

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SECTION 1 - H630 - DEPARTMENT OF EDUCATION

- 1.8** **AMEND** (Educational Responsibility/Foster Care) Sets responsibilities and guidelines for placement of students in foster care, group homes, orphanages, or state operated health care facilities, including facilities for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities.
WMC: AMEND proviso to direct that when a child is discharged or released from a treatment facility, the agency that places the child in the receiving school must work with the school district where the child will live to assure continuity of education. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

1.8. (SDE: Educational Responsibility/Foster Care) The responsibility for providing a free and appropriate public education program for all children including disabled students is vested in the public school district wherein a child of lawful school age resides in a foster home, group home, orphanage, or a state operated health care facility including a facility for treatment of mental illness or chemical dependence and habilitation centers for persons with intellectual disabilities or persons with related conditions located within the jurisdiction of the school district or alternative residences. The districts concerned may agree upon acceptable local cost reimbursement. If no agreement is reached, districts providing education shall receive from the district where the child last resided before placement in a facility an additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. If a child from out of state is residing in a facility owned and/or operated by a for profit entity, the district providing educational services shall be reimbursed by the for profit entity the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. This also applies to John de la Howe School who also has the authority to seek reimbursement in any situation that the school district has participation in the placement of the student. John de la Howe School shall be reimbursed the local district's local support per weighted pupil above the statewide average base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act. Participation will be evidenced by a written agreement from the IEP team or 504 team, written referral, or the school district initiating the placement process. School districts providing the education shall notify the nonresident district in writing within forty-five calendar days that a student from the nonresident district is receiving education services pursuant to the provisions of the proviso. The notice shall also contain the student's name, date of birth, and disabling condition if available. If appropriate financial arrangements cannot be effected between institutions of the state, including independent school districts under the authority of the Department of Disabilities and Special Needs, and school districts, institutions receiving educational appropriations shall pay the local base student cost multiplied by the appropriate pupil weighting. Children residing in institutions of state agencies shall be educated with nondisabled children in the public school districts if appropriate to their educational needs. Such institutions shall determine, on an individual basis, which children residing in the institution might be eligible to receive appropriate educational services in a public school setting. Once these children are identified, the institution shall convene an IEP meeting with officials of the public school district in which the institution is located. If it is determined by the committee that the least restrictive environment in which to implement the child's IEP is a public school setting,

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

then the school district in which the institution is located must provide the educational services. However, that school district may enter into contractual agreements with any other school district having schools located within a forty-five mile radius of the institution. The cost for educating such children shall be allocated in the following manner: the school district where the child last resided before being placed in an institution shall pay to the school district providing the educational services an amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting as set forth in Section 59-20-40 of the Education Finance Act; the school district providing the educational services shall be able to count the child for all funding sources, both state and federal. The institution and school district, through contractual agreements, will address the special education and related services to be provided to students. Should the school district wherein the institution is located determine that the child cannot be appropriately served in a public school setting, then the institution may request a due process hearing pursuant to the procedures provided for in the Individuals with Disabilities Education Act.

The agreed upon acceptable local cost reimbursement or the additional amount equivalent to the statewide average of the local base student cost multiplied by the appropriate pupil weighting set forth in Section 59-20-40, for instructional services provided to out-of-district students, shall be paid within sixty days of billing, provided the billing district has provided a copy of the invoice to both the Superintendent and the finance office of the district being invoiced. Should the district not pay within sixty days, the billing district can seek relief from the Department of Education. The department shall withhold EFA funding equal to the billing from the district refusing to pay and submit the funding (equal to the invoice) to the billing school district.

The agency placing a child in any situation that requires changing school districts, must work with the schools to assure that all required school records, including confidential records, are transferred from the sending to the receiving school within three working days. School records to be transferred should include grade transcripts, state birth certificate, certificate of immunization, social security card, attendance records, discipline records, IEP's, psychological reports (or notation in the school records that a psychological report on the child is available at the school district office) and any other records necessary for the appropriate placement of the child in the new school. School districts must release all records upon presentation of a court order or appropriate permission for confidential release. If evaluation or placement is pending, the receiving school district is responsible to secure information and to complete the placement. The receiving school will maintain appropriate confidentiality of all records received on a child. Upon discharge or release from the treatment facility, the agency placing the child in the receiving school must work with the school district where the student will reside after treatment to assure continuity of the student's education.

1.12 DELETE (School Lunch Program Aid) Specifies the method of allocation, prior year participating number of schools divided by appropriation, allowable use of school lunch program funds, and prohibits funds from being used to supplement school lunch supervisor salaries.

WMC: DELETE proviso. *Line item of \$28,500 will be rolled into the X.A. EFA line item.*
Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**1.12.** (SDE: School Lunch Program Aid) The amount appropriated herein for School Lunch Program Aid shall be divided among the District and/or County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each district during the prior school year. The travel expenses of the District and/or County~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~School Lunch Supervisor shall be paid from this appropriation at the prevailing rate of mileage allowed by the State. These funds may be used as an aid in improving the School Lunch Program. These funds may not be used to supplement the salaries of school lunch supervisors. In the absence of a County Board of Education in multi-district counties, the funds will be divided among the school districts of the county on the basis of the number of schools participating in the School Lunch Program in each district during the prior school year.~~

- 1.38** **AMEND** (Education Finance Act Reserve Fund) Establishes the EFA Reserve Fund. Directs that unexpended EFA general funds are to be transferred to the reserve fund. Directs that if there are not sufficient funds appropriated to fully fund the base student cost, the reserve fund may be used to supplement the funds appropriated. Authorizes unexpended funds to be carried forward.
WMC: AMEND proviso to authorize the department to use these funds to purchase buses if the department determines by June 30th that the funds are not needed to supplement the EFA. Requested by Department of Education.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

1.38. (SDE: Education Finance Act Reserve Fund) There is created in the State Treasury a fund separate and distinct from the General Fund of the State and all other funds entitled the Education Finance Act Reserve Fund. All unexpended general funds appropriated to the Department of Education for the Education Finance Act in the current fiscal year shall be transferred to the Education Finance Act Reserve Fund. In the event that the amount appropriated for the Education Finance Act is insufficient to fully fund the base student cost as established by this act, revenues from the Education Finance Act Reserve Fund may be used to supplement the funds appropriated. By June 30th of the current fiscal year, if the department determines that the funds are not needed to supplement the Education Finance Act, the department may utilize the funds for bus purchase. The General Assembly may make direct appropriations to this fund. All unexpended funds in the Education Finance Act Reserve Fund and any interest accrued by the fund must remain in the fund and may be carried forward into the current fiscal year.

- 1.58** **AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for CDEPP (Early Reading Development and Education Program. Provides for public and private providers to be reimbursed for instructional costs at a rate of \$4,422 per student enrolled and for private providers to be reimbursed for transportation at a rate of \$563 per eligible child transported. Requires \$300,000 be allocated to the EOC to conduct an annual evaluation of CDEPP to issue findings in a report to the General Assembly by January 15th. *Note: Companion EIA proviso is IA.29.*
WMC: AMEND proviso to change the funding provided for public and private providers from “\$4,422” to “\$4,510” per student and change the private providers transportation reimbursement from “\$563” to “\$574” per eligible child transported. Delete reference to “end of year adjustments” for PowerSchool funding.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

1.58. (SDE: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers shall be funded for instructional costs at a rate of \$4,422 ~~\$4,510~~ per student enrolled. Eligible students enrolling during the school year or withdrawing during the school

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

year shall be funded on a pro rata basis determined by the length of their enrollment. Private providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$563~~ \$574 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool ~~and end of year adjustments shall be~~ based on the one hundred and thirty-five day student average daily membership.

Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

1.66 **DELETE** (Board of Education Funds) Authorizes the department to carry forward Board of Education funds and permits the State Board of Education to use these funds for innovative educational opportunities and projects. Requires the board to develop guidelines and to publish them on their website.

WMC: DELETE proviso. *The department indicates that due to an increase in the number of teacher certification cases heard by the State Board, it is anticipated that there will be no funds to be carried forward.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~1.66. (SDE: Board of Education Funds) For the current fiscal year, the Department of Education is authorized to carry forward funds appropriated in Part IA, Section 1, II. Board of Education. The State Board of Education is permitted to utilize these funds for innovative educational opportunities and projects. The Board of Education shall develop guidelines and publish them on the board's website.~~

- 1.68** **AMEND** (First Steps 4K Technology) Authorizes First Steps to spend up to \$75,000 of 4K carry forward funds to purchase electronic devices, with certain restrictions, for administering required school readiness assessments to children enrolled in the full-day 4K program in private centers. Requires First Steps to provide a report on these expenditures to the Chairmen of the Senate Finance and Ways and Means Committees by January 15, 2018.

WMC: AMEND proviso to update report due date from January 15, "2018" to "2019."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1.68. (SDE: First Steps 4K Technology) During the current fiscal year, South Carolina Office of First Steps to School Readiness is authorized to expend up to \$75,000 from the four-year-old kindergarten carry forward funds to purchase electronic devices for the administration of required school readiness assessments to children enrolled in the full-day 4K program in private centers in the current fiscal year. The State Office of First Steps may purchase one device, which would be the property of the Office of First Steps, for every ten centers serving children in the program. The regional coordinators who provide support to the centers shall coordinate the usage of the devices among the centers. First Steps shall provide a report documenting its technology and materials expenditures to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 15, ~~2018~~ 2019.

- 1.69** **DELETE** (Teacher Salary Schedule Structure) Directs the department to convene certain stakeholders to examine and make recommendations on changes to the statewide minimum state teacher salary schedule and include extending steps, the beginning teacher salary and each district's salary schedule structure in the examination. Directs that information on salary needs for each of the districts that are or were in the original trial and plaintiff school districts in the Abbeville law suit be included. Directs that recommendations on modifying the structure of the teacher salary schedule along with the potential fiscal impact of implementing the modifications be provided to the Chairmen of the Senate Finance and House Ways and Means Committees by October 1, 2017.

WMC: DELETE proviso. *The report has been submitted.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~1.69. (SDE: Teacher Salary Schedule Structure) The Department of Education shall convene stakeholders to include: Palmetto State Teachers Association, South Carolina School Business Officials, South Carolina Association of School Administrators, South Carolina School Boards Association, South Carolina Education Association, the Education Oversight Committee~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~and CERRA to examine and make recommendations regarding changes to the statewide minimum state teacher salary schedule to include extending the steps on the state teacher salary schedule; an examination of the beginning teacher salary; and an examination of each district's salary schedule structure. The department shall also include information from each of the districts who are, or were, the original trial and plaintiff school districts in the Abbeville law suit regarding salary needs in those districts. Recommendations shall be provided on the modification of the teacher salary schedule structure and the potential fiscal impact on implementing the modification recommendations to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October 1, 2017.~~

1.72 **AMEND** (CDEPP Unexpended Funds) Provides for the retention and expenditure of prior year CDEPP funds by First Steps and requires a report to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion EIA proviso is 1A.61.*

WMC: AMEND proviso to update fiscal year references to "2018-19." Specify that if by August 1st it is determined there are funds available for districts to increase the length of the program, the funds must be allocated to eligible districts who have a documented waiting list and who "funded an extended program per this proviso in the prior school year." Require the department and First Steps, by August 1st, to collect documented waiting lists and determine a process to notify parents of available slots. Requested by Education Oversight Committee.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1.72. (SDE: CDEPP Unexpended Funds) For Fiscal Year ~~2017-18~~ 2018-19, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.

