuts ordered by the B&CB. Replace B&CB with "imposed pursuant to Section 11-11-890(B)."	Replace the typo "11-11-890(B)," with "11-9-890(B)," which is the section relating to action necessary in the event of a deficit.
38	12-10-100(C)	Coordinating Council for Economic Development Reporting	Replace B&CB with "SFAA and the Governor"	N/A
39	12-62-70(A)(1)	Use of State Property for Motion Pictures	Replace "Office of General Services Division of the State B&CB" with "Division of General Services of the DOA"	N/A

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40	13-1-45(B)	Dept. of Corrections (SCDC): SC Water & Wastewater Infrastructure Fund	Replace B&CB with SFAA	N/A
41	13-1-1000(1)	Aeronautics Commission	Replace B&CB with SFAA	N/A
42	13-1-1010	Aeronautics Commission	Replace B&CB with SFAA	N/A
43	23-47-65(A)(1)	911 Advisory Committee	Replace B&CB with DOA	N/A
44	24-1-250(A)	Sale of Timber on State Property Operated by SCDC	Replace B&CB with DOA	N/A
45	24-1-290(D)	SCDC-Prison Industries	Replace language requiring contract review by the B&CB with "conducted in a manner consistent with the provisions of the State Consolidated Procurement Code."	N/A
46	24-3-20(C)	SCDC-Inmate Labor for Litter Control	Replace B&CB with "EBO and RFAO"	N/A
47	31-3-1690	Securities of Housing Authorities	Regarding language stating no authority is required to offer its securities to the B&CB, replace B&CB with "the SFAA, DOA, or any other governmental entity."	N/A
48	38-13-180	IRF	Replace B&CB with SFAA	N/A
49	38-13-190(2)	IRF	Replace B&CB with "SFAA and the Governor"	N/A
50	38-57-45	No State Endorsement of Insurance Programs	1. Replace B&CB with Department of Insurance. 2. Replace B&CB with Public Employee Benefit Authority (PEBA)	N/A
51	41-31-820	Unemployment Trust Fund- Unemployment enefits to State Government Employees	Replace B&CB with DOA	N/A

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52	41-33-470	Department of Employment and Workforce (DEW) Administration Fund	Replace B&CB with EBO	Delete the word "State," which was part of the phrase "State Budget and Control Board."
53	43-1-70	DSS Employee Salaries	Replace B&CB with "Director of the DOA"	N/A
54	43-5-1275	Office of Research & Statistics- DSS Electronic Data Interchange Standards	1. Replace "B&CB, Office of Research and Statistics Information Resource Planning and Management" with "Division of Technology of the DOA." 2. Delete last sentence requiring agency reports for two years beginning in 1995, which time has now passed.	N/A
55	44-1-40	DHEC- Director's Salary	Replace B&CB with Agency Head Salary Commission	N/A
56	48-23-290	Sand Hills State Forest	Replace B&CB with EBO	N/A
57	48-39-130(C)	Dredging Permits at Coastal Tidelands	Add "prior to July 1, 2015" to refer to state permits issued by the B&CB	N/A
58	48-39-220(A)	Ownership of Tidelands	Replace "secretary of the B&CB" with "DOA, with notice provided to the Attorney General and the Department of Health and Environmental Control."	N/A
59	48-43-390(A)	Lease of State Property for Drilling of Oil & Gas	Replace B&CB with SFAA	Add after SFAA, "subject to review by the Joint Bond Review Committee as required by law."
60	48-52-620(D)	State Energy Office	Replace B&CB with State Energy Office	N/A
61(A)	48-52-810(1)	Energy Independence & Sustainable Construction Act of 2007	Replace B&CB with State Energy Office	N/A