By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee - \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If by August first, the Department of Education or the Office of First Steps determines there will be funds available, funds shall be allocated on a per pupil basis for districts eligible for participation first, who have a documented waiting list, and funded an extended program per this proviso in the prior school year, then to districts to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. By August 1, the Department of Education and the Office of First Steps must collect the documented waiting lists and determine a process to notify parents of eligible students of available slots in all approved providers. If a district chooses to fund summer enrollment the program funding shall conform to the funding in this act for full year programs, however shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act and end of year adjustments shall be based on the one hundred and thirty five day student average daily membership or later student average daily membership for districts

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

choosing to extend the program past one hundred and eighty days. Funds may also be used to provide professional development and quality evaluations of programs.

No later than April first, the Department of Education and the Office of First Steps must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants.

- 1.75 DELETE** (Teacher Employment) Requires local school district superintendents or their designees to provide a teacher with a notice of dismissal and the opportunity for a hearing before the local board or its designee and provides guidelines for conducting the hearing, for reporting recommendations, and for affirming or withdrawing the notice of suspension or dismissal. Allows the decision to be appealed to the circuit court.
WMC: DELETE proviso. *Codified in Act 221 of 2016.* Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

~~1.75. (SDE: Teacher Employment) Of the funds appropriated in the current fiscal year, a local school district superintendent or his designee shall provide a teacher with notice of dismissal and an opportunity for a hearing before the local board or its designee. Further, a local board may authorize a South Carolina licensed, practicing attorney to serve as hearing officer to conduct a hearing on the matter and make a report of its recommendations to the board within forty five days after receipt of notice of appeal. A hearing officer may not be a member of the board or an employee of the district. If the board designates a hearing officer, the report and recommendations of the hearing officer must be presented to the board in the form of a written order. In considering the report and recommendations, the board must have available to it the exhibits presented at the hearing and shall permit limited oral argument on behalf of the district and the teacher, allowing each party thirty minutes to present its respective argument. The board shall uphold the decision of the hearing officer if the evidence shows good and just cause for dismissal. The board shall issue a decision affirming or withdrawing the notice of suspension or dismissal within thirty days. The decision of the board may be appealed to the circuit court.~~

- 1.77 DELETE** (Highly Qualified Teachers) Suspends the teacher certification requirements for highly qualified educators aligned to No Child Left Behind. Directs the department report to the General Assembly by February 1st on updated federal requirements under the Every Student Succeeds Act.
WMC: DELETE proviso. *With the passage of ESSA, all teachers must be properly certified, thus this proviso is no longer necessary.* Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

~~1.77. (SDE-Highly Qualified Teachers) For the current fiscal year teacher certification requirements for highly qualified educators aligned to No Child Left Behind shall be suspended. The department shall report to the General Assembly by February first on the updated Federal requirements under the Every Student Succeeds Act.~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

- 1.80** **DELETE** (Abbeville Equity Districts Comprehensive Report) Requires the department submit a comprehensive report to the General Assembly by January 1, 2018 on the current allocation of funds and services provided to the Abbeville equity districts.
WMC: DELETE proviso. *Report has been completed.*
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

1.80. (SDE: Abbeville Equity Districts Comprehensive Report) ~~Of the appropriations and provision of services that are provided in the current fiscal year's budget for the Abbeville equity districts, the Department of Education must submit a comprehensive report to the General Assembly by January 1, 2018 on the current allocation of funds to the Abbeville equity districts and the provision of services to these districts.~~

- 1.83** **AMEND** (First Steps 4K Underserved Communities) Directs First Step to use CDEPP funds to develop a pilot program to expand 4K enrollment in underserved communities that were eligible in the most recent fiscal year and direct that newly created and/or approved private providers, under certain conditions, may receive up to \$30,000 in supplemental, needs-based incentives. Requires providers that receive the supplement to participate in the program for at least 3 years and directs that failure to do so will result in First Steps determining what portion of the funds must be returned. Direct First Steps to submit an expenditure and expanded enrollment report to the Chairman of the House Ways and Means and Senate Finance Committees by March 15, 2018.
WMC: AMEND proviso to update report due date to March 15, "2019."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

1.83. (SDE: First Steps 4K Underserved Communities) Using funds appropriated for the Child Early Reading and Development Education Program, South Carolina First Steps shall develop a pilot program to expand four-year-old kindergarten enrollment within underserved communities eligible for participation during the most recent fiscal year. Newly created and/or newly approved private providers proposing to expand service to ten or more CERDEP eligible children in communities enrolling less than 80% of eligible students in a public, private, or Head Start setting during the prior fiscal year, may apply for up to \$30,000 in one-time supplemental, needs-based incentives designed to address building renovations, documented as necessary to bring proposed classrooms into compliance with licensing regulations, materials and staffing costs, and/or other obstacles currently preventing their participation in the First Steps 4K program. The First Steps Board of Trustees shall develop and approve an application process that incorporates formal review and fiscal safeguards designed to ensure grant funds are used solely to address documented barriers to program participation. Providers receiving this one-time supplement are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the supplemental allocation at a level determined by the Office of First Steps to School Readiness. First Steps shall submit a report detailing its process, expenditures and expanded enrollment to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee by March 15, ~~2018~~ 2019.

- 1.85** **DELETE** (Carry Forward) Directs the department to allocate \$30 million from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act. *Note: Companion EIA proviso is 1A.77.*

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

WMC: DELETE proviso. *All projects will have been funded by January, 2018.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~1.85. (SDE: Carry Forward) For Fiscal Year 2017-18, the Department of Education is directed to allocate \$30,000,000 from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act.~~

1.88 DELETE (Committee on Educator Retention and Recruitment) Directs the Superintendent of Education to convene a study committee to address educator recruitment and retention and to identify the causes of teacher shortages and the future demand for teachers. Directs the study committee to develop recommendations for the General Assembly's consideration. Provides for the composition of the study committee; directs the department to provide staff support with assistance, upon request, from staff of the Senate Education and House Education and Public Works Committees. Directs that findings and recommendations be submitted to the General Assembly by December 31, 2017.

WMC: DELETE proviso. *Study has been completed.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~1.88. (SDE: Committee on Educator Retention and Recruitment) From the funds appropriated to the department, the Superintendent of Education shall initiate convening a study committee to address the issue of educator recruitment and retention to include identification of the causes of teacher shortages and the state's educational system's future demand for teachers. The study committee shall develop recommendations for the General Assembly to consider which include, but are not limited to, building teacher recruitment; alternative certification; financial incentives; induction and mentorship; evaluation and feedback; and teacher leadership.~~

~~The study committee shall be comprised of the following members:~~

- ~~(1) Chairman of the Senate Education Committee, or his designee;~~
- ~~(2) Chairman of the House Education and Public Works Committee, or his designee;~~
- ~~(3) Chairman of the Senate Labor, Commerce, and Industry Committee, or his designee;~~
- ~~(4) Chairman of the House Labor, Commerce, and Industry Committee, or his designee;~~
- ~~(5) Senate Majority Leader, or his designee;~~
- ~~(6) Senate Minority Leader, or his designee;~~
- ~~(7) House Majority Leader, or his designee;~~
- ~~(8) House Minority Leader, or his designee;~~
- ~~(9) Chairman of the State Board of Education, or his designee;~~
- ~~(10) Chairman of the Palmetto State Teacher's Association, or his designee;~~
- ~~(11) Chairman of the South Carolina Education Association, or his designee;~~
- ~~(12) Superintendent from a small School District appointed by the Governor;~~
- ~~(13) Superintendent from a medium School District appointed by the Governor;~~
- ~~(14) Superintendent from a large School District appointed by the Governor;~~

~~Of the three Superintendents appointed by the Governor, at least one Superintendent must come from a plaintiff or trial district in the Abbeville lawsuit;~~

- ~~(15) Executive Director of CERRA;~~
- ~~(16) Chairman of the Education Oversight Committee;~~
- ~~(17) Two Deans of Colleges of Education appointed by the Governor; and~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~(18) State Superintendent of Education who shall serve as Chairman of the Committee.~~

~~Staff support shall be provided by the Department of Education, with assistance from the staffs of the Senate Education Committee and the House Education and Public Works Committee, upon request. Findings and recommendations shall be submitted to the General Assembly by December 31, 2017.~~

1.89 DELETE (Big Brothers Big Sisters) Directs the department, from their 10% carry forward, to transfer \$50,000 to Big Brothers Big Sisters of the Upstate and \$50,000 to Big Brothers Big Sisters - Carolina Youth Development Center to support educational activities.

WMC: DELETE proviso. *The department states the funds were non-recurring and if the General Assembly allocates funds in FY 18-19, the agency will fund as directed.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**1.89.** (SDE: Big Brothers Big Sisters) Of the funds retained and carried forward by the Department of Education pursuant to proviso 117.23, the Department of Education is directed to transfer up to \$50,000 to Big Brothers Big Sisters of the Upstate and up to \$50,000 to Big Brothers Big Sisters - Carolina Youth Development Center to support educational activities.~~

1.90 DELETE (Hold Harmless) Directs that \$5,000,000 appropriated for the Education Foundation Supplement from proviso 8.2 (ETV: Spectrum Auction) be distributed to school districts that would recognize a loss in state funding as a result of using the imputed index of taxpaying ability; authorizes the funds to be reduced on a pro-rata basis if there are not enough funds to cover the full loss; and directs that a local match is not required.

WMC: DELETE proviso. *The department states the funds were non-recurring and if the General Assembly allocates funds in FY 18-19, the agency will fund as directed.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**1.90.** (SDE: Hold Harmless) The Department of Education shall distribute the \$5,000,000 appropriated from Proviso 8.2 for the Education Foundation Supplement distributed to public school districts which would in the current fiscal year recognize a loss in State financial requirement of the foundation program by utilizing an Index of Taxpaying Ability which imputes the assessed value of owner occupied property compared to the State financial requirement of the same Index of Taxpaying Ability without an imputed value of owner-occupied homes. Funds in the Education Foundation Supplement must be distributed to the school districts receiving a loss, in an amount equal to the amount of the loss. If funds are not sufficient to cover the full loss, funds will be reduced on a pro-rata basis. This supplement shall not require a local financial requirement.~~

1.91 DELETE (Save the Children) Directs the department to transfer up to \$200,000 of their 10% carry forward funds to Save the Children.

WMC: DELETE proviso. *The department requests the funds be moved to a recurring EIA line item.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~1.91. (SDE: Save the Children) Of the funds retained and carried forward by the Department of Education pursuant to proviso 117.23, the Department of Education is directed to transfer up to \$200,000 to Save the Children.~~

- 1.93** **ADD** (Retired Educators Employment) **WMC:** ADD new proviso to allow school districts to notify retired teachers of employment in writing by May 1st. Require school districts to provide the department with documentation of compliance with earning limitation exemptions pursuant to Section 9-1-1795 [EMPLOYMENT OF CERTAIN RETIRED TEACHERS WITHOUT LOSS OF RETIREMENT BENEFITS; PROCEDURE BY WHICH RETIRED TEACHERS MAY BE EMPLOYED]; require the department verify compliance and submit it to PEBA. Requested by Department of Education.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

1.93. (SDE: Retired Educators Employment) For the current fiscal year school districts may notify retired educators of employment in writing on or before May 1. School districts employing retired educators pursuant to Section 9-1-1795 of the 1976 Code shall provide documentation of compliance with the earnings limitation exemptions to the department. The department shall verify the compliance and send the verification to the Public Employee Benefit Authority.

- 1.94** **ADD** (Education Rate Program) **WMC:** ADD new proviso to direct that a student who attends a state-funded 4-year-old kindergarten program must be considered an elementary school student for purposes of the federal E-Rate Program.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

1.94. (SDE: Education Rate Program) For purposes of the federal Educational Rate Program, a child attending a state-funded four-year-old kindergarten program must be considered an elementary school student.

SECTION 1A - H630 - DEPARTMENT OF EDUCATION-EIA

- 1A.2** **AMEND** (African-American History) Authorizes African-American curricula development funds to be carried forward and used for the same purpose. Requires at least 70% of carry forward funds be spent in FY 2017-18 to develop additional instructional materials by non-profit organizations selected through a grant process.

WMC: AMEND proviso to change "Fiscal Year 2017-18" to "the current fiscal year." Add school districts or institutions of higher education to the entities for which at least 70% of carry forward funds must be used to develop additional instructional materials.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

1A.2. (SDE-EIA: African-American History) Funds provided for the development of the African-American History curricula may be carried forward into the current fiscal year. Funds that are currently a salary line item will be reallocated for the development of instructional materials and programs and the implementation of professional learning opportunities that promote African American history and culture. For ~~Fiscal Year 2017-18~~ the current fiscal year, not less than seventy percent of the funds carried forwarded must be expended for the development of additional instructional materials by nonprofit organizations, school districts, or institutions of higher education selected through a grant process by the Department of Education.

1A.9 **AMEND** (Teacher Supplies) Provides guidelines for distributing teacher supply reimbursement of up to \$275 each school year to offset the expenses teachers have incurred for teaching supplies and materials. Allows any classroom teacher, including those at a S.C. private schools that are not eligible for this reimbursement to claim a refundable income tax credit on their 2017 tax return.

WMC: AMEND proviso to update tax return references to “2018.” Requested by School Districts.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.9. (SDE-EIA: Teacher Supplies) All certified and non-certified public school teachers identified in PCS, certified special school classroom teachers, certified media specialists, certified guidance counselors, and career specialists who are employed by a school district, a charter school, or lead teachers employed in a publically funded full day 4K classroom approved by the South Carolina First Steps to School Readiness, as of November thirtieth of the current fiscal year, based on the public decision of the school board may receive reimbursement of two hundred seventy-five dollars each school year to offset expenses incurred by them for teaching supplies and materials. Funds shall be disbursed by the department to School districts by July fifteenth based on the last reconciled Professional Certified Staff (PCS) listing from the previous year. With remaining funds for this program, any deviation in the PCS and actual teacher count will be reconciled by December thirty-first or as soon as practicable thereafter. Based on the public decision of the school district and no later than May fifteenth annually, the district shall notify all individuals entitled to receive these funds the manner in which the funds will be dispersed. Funds may be disbursed to each teacher via check in a manner separate and distinct from their payroll check on the first day teachers, by contract, are required to be in attendance at school for the current contract year, or the funds may be disbursed to each teacher via direct deposit as long as the funds are handled in a manner to be separate and distinct from their payroll check. This reimbursement shall not be considered by the state as taxable income. Special schools include the Governor’s School for Science and Math, the Governor’s School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice, and Palmetto Unified School District. Funds distributed to school districts or allocated to schools must not supplant existing supply money paid to teachers from other sources. If a school district requires receipts for tax purposes the receipts may not be required before December thirty-first. Districts that do not wish to require receipts may have teachers retain the receipts and certify for the district they have received the allocation for purchase of teaching supplies and/or materials and that they have purchased or will purchase supplies and/or materials during the fiscal year for the amount of the allocation. Districts shall not have an audit exception related to non-retention of receipts in any instances where a similar instrument is utilized. Any district requiring receipts must notify any teacher from whom receipts have not been submitted between November twenty-fifth and December

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

sixth that receipts must be submitted to the district. Districts may not add any additional requirement not listed herein related to this reimbursement.

Any classroom teacher, including a classroom teacher at a South Carolina private school, that is not eligible for the reimbursement allowed by this provision, may claim a refundable income tax credit on the teacher's ~~2017~~ 2018 tax return, provided that the return or any amended return claiming the credit is filed prior to the end of the fiscal year. The credit is equal to two hundred seventy-five dollars, or the amount the teacher expends on teacher supplies and materials, whichever is less. If any expenditures eligible for a credit are made after December thirty-first, the teacher may include the expenditures on his initial return or may file an amended ~~2017~~ 2018 return claiming the credit, so long as the return or amended return is filed in this fiscal year. The Department of Revenue may require whatever proof it deems necessary to implement the credit provided by this part of this provision. Any person receiving the reimbursement provided by this proviso is ineligible to take the income tax credit allowed by this proviso.

1A.23 **AMEND** (Reading) Provides directives for the use of reading literacy funds.

WMC: AMEND proviso to delete the directives for expending 50% of the funds toward acquisition of reading proficiency and allocating 50% to school districts. Direct that funds allocated to the department for reading be used to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation. Direct the department establish measurements for monitoring impact on student achievement. *Portions of line item allocation to districts will be consolidated with the current Aid to Districts line item.* Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

~~**1A.23.** (SDE-EIA: Reading) Of the funds appropriated for reading/literacy, the Department of Education, schools, and districts shall ensure that resources are utilized to improve student achievement in reading/literacy. To focus on the importance of early reading and writing skills and to ensure that all students acquire reading/literacy skills by the end of grade three, fifty percent of the appropriation shall be directed toward acquisition of reading proficiency to include, but not be limited to, strategies in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Forty percent of the appropriation shall be directed toward classroom instruction and intervention to focus on struggling readers and writers in grades four through eight. Ten percent of the appropriation should be directed toward acceleration to provide additional opportunities for deepening and refinement of literacy skills.~~

~~Fifty percent of the funds shall be allocated to school 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. Fifty percent of the funds shall be The funds allocated to the Department of Education for reading shall be used to provide districts with research-based strategies and professional development and to work directly with schools and districts to assist with implementation of research-based strategies. When providing professional development the department and school districts must use the most cost effective method and when able utilize ETV to provide such services throughout the state. The department shall provide for an evaluation to review first year implementation activities and to establish measurements for monitoring impact on student achievement.~~

1A.27 **AMEND** (Adult Education) Provides for the allocation of adult education funds to school districts. Requires districts to collect and report certain information to the department and for the department to provide summary information to certain legislative committees. Allows up to

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

\$300,000 to be used to establish an initiative for qualifying adult education students to qualify for a free high school equivalency test and directs the department to establish guidelines for this initiative.

WMC: AMEND proviso to delete reference to “(WorkKeys).” Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.27. (SDE-EIA: Adult Education) A minimum of thirty percent of the funds appropriated for adult education must be allocated to school districts to serve adult education students between the ages of seventeen and twenty-one who are enrolled in programs leading to a state high school diploma, state high school equivalency diploma (GED), or career readiness certificate (~~WorkKeys~~). The remaining funds will be allocated to districts based on a formula which includes factors such as target populations without a high school credential, program enrollment the previous school year, number of students making an educational gain the previous school year, and performance factors such as number of high school credentials and career readiness certificates awarded the previous school year. Overall levels of state funding must meet the federal requirement of state maintenance of effort. Each school district must collect information from both the student and the school including why the student has enrolled in Adult Education and whether or not the student is pursuing a GED or Diploma. The school district must then provide a quarterly report to the Department of Education and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the information. Up to a maximum of \$300,000, of funds may be used to establish an initiative by which qualifying adult education students may qualify for a free high school equivalency test. The Department of Education shall establish guidelines for the free high school equivalency testing initiative.

1A.29 **AMEND** (Full-Day 4K) Provides guidelines for participation in and funding for CDEPP (Early Reading Development and Education Program. Provides for public and private providers to be reimbursed for instructional costs at a rate of \$4,422 per student enrolled and for private providers to be reimbursed for transportation at a rate of \$563 per eligible child transported. Requires \$300,000 be allocated to the EOC to conduct an annual evaluation of CDEPP to issue findings in a report to the General Assembly by January 15th. *Note: Companion General Education proviso is 1.58.*

WMC: AMEND proviso to change the funding provided for public and private providers from “\$4,422” to “\$4,510” per student and change the private providers transportation reimbursement from “\$563” to “\$574” per eligible child transported. Delete reference to “end of year adjustments” for PowerSchool funding.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.29. (SDE-EIA: Full-Day 4K) Eligible students residing in a school district that met the poverty level for participation in the prior school year are eligible to participate in the South Carolina Early Reading Development and Education Program in the current school year. Public and private providers shall be funded for instructional costs at a rate of ~~\$4,422~~ \$4,510 per student enrolled. Eligible students enrolling during the school year or withdrawing during the school year shall be funded on a pro rata basis determined by the length of their enrollment. Private

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

providers transporting eligible children to and from school shall also be eligible for a reimbursement of ~~\$563~~ \$574 per eligible child transported. All providers who are reimbursed are required to retain records as required by their fiscal agent. New providers participating for the first time in the current fiscal year and enrolling between one and six eligible children shall be eligible to receive up to \$1,000 per child in materials and equipment funding, with providers enrolling seven or more such children eligible for funding not to exceed \$10,000. Providers receiving equipment funding are expected to participate in the program and provide high-quality, center-based programs as defined herein for a minimum of three years. Failure to participate for three years will require the provider to return a portion of the equipment allocation at a level determined by the Department of Education and the Office of First Steps to School Readiness. Funding to providers is contingent upon receipt of data as requested by the Department of Education and the Office of First Steps. The Department of Education shall only provide funding for public school students whose complete records have been entered into PowerSchool ~~and end of year adjustments shall be~~ based on the one hundred and thirty-five day student average daily membership.