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61(B)	48-52-820(12)	Energy Independence & Sustainable Construction Act of 2007	Replace "board" with "office," referring to the State Energy Office	N/A
61(C)	48-52-825(A)	Energy Independence & Sustainable Construction Act of 2007- Energy Efficiency Rating System	Replace "board" with "office," referring to the State Energy Office	N/A
61(D)	48-52-830	Energy Independence & Sustainable Construction Act of 2007- LEED Certification Standards	Replace "board" with "office," referring to the State Energy Office	N/A
61(E)	48-52-840(C)	Energy Independence & Sustainable Construction Act of 2007- LEED Certification Standards	Replace "board" with "office," referring to the State Energy Office	N/A
61(F)	48-52-850(C)	Energy Independence & Sustainable Construction Act of 2007- Green Globes Certification	Replace "board" with "office," referring to the State Energy Office	N/A
61(G)	48-52-860	Energy Independence & Sustainable Construction Act of 2007- Reporting	Replace "board" with "office," referring to the State Energy Office	N/A
62	49-19-630	Drainage Districts- Chief Engineer	Delete B&CB reference	N/A
63	49-19-1440(2)	Drainage Districts- Board of Supervisors	Replace B&CB with "State of South Carolina"	N/A

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64	49-29-100 (3rd ¶)	Lands Adjacent to Scenic Rivers	Replace B&CB with "DOA upon authorization of the SFAA"	N/A
65	49-29-100 (4th ¶)	Lands Adjacent to Scenic Rivers	Replace B&CB with DOA	N/A
66	50-5-2720	Atlantic States Marine Fisheries Commission	Replace B&CB with "SFAA and the Department of Natural Resources"	N/A
67	51-1-60	PRT- Acquisition of Property	Replace B&CB with DOA and/or SFAA	N/A
68	54-3-119	State Ports Authority- Sale of Property on Daniel Island and St. Thomas Island	1. Extends date property is to be under contract to be sold from December 31, 2012 to December 31, 2015. 2. Replace B&CB with SFAA	N/A
69	55-1-1	Aeronautics Commission	Replace B&CB with SFAA	N/A
70	55-1-5(10)	Aeronautics Commission	Replace B&CB with SFAA	N/A
71	55-11-10(5)	Aeronautics Commission- Clemson University	Replace B&CB with SFAA	N/A
72	55-15-10(f)	Aeronautics Commission	Replace B&CB with SFAA	N/A
73	56-3-840	Motor Vehicle Registration & License Fees	Replace B&CB with "DOA or SFAA, as appropriate"	Delete last 3 sentences, which relate to authorization to purchase a new administration building for the Department of Public Safety, which facility has already been acquired.
74	56-3-4910(B)	DMV- SC Firefighters License Plates	Replace B&CB with LLR	N/A



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<b>Bill Section</b>	<b>SC Code Section</b>	<b>SC Code Subject</b>	<b>Description</b>	<b>Amendment</b>
75	57-11-235	State Highway Bonds	Replace B&CB with SFAA	N/A
76	58-9-2550(1)	Telephone Service for Hearing & Speech Impaired Persons	Replace B&CB with SFAA	Replace B&CB with "DOA or SFAA, as appropriate"
77	59-10-370	School Nutrition Standards- Funding	Regarding fiscal impact statements required by the B&CB, clarify by adding "prior to July 1, 2014, and the RFAO after July 1, 2014.	N/A
78	59-19-93	School District Procurement Codes	Replace "Division of General Services of the B&CB" with SFAA	N/A
79	59-67-710	Insurance on School Buses	Replace "Director of General Services with the approval of the B&CB" with SFAA	N/A
80	59-67-780	Insurance on School Buses	Replace "Director of the Sinking Funds and Property Division of the B&CB" with SFAA.	N/A
81	59-67-790	Insurance on School Buses	Replace "Director of the Division of General Services" with SFAA	N/A
82 & 89	59-111-30	Funding of SC Defense Scholarship Fund	Replace B&CB with SFAA	Repeal Section-Scholarship no longer offered or funded.
83	59-112-60(B)	Tuition Assistance for Employees of Higher Education Institutions	Delete B&CB reference	N/A
84	59-112-70(B)	Tuition Under Internatyional Sister-state Agreement Program	Replace B&CB with SFAA	N/A
85	59-119-165	Clemson PSA (Public Service Activities)	Replace B&CB with DOA	N/A