Annually, the Department of Education is directed to audit the annual allocations to public providers to ensure that allocations are accurate and aligned to the appropriate pro rata per student allocation, materials, and equipment funding. In the event the department, during the audit process determines that the annual allocations of the prior fiscal year are not accurate, the department must adjust the allocations for the current fiscal year to account for the audit findings. The department must provide the results of the annual audit findings to the General Assembly no later than December first. Likewise, in the event the Office of First Steps determines that the annual allocations of the prior fiscal year to private providers are not accurate, the Office of First Steps must adjust the allocations for the current fiscal year to account for the findings.

Of the funds appropriated, \$300,000 shall be allocated to the Education Oversight Committee to conduct an annual evaluation of the South Carolina Child Development Education Pilot Program and to issue findings in a report to the General Assembly by January fifteenth of each year. To aid in this evaluation, the Education Oversight Committee shall determine the data necessary and both public and private providers are required to submit the necessary data as a condition of continued participation in and funding of the program. This data shall include developmentally appropriate measures of student progress. Additionally, the Department of Education shall issue a unique student identifier for each child receiving services from a private provider. The Department of Education shall be responsible for the collection and maintenance of data on the public state funded full day and half-day four-year-old kindergarten programs. The Office of First Steps to School Readiness shall be responsible for the collection and maintenance of data on the state funded programs provided through private providers. The Education Oversight Committee shall use this data and all other collected and maintained data necessary to conduct a research based review of the program's implementation and assessment of student success in the early elementary grades.

1A.34 AMEND (Partnerships/Other Agencies & Entities) Requires agencies and entities that receive EIA funds from the department's Partnerships sub-program to continue to report annually to the EOC. Requires funds that must pass through a state entity to be passed through the EOC. Requires the EOC to make funding recommendations to the Governor and the General Assembly through the annual budget process.

WMC: AMEND proviso to direct that pass through funds must flow through the EOC unless the entity requests otherwise in order to match federal or other funds. *The EOC states this will allow funds, if requested, to be allocated to another state agency or entity to be matched with private or federal funds.* Requested by Education Oversight Committee.

HOU: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.34. (SDE-EIA: Partnerships/Other Agencies & Entities) For the current fiscal year, agencies and other entities receiving funds appropriated in Part IA, Section 1, VIII. ~~E~~ F. will continue to report annually to the Education Oversight Committee (EOC). Any entity receiving funds that must flow through a state agency will receive those funds through the EOC, unless requested in writing by the entity to match federal or other funds. The EOC will make funding recommendations to the Governor and General Assembly as part of the agency's annual budget request.

- 1A.49** **AMEND** (Public Charter Pupil Counts) Requires each charter school to submit to the Public Charter School District student attendance reports for specific days and directs what information is to be included in the reports. Directs the district to submit the data to the department which shall submit a quarterly report to the Chairmen of the House Ways and Means, House Education and Public Works, Senate Finance, and Senate Education Committees. Directs the district to also require each virtual charter school to collect certain enrollment and withdrawal information which shall be submitted to the department and subsequently provided to the same committees.
- WMC:** AMEND proviso to add a "registered Institution of Higher Education" as a charter school sponsor. Specify that the department provide the summary information to specific committees on June 30th of the current fiscal year. Requested by Public Charter School District.
- HOU:** ADOPT proviso as amended.
- SFC:** ADOPT proviso as amended.
- SEN:** ADOPT proviso as amended.

1A.49. (SDE-EIA: Public Charter Pupil Counts) With funds appropriated to charter schools sponsored by either the South Carolina Public Charter School District or a registered Institution of Higher Education, the ~~district~~ sponsor must require each charter school to submit a student attendance report for the 5th, 45th, 90th and 135th days. Reporting requirements shall include both Average Daily Membership and Weighted Pupil Unit membership. The South Carolina Public Charter School District or a registered Institution of Higher Education shall then provide the data for each charter school to the Department of Education. Quarterly, the department will submit the information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee.

The South Carolina Public Charter School District or a registered Institution of Higher Education must also require each virtual charter school to collect the following information: (1) the reason or reasons why each student enrolled in the virtual charter school district from both the parent(s) and the referring school district; and (2) the reason or reasons why a student withdrew from the virtual charter school district. This data must be provided to the Department of Education quarterly and must include the unique student identifier. The department, in turn, will provide summary information to the House Ways and Means Committee, the House Education and Public Works Committee, the Senate Finance Committee and the Senate Education Committee on the enrollment and withdrawal information on June 30th of the current fiscal year.

- 1A.50** **AMEND** (South Carolina Public Charter School ~~District~~ Funding) Provides for the allocation of S.C. Public Charter School District funds for virtual and brick and mortar charter schools. Provides a timeline extension for ruling on charter school applications and requires the Public Charter School District provide an outcomes report on the extended time frame to the Senate Finance Committee.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

WMC: AMEND proviso to add a “registered Institution of Higher Education” as a charter school sponsor. Update fiscal year reference to “2018-19.” Requested by Public Charter School District.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.50. (SDE-EIA: South Carolina Public Charter School ~~District~~ Funding) The funds appropriated in Part IA, Section VIII.~~GH.~~ - South Carolina Public Charter School ~~District~~ Statewide Sponsor must be allocated in the following manner to students at charter schools within the South Carolina Public Charter School District or within a registered Institution of Higher Education: Pupils enrolled in virtual charter schools sponsored by the South Carolina Public Charter School District or a registered Institution of Higher Education shall receive \$1,900 per weighted pupil and pupils enrolled in brick and mortar charter schools sponsored by the South Carolina Public Charter School District or a registered Institution of Higher Education shall receive \$3,600 per weighted pupil. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175. For Fiscal Year ~~2017-18~~ 2018-19, the timelines set forth for ruling on charter school applications are extended for sixty calendar days for all applications submitted to the South Carolina Public Charter School District if the district determines that an applicant should be permitted to amend its application to meet the requirements of Section 59-40-60 and Section 59-40-70, of the 1976 Code, based on an applicant’s proposal to address an existing achievement gap utilizing an evidence-based educational program in an underserved geographical area of the state including, but not limited to, charter schools proposed to be located in any school district that is a plaintiff in the Abbeville law suit. The South Carolina Public Charter School District shall report to the Senate Finance Committee and the House Ways and Means Committee on the outcomes of this extended time for a hearing at the end of the application cycle.

1A.54 **DELETE** (Charter School Funding-Chartered by Institutions of Higher Education) Provides for the allocation of Public Charter School District funds to charter schools authorized by an approved higher education institution per weighted pupil: \$3,600 for students enrolled in brick and mortar charter schools and \$1,900 for virtual charter schools. Limits the amount which must be carried forward to not more than 10% of the prior year appropriation. Directs that any funds exceeding 10% must be transferred to the Charter School Facility Revolving Loan Program.

WMC: DELETE proviso. *The language has been consolidated into proviso 1A.50.* Requested by Public Charter School District.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

1A.54. (SDE-EIA: Charter School Funding-Chartered by Institution of Higher Education) ~~Pupils enrolled in a brick and mortar charter school authorized by an approved institution of higher education located in this state shall receive \$3,600 per weighted pupil and pupils enrolled in a virtual charter school authorized by an approved institution of higher education located in this state shall receive \$1,900 per weighted pupil from the funds appropriated in Part IA, Section VIII.G. — South Carolina Public Charter School — Institution of Higher Education. Any unexpended funds, not to exceed ten percent of the prior year appropriation, must be carried forward from the prior fiscal year and expended for the same purpose. Any unexpended funds~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

exceeding ten percent of the prior year appropriation must be transferred to the Charter School Facility Revolving Loan Program established in Section 59-40-175, of the 1976 Code.

1A.59 AMEND (4K Early Literacy Competencies Assessments) Provides for the use of full-day 4K program carry forward funds to procure and administer pre-kindergarten and kindergarten readiness assessments.

WMC: AMEND proviso to direct that if 4K program carry forward funds are not available, assessment funds shall be used to administer the prekindergarten assessments. Direct that accommodations must be provided for students who are Limited English Proficient according to their LEP Plan. Requested by Department of Education.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.59. (SDE-EIA: 4K Early Literacy Competencies Assessments) Of the funds carried forward from the full-day 4K program from the previous fiscal year, the Department of Education is authorized to expend up to \$800,000 on assessments and professional development to analyze the early literacy competencies of children in publicly funded prekindergarten. *If these funds are not available, funds appropriated and/or authorized for assessment shall be used to administer the prekindergarten assessments.* The department shall manage the administration of assessments that analyze the early literacy and language development of children in publicly funded prekindergarten as done in the prior fiscal year. Each school district and private provider participating in a publicly funded prekindergarten program will administer one of the formative assessments selected by the department to each child eligible for and enrolled in a publicly funded prekindergarten program during the first forty-five days of the school year and during the last forty-five days of the school year. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program or 504 Accommodations Plan *and for students who are Limited English Proficient according to their LEP Plan.* The department will provide the assessment data to the Education Oversight Committee. The results of the assessment and the developmental intervention strategies recommended or services needed to address the child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student to admission to prekindergarten.

Furthermore, up to \$2,000,000 of the funds appropriated for half-day programs for four-year-olds and funds carried forward from assessment must be expended by the Department of Education to administer the Kindergarten Readiness Assessment (KRA) to each child entering kindergarten in the public schools. The assessment of kindergarten students must be administered at a minimum of once during the first forty-five days of the school year with the results collected by the department. The results of the assessments and the developmental intervention strategies recommended or services needed to address each child's identified needs must also be provided, in writing, to the parent or guardian. The assessment may not be used to deny a student admission to kindergarten. Accommodations that do not invalidate the results of these assessments must be provided in the manner set forth by the student's Individualized Education Program, ~~or~~ 504 Accommodations Plan, *or LEP Plan.* Districts are given the option of designating up to two days of the one hundred eighty day school calendar to administer the assessment to kindergarten students. The department will also provide the results of the assessment of kindergarten students to the Education Oversight Committee. With available funds, the department will also provide or secure training for appropriate educators in how to administer the assessment.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

For all students assessed with the Kindergarten Readiness Assessment (KRA), the Department of Education is required to collect data from schools and school districts on the prior early learning experience of each student. The data would include whether the kindergartener had attended in the prior school year a Head Start program, a South Carolina Early Reading Development and Education Program in a public school or a private center, a half-day 4K program in a public school, a full-day 4K program in a public school, a child care center (registered faith-based, registered family home, group home, or exempt provider) or informal child care.

1A.61 AMEND (CDEPP Unexpended Funds) Provides for the retention and expenditure of prior year CDEPP funds by First Steps and requires a report to the Chairmen of the Senate Finance and House Ways and Means Committees on how the funds were spent. *Note: Companion General Education proviso is 1.72.*

WMC: AMEND proviso to update fiscal year references to “2018-19.” Specify that if by August 1st it is determined there are funds available for districts to increase the length of the program, the funds must be allocated to eligible districts who have a documented waiting list and who “funded an extended program per this proviso in the prior school year.” Require the department and First Steps, by August 1st, to collect documented waiting lists and determine a process to notify parents of available slots. Requested by Education Oversight Committee.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

1A.61. (SDE-EIA: CDEPP Unexpended Funds) For Fiscal Year ~~2017-18~~ 2018-19, the Office of First Steps to School Readiness is permitted to retain the first \$1,000,000 of any unexpended CDEPP funds of the prior fiscal year and expend these funds to enhance the quality of the full-day 4K program in private centers and provide professional development opportunities.

By August first, the Office of First Steps is directed to allocate any additional unexpended CDEPP funds from the prior fiscal year and any CDEPP funds carried forward from prior fiscal years that were transferred to the restricted account for the following purpose: Education Oversight Committee - \$1,000,000 for the South Carolina Community Block Grants for Education Pilot Program.

If carry forward funds are less than the amounts appropriated, funding for the items listed herein shall be reduced on a pro rata basis.

If by August first, the Department of Education or the Office of First Steps determines there will be funds available, funds shall be allocated on a per pupil basis for districts eligible for participation first, who have a documented waiting list, and funded an extended program per this proviso in the prior school year, then to districts to increase the length of the program to a maximum of eight and a half hours per day or two hundred and twenty days per year or to fund summer programs. By August 1, the Department of Education and the Office of First Steps must collect the documented waiting lists and determine a process to notify parents of eligible students of available slots in all approved providers. If a district chooses to fund summer enrollment the program funding shall conform to the funding in this act for full year programs, however shall be reduced on a pro rata basis to conform with the length of the program. A summer program shall be no more than eight and a half hours per day and shall be not more than ten weeks in length. The per pupil allocation and classroom grant must conform with the appropriated amount contained in this Act and end of year adjustments shall be based on the one hundred and thirty five day student average daily membership or later student average daily membership for districts

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

choosing to extend the program past one hundred and eighty days. Funds may also be used to provide professional development and quality evaluations of programs.

No later than April first, the Department of Education and the Office of First Steps must report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on the expenditure of these funds to include the following information: the amount of money used and specific steps and measures taken to enhance the quality of the 4K program and the amount of money used for professional development as well as the types of professional development offered and the number of participants.

- 1A.62 DELETE** (College and Career Readiness) Requires the department to use District College and Career Readiness Assistance funds to increase the capacity of the original trial and plaintiff school districts in the Abbeville law suit and to provide assistance using educators with demonstrated effectiveness in instructional leadership. Directs the department to report to the Chairmen of the Senate Finance and House Ways and Means Committees how these funds were spent.

WMC: DELETE proviso. *The department states the funds were non-recurring.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**1A.62.** (SDE-EIA: College and Career Readiness) Funds appropriated to the Department of Education for District College and Career Readiness Assistance must first be used to increase the capacity of districts that are or were the original trial and plaintiff school districts in the Abbeville law suit. Funds shall be used by the department to provide assistance to districts using appropriately experienced educators with demonstrated effectiveness in instructional leadership. Support shall include professional development, standards and learning support, instructional support, data analysis and leadership development resources to ensure that educators are equipped with the tools to provide students with high quality, personalized learning that supports the Profile of the South Carolina Graduate. The department shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee on how these funds were expended.~~

- 1A.66 DELETE** (South Carolina IT Academy) Directs the department to procure an IT Academy for public schools statewide and requires the academy to offer certification opportunities for educators to receive Teacher Certification Exams and for middle school students to receive certification in an office suite of products and for high school students to receive programming credentials.

WMC: DELETE proviso. *The department states that the Academy was not funded in FY 2017-18.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**1A.66.** (SDE-EIA: South Carolina IT Academy) Of the funds appropriated for the South Carolina IT Academy, the Department of Education shall procure an IT Academy for public schools statewide in the coming school year. The IT Academy must offer certification opportunities for educators to receive Teacher Certification Exams and for students to receive certifications in an office suite of products in the middle grades and programming credentials in~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~high school. The procurement shall include official curriculum, e learning, E books, exams, software and lesson plans.~~

- 1A.77 DELETE** (Carry Forward) Directs the department to allocate \$30 million from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act. *Note: Companion General Education proviso is 1.85.*
WMC: DELETE proviso. *Funds have been allocated.*
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

~~**1A.77.** (SDE-EIA: Carry Forward) For Fiscal Year 2017-18, the Department of Education is directed to allocate \$30,000,000 from carry forward or unencumbered or unobligated cash balances for the School Districts Capital Improvement Plan as set forth in this Act.~~

- 1A.78 DELETE** (Instructional Materials Adoption) Directs the department and the State Board of Education to review the current process for adopting and appropriating instructional materials; to establish an updated process that includes both print and digital materials by December 1, 2017; and to make recommendations to the Governor and General Assembly according to the new process.
WMC: DELETE proviso. *Process has been established.* Requested by Department of Education.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

~~**1A.78.** (SDE-EIA: Instructional Materials Adoption) The Department of Education and the State Board of Education are directed to review the current process for the adoption and appropriation of instructional materials and establish an updated process that will include both print and digital instructional materials no later than December 1, 2017, and make corresponding funding recommendations to the Governor and the General Assembly according to the new process.~~

- 1A.84 ADD** (Alternative Commitment to Truancy) **WMC:** ADD new proviso to direct that school districts receiving funds from the Department of Education for an alternative school must identify alternatives to commitment for students whose truancy is nearing referral to court and present the alternatives to the court. *Moved from Section 117, Proviso 117.33.*
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

1A.84. (SDE-EIA: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under Section 59-65-50 of the 1976 Code to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to alternative school for a non-attending child before petitioning the court.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

- 1A.87 ADD** (McCormick County School) **WMC:** ADD new proviso to direct the Department of Revenue to directly allocate the John de la Howe funds under the Partnerships program to the McCormick County School District to create a school within a school program for at-risk students, including John de la Howe students. Direct that the program must use an accelerated curriculum of multimedia/multimodal learning activities to ensure academic success and development of leadership and communication skills.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

1A.87. (SDE-EIA: McCormick County Schools) The Department of Revenue must directly allocate the funds appropriated under VIII. F. Partnerships for John de la Howe for teacher salaries to McCormick County School District to create a school within a school program to educate at-risk students, including students at John de la Howe who attend McCormick County schools. The program must use an accelerated curriculum which utilizes multimedia/multimodal learning activities to ensure academic success and development of leadership and communication skills.

SECTION 3 - H660 - LOTTERY EXPENDITURE ACCOUNT

- 3.1 AMEND** (Audit) Directs each state agency that receives lottery funds to develop and implement procedures to monitor lottery expenditures to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations. Directs the Executive Budget Office to ensure that these state agencies have effective monitoring procedures in place.
WMC: AMEND proviso to update calendar year references from “2017” to “2018.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

3.1. (LEA: Audit) Each state agency receiving lottery funds shall develop and implement procedures to monitor the expenditures of lottery funds in order to ensure that lottery funds are expended in accordance with applicable state laws, rules, and regulations.

For institutions of higher learning, adopted procedures to monitor expenditures of lottery funds shall be reported to the Commission on Higher Education and the Executive Budget Office by October 1, ~~2017~~ 2018, and these expenditures are subject to annual verification and audit by the Commission on Higher Education on a rotational schedule not to exceed three years. The annual verification and audit shall be funded from the funds appropriated to or authorized for the Commission on Higher Education and the commission shall not assess a fee or charge institutions of higher learning for performing this function. In addition, the Commission on Higher Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by October first each year summarizing, by institution, how lottery funds were expended in the prior fiscal year, issues and concerns as well as institution responses to those issues and concerns discovered as a result of the commission’s verification and/or audit activity during the prior fiscal year, if any.

For the Department of Education, adopted procedures to monitor expenditures of lottery funds that are allocated to the South Carolina school districts and other recipient institutions according to law and Department of Education guidelines shall be reported to the Executive Budget Office by October 1, ~~2017~~ 2018. In addition, the Department of Education shall provide a report to the Executive Budget Office, the Chairman of the Senate Finance Committee, and the

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

Chairman of the House Ways and Means Committee on the amount of lottery funds the department distributed to each entity in the prior fiscal year.

All other state agencies must submit their adopted procedures to monitor expenditures of lottery funds to the Executive Budget Office by October 1, ~~2017~~ 2018.

The Executive Budget Office shall ensure that state agencies receiving lottery funds have procedures in place to monitor expenditures of lottery funds and that the monitoring procedures are operating effectively.