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86	59-136-505(A)	Coastal Carolina University (CCU)- State Bonds	1. Regarding CCU bonds issued by the B&CB, clarify reference as bonds issued by the "formerly constituted" B&CB. 2. Also, add language to clarify that any future action relating to these bonds shall be taken by the SFAA.	N/A
87	59-136-395	CCU- State Bonds	Add this new section to clarify that any future action relating to bonds issued by the former B&CB shall be taken by the SFAA.	N/A
88	59-150-390	Department of Education- K-12 Technology Funding	Replace "B&CB Office of Information Reasources" with DOA	N/A
New Section	11-11-140(B)	Method of Accounting	N/A	In amendment, add this section to replace B&CB with RFAO (referring to the agency that may determine a change in the method of accounting.)
89	1-11-22	B&CB Staff	Section Repealed- No longer needed	N/A
89	1-11-23	B&CB- Director of Budget Division	Section Repealed- No longer needed	N/A
89	1-11-360	Office of Pricinct Demographics	Section Repealed- No longer needed	N/A
89	1-11-400	Central Correctional Institution (CCI)	Section Repealed- No longer needed	N/A
89	1-25-70	Agency Human Services Project Evaluation	Section Repealed- No longer needed	N/A
89	2-7-65 (2nd ¶)	Joint Legislative Appropriations Review Committee	Section Repealed- No longer needed	N/A
89	9-4-10	Public Employee Benefit Authority (PEBA)	Section Repealed- No longer needed	Amended to repeal 9-4-10(H) only

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89	10-1-163(A)	State House Renovations	Section Repealed- No longer needed	N/A
89	10-1-179(A)	African American History Monument Commission	Section Repealed- No longer needed	N/A
89	10-1-206	Library Internet Filtering Software	Section Repealed- No longer needed	N/A
89	44-20-30(19)	Unnecessary reference to B&CB	Section Repealed- No longer needed	N/A
89	48-23-270	Expired Forest Management Program	Section Repealed- No longer needed	N/A
89	48-23-280	Expired Forest Management Program	Section Repealed- No longer needed	N/A
89	51-1-70	Transfer of PRT Funds by B&CB	Section Repealed- No longer needed	N/A
89	51-13-860	B&CB Loan to Patriot's Point to Settle Claims	Section Repealed- No longer needed	N/A
89 & Newly Added Section	59-7-50	B&CB Approval of ETV Contributions	Section Repealed- No longer needed	Section is added back in, but amended to delete portion of the section that requires B&CB approval for the acceptance and use of any contributions.
89	59-10-370	Fiscal Impact for Implementation of School Nutrition Standards	Section Repealed- No longer needed	Inadvertently added to the list of sections to be repealed. Delete from Section 89. Amended in Section 77.
89	59-59-250	Fiscal Impact for Implementation of SC Education & Economic Development Act	Section Repealed- No longer needed	N/A

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89	59-136-500	Transfers from Coastal Carolina College to Coastal Carolina University (CCU)	Section Repealed- No longer needed	N/A
89	59-136-505(C)	Payment of CCU Bonds by B&CB	Section Repealed- No longer needed	N/A
89	9-16-315(G)	Investment of Funds	N/A	Section Repealed- No longer needed. Transfers duties of the State Budget and Control Board as investor in equity securities and the State Treasurer's function of investing in fixed income instruments to the Retirement System Investment Commission, which has already occurred.
89	59-130-35	College of Charleston-Sale of Remley's Point	N/A	Section Repealed- No longer needed. Property already sold.
90	N/A	N/A	Asserts that all sections of the bill relate to the same subject, as constitutionally required, in that each amendment relates to government restructuring.	N/A
91	N/A	N/A	States that the amendments made in the bill do not affect pending actions under any provision amended.	N/A
92	N/A	N/A	States that if any section is deemed unconstitutional or invalid, the remaining provisions will remain in full force and effect.	N/A
93	N/A	N/A	States that the effective date of the enacted bill is July 1, 2015.	N/A