3.3 DELETE (FY 2017-18 Lottery Funding) Directs expenditure of lottery funds for Fiscal Year 2017-18.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~3.3. (LEA: FY 2017-18 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 2017-18, certified net lottery proceeds and investment earnings for the current fiscal year, including the Fiscal Year 2016-17 certified surplus, are appropriated as follows:~~

- ~~(1) Commission on Higher Education LIFE Scholarships
as provided in Chapter 149, Title 59 \$ 221,843,614;~~
- ~~(2) Commission on Higher Education HOPE Scholarships
as provided in Section 59-150-370 \$ 14,458,578;~~
- ~~(3) Commission on Higher Education Palmetto Fellows
Scholarships as provided in Section 59-104-20 \$ 51,927,301;~~
- ~~(4) Commission on Higher Education and State Board for
Technical and Comprehensive Education Tuition Assistance.. \$ 47,342,211;~~
- ~~(5) Commission on Higher Education Need Based Grants \$ 17,537,078;~~
- ~~(6) Higher Education Tuition Grants Commission Tuition Grants ... \$ 8,830,008;~~
- ~~(7) Department of Education School Bus Lease/Purchase \$ 609,484;~~
- ~~(8) State Board for Technical and Comprehensive Education --
Workforce Scholarship Grants \$ 8,000,000;~~
- ~~(9) Higher Education Tuition Grants Commission SREB
Program and Assessments \$ 349,606;~~
- ~~(10) State Board for Technical and Comprehensive
Education Allied Health \$ 3,000,000;~~
- ~~(11) Commission on Higher Education Technology Public
Four Year Institutions, Two Year Institutions, and State
Technical Colleges \$ 6,500,000;~~
- ~~(12) South Carolina State University \$ 2,500,000;~~
- ~~(13) Department of Education Reading Partners \$ 400,000;~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

- ~~(14) Commission on Higher Education – Higher Education
Excellence Enhancement Program \$ 567,473;~~
- ~~(15) State Library – Aid to County Libraries \$ 1; and~~
- ~~(16) State Board for Technical and Comprehensive Education
– Military Education, Training and Support Program \$ 1.~~

For Fiscal Year 2017-18, net lottery proceeds and investment earnings above the Fiscal Year 2016-17 certified surplus are appropriated pro-rata as follows:

- ~~(1) Department of Education – School Bus Lease/Purchase \$ 17,500,000;~~
- ~~(2) State Library – Aid to County Libraries \$ 800,000;~~
- ~~(3) Commission on Higher Education – Carolina Career Clusters
Grant (1:1 Match) \$ 300,000; and~~
- ~~(4) State Board for Technical and Comprehensive Education –
SPICE Program \$ 250,000.~~

For Fiscal Year 2017-18, funds certified from unclaimed prizes are appropriated as follows:

- ~~(1) Commission on Higher Education – Higher Education
Excellence Enhancement Program \$ 5,505,000;~~
- ~~(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 \$ 4,634,968;~~
- ~~(4) School for the Deaf and the Blind – Technology \$ 200,000;~~
- ~~(5) School for the Deaf and the Blind – Bus/Lease \$ 800,000;~~
- ~~(6) Department of Education – School Bus Lease/Purchase \$ 2,810,032; and~~
- ~~(7) State Board for Technical and Comprehensive
Education – Critical Training Equipment \$ 3,000,000.~~

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.

Any unclaimed prize funds available in excess of the Board of Economic Advisors estimate shall be appropriated as follows:

- ~~(1) Department of Education – School Bus Lease/Purchase \$ 3,000,000; and~~
- ~~(2) Department of Education – School Bus Lease/Purchase remaining balance.~~

Fiscal Year 2017-18 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 2017-18 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 2017-18 are fully funded.

If the lottery revenue received for Fiscal Year 2017-18 is less than the amounts appropriated, the projects and programs receiving appropriations for any such year shall have their

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

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 Pathways Scholarships and 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	\$ 265,119;
(2) University of Charleston.....	\$ 554,488;
(3) Coastal Carolina University.....	\$ 494,175;
(4) Francis Marion University.....	\$ 252,940;
(5) Lander University	\$ 259,785;
(6) South Carolina State University	\$ 238,205;
(7) USC Aiken Campus	\$ 232,679;
(8) USC Upstate.....	\$ 315,898;
(9) USC Beaufort Campus	\$ 172,940;
(10)USC Lancaster Campus.....	\$ 129,652;
(11)USC Salkehatchie Campus.....	\$ 129,652;
(12)USC Sumter Campus.....	\$ 129,652;
(13)USC Union Campus	\$ 129,652;
(14)Winthrop University	\$ 334,496; and
(15)State Technical Colleges and State Board for Technical and Comprehensive Education.....	\$ 2,860,667.

~~Unless otherwise provided herein, 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.~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

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 above to the State Board for Technical and Comprehensive Education for "Critical Training Equipment," the State Board shall allocate the realized funds on a proportional basis as follows:~~

(1) Aiken Technical College	\$ 153,422;
(2) Central Carolina Technical College.....	\$ 160,719;
(3) Denmark Technical College	\$ 81,152;
(4) Florence Darlington Technical College.....	\$ 167,588;
(5) Greenville Technical College	\$ 262,438;
(6) Horry Georgetown Technical College.....	\$ 207,701;
(7) Midlands Technical College.....	\$ 215,503;
(8) Northeastern Technical College	\$ 125,460;
(9) Orangeburg Calhoun Technical College	\$ 324,216;
(10)Piedmont Technical College.....	\$ 194,843;
(11)Spartanburg Community College	\$ 168,289;
(12)Technical College of the Lowcountry	\$ 137,227;
(13)Tri-County Technical College	\$ 187,241;
(14)Trident Technical College	\$ 328,138;
(15)Williamsburg Technical College	\$ 117,874; and
(16)York Technical College.....	\$ 168,189.

~~Funds appropriated within this provision to the State Board for Technical and Comprehensive Education for Technology and/or Critical Training Equipment may be utilized in whole or in part for repair or replacement of Allied Health related equipment at the discretion of each individual technical college.~~

~~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 284 of 2016 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 equally disburse funds to eligible independent HBCU's domiciled in this State that were each recipients of a single competitive grant from a private sector endowment of not less than \$1,000,000 in the immediately preceding fiscal year, 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 fifteenth 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 of~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~the House Ways and Means Committee and the Chairman of the House Education Committee by June 15, 2018 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.~~

SECTION 5 - H710 - WIL LOU GRAY OPPORTUNITY SCHOOL

5.4 DELETE (Improved Forestry Practices) Allows the Trustees of the School to maintain and develop the school forest and to use the resulting revenues for the improvement and development of the forest and school.

WMC: DELETE proviso. *The school states that forestry services would be included under Proviso 5.8.* Requested by Wil Lou Gray Opportunity School.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**5.4.** (WLG: Improved Forestry Practices) The Trustees of the Wil Lou Gray Opportunity School may carry out improved forestry practices on the timber holdings of the school property and apply the revenues derived from them and any other revenue source on the property for the further improvement and development of the school forest and other school purposes.~~

SECTION 8 - H670 - EDUCATIONAL TELEVISION COMMISSION

8.2 AMEND (Spectrum Auction) Authorizes ETV to receive and retain up to \$35,000,000 of the proceeds from the FCC TV Auction and directs how ETV is to use the proceeds. Directs that proceeds above \$35 million must be transferred to the Department of Education and that \$5,000,000 of these funds be used for the Education Foundation Supplement with the remainder used for school bus purchases. Authorizes unexpended funds to be carried forward and used for the same purpose. Directs ETV to report to the Chairmen of the House Ways and Means and Senate Finance Committees by June 30th on the amount expended from the fund and the fund balance.

WMC: AMEND proviso to delete directive for proceeds above \$35,000,000. *ETV received \$43 million and \$8 million has been transferred to SDE.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

8.2. (ETV: Spectrum Auction) The Educational Television Commission shall be authorized to receive and retain up to \$35,000,000 of the proceeds from the Federal Communication Commission TV Auction and place them in a segregated, restricted account. These proceeds shall be used to fund capital needs, including broadcast industry standards changes, existing equipment repair, maintenance and replacement needs, and operational costs. ~~Any proceeds received above \$35,000,000 must be placed into a segregated account and transferred to the Department of Education to be used as follows: \$5,000,000 for the Education Foundation Supplement and any remaining proceeds for school bus purchases.~~ Unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and used for the same purpose. No later than June thirtieth of the current fiscal year, ETV must report to the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee the amount of money expended from the fund and the balance of the fund.

SECTION 11 - H030 - COMMISSION ON HIGHER EDUCATION

11.18 AMEND (Suspend Governor's Professor of the Year Award) Suspends the Governor's Professor of the Year Award for FY 2017-18.

WMC: AMEND proviso to update fiscal year reference to "2018-19."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

11.18. (CHE: Suspend Governor's Professor of the Year Award) The requirements of Section 59-104-220 of the 1976 Code pertaining to the Governor's Professor of the Year Award shall be suspended for Fiscal Year ~~2017-18~~ 2018-19.

11.19 DELETE (SmartState Review Board Study) Directs the Research Centers of Excellence Review Board to submit written recommendations by December 31, 2017, for a plan to sunset the SmartState Board and transition its responsibilities.

WMC: DELETE proviso. *Recommendations have been submitted.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

11.19. (CHE: SmartState Review Board Study) ~~Of the funds appropriated to the Commission on Higher Education, on or before December 31, 2017, the Research Centers of Excellence Review Board shall submit to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor, written recommendations regarding a plan to sunset the SmartState Board and how best to transition some of its responsibilities to an appropriate entity of state government for any continuing administrative program management, including a minimum budget necessary for administration, as well as for oversight and/or accountability responsibilities related to awards made on or before August 1, 2017, that may remain after the SmartState Board sunsets.~~

11.23 ADD (Prohibition of Discriminatory Practices) **SEN:** ADD new proviso to direct CHE to print and distribute the definition of anti-Semitism to all SC public colleges and universities and provide the detailed definition of anti-Semitism for this purpose. Direct SC public colleges and universities to take the definition into consideration when deciding whether there has been a

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

violation of policy prohibiting discriminatory practices on the basis of religion. Direct that this provision does not violate anyone's First Amendment rights [RELIGIOUS FREEDOM] provided in the U.S. and S.C. Constitutions. Sponsor: Sen. Grooms

HOU2: AMEND House version to ADD new proviso to direct CHE to print and distribute the definition of anti-Semitism to all SC public colleges and universities and provide the detailed definition of anti-Semitism for this purpose. Direct SC public colleges and universities to take the definition into consideration when deciding whether there has been a violation of policy prohibiting discriminatory practices on the basis of religion. Direct that this provision does not violate anyone's First Amendment rights [RELIGIOUS FREEDOM] provided in the U.S. and S.C. Constitutions. Sponsors: Reps. Clemmons, Bernstein, et al. *Note: Proviso was 11.21 in HOU2 version.*

11.23. (CHE: Prohibition of Discriminatory Practices) (A) In the current fiscal year and from the funds appropriated to the Commission on Higher Education, the commission shall print and distribute to all South Carolina public colleges and universities the definition of anti-Semitism.

(B) For purposes of this proviso, the term "definition of anti-Semitism" includes:

(1) a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities;

(2) calling for, aiding, or justifying the killing or harming of Jews;

(3) making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as a collective;

(4) accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, the state of Israel, or even for acts committed by non-Jews;

(5) accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust;

(6) accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interest of their own nations;

(7) using the symbols and images associated with classic anti-Semitism to characterize Israel or Israelis;

(8) drawing comparisons of contemporary Israeli policy to that of the Nazis;

(9) blaming Israel for all inter-religious or political tensions;

(10) applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation;

(11) multilateral organizations focusing on Israel only for peace or human rights investigations; and

(12) denying the Jewish people their right to self-determination, and denying Israel the right to exist, provided, however, that criticism of Israel similar to that leveled against any other country cannot be regarded as anti-Semitic.

(C) South Carolina public colleges and universities shall take into consideration the definition of anti-Semitism for purposes of determining whether the alleged practice was motivated by anti-Semitic intent when reviewing, investigating, or deciding whether there has been a violation of a college or university policy prohibiting discriminatory practices on the basis of religion.

(D) Nothing in this proviso may be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States or Section 2, Article I of the South Carolina Constitution, 1895.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SECTION 17 - H180 - FRANCIS MARION UNIVERSITY

- 17.1** **ADD** (Honors Learning Center) **WMC:** ADD new proviso to direct that the funds remaining from the following appropriations to FMU in 2001 and 2015, respectively: \$750,000 for the Schools of Education and Business Bldg and \$100,000 for the Business/Education School Building be redirected for the Honors Learning Center. Authorize unexpended funds to be carried forward and used for the Honors Learning Center. Fiscal Impact: \$255,932.21 is remaining from the original \$750,000 appropriation.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

17.1. (FMU: Honors Learning Center) Funds remaining from the \$750,000 appropriated in Act No. A1 of 2001, Part II, Section I, Item (3)(e) to Francis Marion University for the Schools of Education and Business Bldg and the \$100,000 appropriated in Act 91 of 2015, by proviso 118.14, Item (13) to Francis Marion University for the Business/Education School Building shall be redirected to be used for the Honors Learning Center. Unexpended funds may be carried forward into the current fiscal year to be expended for the Honors Learning Center.

SECTION 20 - H450 - UNIVERSITY OF SOUTH CAROLINA

- 20.3** **AMEND** (Child Abuse Medical Response Program) Establishes the minimum level of funding for the Child Abuse and Neglect Medical Response Program at \$750,000 and prohibits USC from reducing the funds by more than a proportional amount of any mid-year or base reductions.
WMC: AMEND proviso to change "\$750,000" to "\$2,075,000."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

20.3. (USC: Child Abuse Medical Response Program) Of the funds appropriated to the University of South Carolina School of Medicine, not less than ~~\$750,000~~ \$2,075,000 shall be expended for the Child Abuse and Neglect Medical Response Program. In addition, when instructed by the Executive Budget Office or the General Assembly to reduce funds by a certain percentage, the university may not reduce the funds for the Child Abuse and Neglect Medical Response Program greater than such stipulated percentage.

SECTION 23 - H510 - MEDICAL UNIVERSITY OF SOUTH CAROLINA

- 23.3** **DELETE** (Procurement Efficiency Study) Directs MUSC, MUHA and SFAA Procurement Services to work together to study and make recommendations regarding opportunities to create efficiencies by combining similar operations. Directs that findings and recommendations be submitted to the Chairmen of the Senate Finance and House Ways and Means Committees by October 1, 2017.
WMC: DELETE proviso. *Findings and recommendations have been submitted.*
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~23.3. (MUSC: Procurement Efficiency Study) The Medical University of South Carolina (MUSC), the Medical University Hospital Authority (MUHA), and Procurement Services of the State Fiscal Accountability Authority are directed to work together to study and make recommendations regarding the opportunity, if any, to create efficiencies, cost savings, and/or economies of scale by combining some or all of any similar operations and/or procurements of the MUSC and MUHA. Findings and recommendations must be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October 1, 2017.~~

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

- 25.4 DELETE** (MSSC) Prohibits funds appropriated for the Manufacturing Skills Standards Council Initiative from being used for consulting.
WMC: DELETE proviso.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

~~25.4. (TEC: MSSC) The funds appropriated to the State Board for Technical and Comprehensive Education for the Manufacturing Skills Standards Council Initiative may not be used for consulting associated with the Initiative.~~

- 25.7 AMEND** (Workforce Pathways Funding Distribution) Directs the State Board to distribute Workforce Pathways Program funds as follows: \$740,000 to Tri-County Technical College and \$602,000 to Central Carolina Technical College for those schools to maintain operations of their existing Workforce Pathways programs and directs that any remaining funds be set-aside in a separate account until the State Board develops a distribution formula. Specifies that certain criteria that must be included in the formula and directs the State Board to report the distribution formula and required criteria to the Chairmen of the Senate Finance and House Ways and Means Committees by August 31, 2017.
WMC: AMEND proviso to update report due date from August 31, “2017” to “2018.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

25.7. (TEC: Workforce Pathways Funding Distribution) Of the funds appropriated to the State Board for Technical and Comprehensive Education (board) for the Workforce Pathways Program, the board must first distribute \$740,000 to Tri-County Technical College and \$602,000 to Central Carolina Technical College in order for each school to maintain operations of the existing Workforce Pathways programs established pursuant to Act 286 of 2014. Of the remaining funds after accounting for the allocations noted above, the board shall separately distribute \$350,000 to Orangeburg-Calhoun Technical College for expansion of its professional truck driving certificate program for the express purpose of increasing the number of professional truck drivers in the State.

Any remaining funds shall be set aside in a separate and distinct account until a formula for distribution is developed by the State Board. The formula shall specify criteria for the Workforce Pathways program that each technical school must adhere to in order to receive their respective share of the set aside funding. At a minimum, each Workforce Pathways program must expand current best practices in technical career pathways for youth and unemployed or underemployed

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

adults leading to immediate employment in high skill, high demand jobs with emphasis in STEM fields. The program shall utilize all credit and non-credit delivery systems within the technical college, include cohort training options for adults, provide dual credit for youth via college courses taught by college faculty, provide opportunities for prior learning credit for adults, include structured work-based learning or other apprenticeship training approaches, and result in industry-recognized work certifications as well as stackable postsecondary credentials. Workforce Pathways programs shall establish or build on existing collaborative design and coordination efforts with area school districts and career centers and with area employers. All technical colleges receiving funding through the Workforce Pathways must provide comprehensive evaluation and reporting mechanisms that include long-range tracking of individual and economic impacts as well as return-on-investment analyses.

The State Board shall report the formula for distribution and required criteria to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by August 31, ~~2017~~ 2018.

- 25.8** **DELETE** (Northeastern Technical College) Directs that unexpended funds appropriated for the Northeastern Technical College Industrial Training Center in Act 93 of 2015 (CRF) shall be eligible to be spent for an alternate facility and/or location if the facility is used for a similar purpose and is more cost effective than the original concept.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**25.8.** (TEC: Northeastern Technical College) Unexpended funds appropriated to the State Board for Technical and Comprehensive Education for Northeastern Technical College Industrial Training Center in Act 93 of 2015, Section 1, item number 19, shall be eligible for expenditure in the current fiscal year for an alternate facility and/or location provided that the facility's use and purpose is similar and is demonstrably more cost effective than originally conceived.~~

SECTION 32 - H730 - DEPARTMENT OF VOCATIONAL REHABILITATION

- 32.6** **ADD** (Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) **WMC:** ADD new proviso to allow Vocational Rehabilitation to establish a fund for deferred maintenance appropriations. Requested by Department of Vocational Rehabilitation.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

32.6. (VR: Deferred Maintenance, Capital Projects, Ordinary Repair and Maintenance) The Department of Vocational Rehabilitation is authorized to establish an interest bearing fund with the State Treasurer to deposit funds appropriated for deferred maintenance and other one-time funds from any source. After receiving any required approvals, the department is authorized to expend these funds for the purpose of deferred maintenance, capital projects, and ordinary repair and maintenance. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

- 32.7** **ADD** (Licensing Requirements for Disability Examiners) **WMC:** ADD new proviso to waive the licensing requirements for physicians employed by Disability Determination Services who only perform claimant determinations in order to expedite determinations for services.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

32.7. (VR: Licensing Requirements for Disability Examiners) For the current fiscal year, the licensing requirements for physicians employed by Disability Determination Services for evaluation of medical evidence for disability benefits claims shall be waived, provided that physicians do not perform examinations or have any contact with claimants, and only perform Disability Determination Services in order to allow the agency to expedite determinations for services provided through funding appropriated and authorized in this act.

SECTION 33 - J020 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 33.20** **AMEND** (Medicaid Accountability and Quality Improvement Initiative) Directs the department to implement accountability and quality improvements initiatives for: (A) Healthy Outcomes Initiative; (B) Improve Community Health; (C) Rural Hospital DSH Payment; (D) Primary Care Safety Net; (E) Obesity Education; (F) Provider Eligibility Data; (G) Pilot of All-Inclusive Health Intervention for Vulnerable Mental Health Patients; (H) Pilot Program to Expand Medication Assisted Treatment (MAT); and (I) Publish Quarterly Progress Reports.
WMC: AMEND proviso, Section (D), to direct the department to allocate up to \$4 million for capital improvements to the Act 301 facilities through consultation with DAODAS to ensure funds are provided on a needs based approach. Delete Section (H), the MAT pilot program.
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

33.20. (DHHS: Medicaid Accountability and Quality Improvement Initiative) From the funds appropriated and authorized to the Department of Health and Human Services, the department is authorized to implement the following accountability and quality improvement initiatives:

(A) Healthy Outcomes Initiative - The Department of Health and Human Services may tie Disproportionate Share Hospital (DSH) payments to participation in the Healthy Outcomes Initiative and may expand the program as DSH funding is available.

(B) To improve community health, the department may explore various health outreach, education, patient wellness and incentive programs. The department may pilot health interventions targeting diabetes, smoking cessation, weight management, heart disease, and other health conditions. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

(C) Rural Hospital DSH Payment - Medicaid-designated rural hospitals in South Carolina may be eligible to receive up to one hundred percent of costs associated with uncompensated care as part of the DSH program. Funds shall be allocated from the existing DSH program. To be eligible, rural hospitals must participate in reporting and quality guidelines published by the department and outlined in the Healthy Outcomes Initiative. In addition to the requirements placed upon them by the department, rural hospitals must actively participate with the department and any other stakeholder identified by the department, in efforts to design an alternative health care delivery system in these regions.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(D) Primary Care Safety Net - The department shall implement a methodology to reimburse safety net providers participating in a hospital Healthy Outcomes Initiative program to provide primary care, behavioral health services, and pharmacy services for chronically ill individuals that do not have access to affordable insurance. Qualifying safety net providers are approved, licensed, and duly organized Federally Qualified Health Centers (FQHCs and other entities receiving funding under Section 330 of the Public Health Services Act), Rural Health Clinics (RHCs), local alcohol and drug abuse authorities established by Act 301 of 1973, Free Clinics, other clinics serving the uninsured, and Welvista. The department shall formulate a methodology and allocate \$3,600,000 for innovative care strategies for qualifying safety net providers. The department shall formulate a separate methodology and allocate \$5,000,000 of funding to FQHCs, at least \$1,500,000 of funding for Free Clinics, and \$1,500,000 of funding for local alcohol and drug abuse authorities created under Act 301 of 1973 and up to \$4,000,000 for capital improvements to the Act 301 facilities through consultation with the Department of Alcohol and Other Drug Abuse Services, to ensure funds are provided on a needs based approach. The department may continue to develop and implement a process for obtaining encounter-level data that may be used to assess the cost and impact of services provided through this proviso. Any newly established Community Health Center/FQHC shall receive an amount equivalent to the average disbursement made to all centers/FQHCs.

(E) The department shall allocate funds to be used for obesity education for patients, reimbursement payments for providers, and continuing education for all providers through partnerships with the Department.

(F) To be eligible for funds in this proviso, providers must provide the department with patient, service and financial data to assist in the operation and ongoing evaluation of both the initiatives resulting from this proviso, and other price, quality, transparency and DSH accountability efforts currently underway or initiated by the department. The Revenue and Fiscal Affairs Office shall provide the department with any information required by the department in order to implement this proviso in accordance with state law and regulations.

(G) The department may pilot a behavioral health intervention program for wrap-around care to vulnerable mental health patients who frequent the emergency room in hotspots and underserved areas within the state. The pilot program must provide reports detailing progress on the target population and health outcomes achieved. These programs may be expanded as their potential to improve health and lower costs are identified by the department.

~~(H) The department shall provide funding not to exceed \$1,500,000 to establish a pilot program to expand medication assisted treatment (MAT) services for prescription opioid dependency and addiction, including such medical and behavioral health services necessary to support MAT interventions. The department shall consider evidence based interventions, recommendations made in the December 2014 State Plan to Prevent and Treat Prescription Drug Abuse, and scalability in the design of the pilot program. In consultation with the Department of Alcohol and Drug Abuse Services and the MUSC Hospital Authority, the department may contract with such providers that are necessary to ensure impact in a geographical area of critical need.~~

~~(I)~~ H) The department shall publish quarterly reports on the agency's website regarding the department's progress in meeting the goals established by this provision.

33.23 AMEND (BabyNet Compliance) Directs the department to report to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2017, on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements.

WMC: AMEND proviso to update calendar year reference from "2017" to "2018." Requested by Department of Health and Human Services.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

33.23. (DHHS: BabyNet Compliance) With the funds available to the department, the Department of Health and Human Services shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than December 31, ~~2017~~ 2018 on the status of the department's efforts to bring the BabyNet program into compliance with federal requirements. This report must specifically address areas in which the BabyNet program has received low performance scores and include any relevant correspondence from the U.S. Department of Education. The report must explain the department's plan for bringing BabyNet into compliance, including specific steps and the associated timeline.

SECTION 34 - J040 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

34.42 **AMEND** (Tuberculosis Outbreak) Allows the department, upon discovering a tuberculosis outbreak, to expend any available funds for related surveillance, investigation, containment, and treatment. Stipulates procedures for DHEC to follow for notifying the community or specific individuals regarding any tuberculosis contact investigation.

WMC: AMEND proviso to delete the language in Subsection (B) requiring the "patient's community" be notified and replace with requirements for the department to conduct a contact investigation in order to alert the appropriate healthcare providers and community members. *Agency requests changes to limit automatic alerts to providers that do not provide primary care or treat tuberculosis.* Requested by Department of Health and Environmental Control.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

34.42. (DHEC: Tuberculosis Outbreak) (A) Upon discovery of a tuberculosis outbreak, the Department of Health and Environmental Control may expend any funds available to the agency, for the purpose of surveillance, investigation, containment, and treatment activities related thereto.

~~(B) During an investigation of an index tuberculosis patient, the Department of Health and Environmental Control, through the South Carolina Health Alert Network, must notify the patient's community that a tuberculosis contact investigation is being conducted into the possible exposure to tuberculosis. This subsection only applies if the investigation of the patient has met all of the following criteria:~~

~~(1) abnormal chest x-rays;~~

~~(2) positive Acid Fast Bacilli (AFB) sputum results; and~~

~~(3) first round of contact investigation completed with results of individuals testing positive outside of the index patient's family. Upon identification of a tuberculosis outbreak, the department will conduct a comprehensive contact investigation and implement control measures consistent with guidance from the Centers for Disease Control and Prevention. As part of the investigation and control of the outbreak, the department will alert the appropriate healthcare providers and community members using the most effective means available.~~

(C) Upon being informed of or having reason to suspect a case of tuberculosis that is capable of transmitting tubercle bacilli at a school or child care center involving a student, teacher,

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

employee, volunteer, or an individual working at the school or child care center for an employer providing services to the school or child care center, the department immediately shall notify:

(1) if the case is at a school, the principal, and the Superintendent of the school district if the school is a public school; and

(2) if the case is at a child care center, the director of the child care center; and

(D) When informing the principal of a school or the director of a child care center about a known or suspected case of tuberculosis that is capable of transmitting tubercle bacilli as provided for in subsection (C), the department shall provide:

(1) an update addressing the:

(a) status of the investigation, including the steps the department is taking to identify the source and extent of the exposure and the risks of additional exposure; and

(b) steps the school or child care center must take to assist the department in controlling the spread of the tuberculosis infection; and

(2) information and other resources to distribute to parents and guardians that discuss how to assist the department in identifying and managing the tuberculosis infection.

SECTION 36 - J160 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

36.15 AMEND (Beaufort DSN Facility) Authorizes the department to retain the full amount of proceeds from the sale of the local DSN Board of Beaufort County property and to use the funds to purchase new property for the local board that better meets the needs of those served. Authorizes unexpended funds to be carried forward and used for the same purpose. Directs the department to provide a status report to the Beaufort County Legislative Delegation by June 30, 2018 that details the retention of any sale proceeds and/or expenditures of the funds.

WMC: AMEND proviso to update fiscal year reference to “2018-19” and status report due date to June 30, “2019.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

36.15. (DDSN: Beaufort DSN Facility) For Fiscal Year ~~2017-18~~ 2018-19, the Department of Disabilities and Special Needs is authorized to retain the full amount of proceeds from the sale of the local Disabilities and Special Needs Board of Beaufort County property. The funds retained from this sale must be used by the department to purchase a new property for the local Disabilities and Special Needs Board in Beaufort County that more appropriately meets the needs of the individuals served. Unexpended funds may be carried forward into the current fiscal year and used for the same purpose. The department must provide a status report to the Beaufort County Legislative Delegation by June 30, ~~2018~~ 2019, detailing the retention of any sale proceeds and/or the expenditures of those funds.

SECTION 37 - J200 - DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES

37.4 ADD (Carry Forward Unexpended Funds) **WMC:** ADD new proviso to authorize the department to carry forward unexpended funds in excess of 10% of its general fund appropriations and use the funds for opioid addiction services and addiction programs.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

37.4. (DAODAS: Carry Forward Unexpended Funds) The Department of Alcohol and Other Drug Abuse Services is authorized to carry forward from the prior fiscal year into the current fiscal year unexpended funds in excess of ten percent of the agency's general fund appropriations to continue to fund prevention, treatment and recovery services for opioid addiction services and addiction programs as prioritized by the department.

SECTION 38 - L040 - DEPARTMENT OF SOCIAL SERVICES

- 38.29** **ADD** (Faith-Based Private Child Placing Agencies) **HOU:** ADD new proviso to direct the department to make and promulgate rules and regulations relating to licensing standards for faith-based private child placing agencies. Define a child placing agency for purposes of the regulation. Direct that the regulation must not discriminate based on a faith based child placing agency's religious belief or moral conviction. Sponsors: Reps. G.R. Smith and Erickson.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

38.29. (DSS: Faith-Based Private Child Placing Agencies) From the funds appropriated to the Department of Social Services, the department shall make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of Title 63, Chapter 11, Article 1 of the 1976 Code as applied to faith-based private Child Placing Agencies. For purposes of these regulations, any person or entity who holds legal or physical custody of a child for the purpose of placement for foster care or adoption or a private placement and, which for the purposes of these regulations, retain their own system of foster homes, is a child placing agency as defined in S.C. Code of Regulations 114-550. Such regulation must not discriminate or suggest the taking of any adverse action against a faith-based child-placing agency or an agency seeking to become a child-placing agency on the basis, wholly or partly, that a faith-based child placing agency has declined or will decline to provide any service that conflicts with, or provide any service under circumstances that conflict with, a sincerely-held religious belief or moral conviction of the faith-based child placing agency.

SECTION 47 - P240 - DEPARTMENT OF NATURAL RESOURCES

- 47.11** **AMEND** (Triploid Grass Carp) Prohibits water recreation funds or any other funding source from being used to stock triploid grass carp in Lakes Marion and Moultrie.
WMC: AMEND proviso to change "Fiscal Year 2017-18" to "the current fiscal year."
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

47.11. (DNR: Triploid Grass Carp) For ~~Fiscal Year 2017-18~~ the current fiscal year, no water recreation funds or any other funding source may be used to fund the stocking of triploid grass carp on Lake Marion and Lake Moultrie.

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

- 49.8** **AMEND** (Wage and Supplier Rebate Funds) Requires any Motion Picture Incentive Act funds committed to film projects be carried forward and used for the same purpose. Requires any uncommitted funds be carried forward and allows PRT to use the funds for the same purpose, for

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

deferred maintenance and for capital projects at state parks, Welcome Centers and for Marketing/Advertising.

WMC: AMEND proviso to delete the authority for PRT to use uncommitted funds for other purposes and instead direct that the funds must be used solely for wage and supplier rebate funds.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

49.8. (PRT: Wage and Supplier Rebate Funds) From the funds set aside pursuant to the Motion Picture Incentive Act, any funds committed to film projects shall be carried forward from the prior fiscal year and used for the same purpose. Any uncommitted funds shall be carried forward from the prior fiscal year and ~~may be used by the department for the same purpose, deferred maintenance and capital projects at state parks and Welcome Centers, and for Marketing/Advertising~~ must be used solely for wage and supplier rebate funds pursuant to the Motion Picture Incentive Act and may not be used for any other purpose. ~~Prior to the funds being utilized for the state's Welcome Centers the funds shall be placed in a separate and distinct fund prior to July thirtieth of the current fiscal year and the interest accrued by the fund must remain in the fund. Of the funds placed into the separate and distinct fund in the current fiscal year, up to ten percent may be utilized for operating costs directly related to the Welcome Centers. These funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purpose.~~

SECTION 50 - P320 - DEPARTMENT OF COMMERCE

50.13 **AMEND** (Regional Economic Development Organizations) Designates funding for Regional Economic Development Organizations and provides a mechanism by which the funds should be distributed.

WMC: AMEND proviso to update fiscal year reference from "2017-18" to "2018-19."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

50.13. (CMRC: Regional Economic Development Organizations) The Department of Commerce shall utilize \$5,000,000 appropriated in Fiscal Year ~~2017-18~~ 2018-19 for Regional Economic Development Organizations to provide funds to the following economic development organizations and must be disbursed as follows:

- | | |
|--|-----------------|
| (1) Upstate Alliance | \$ 750,000; |
| (2) Central SC Economic Development Alliance | \$ 750,000; |
| (3) North Eastern Strategic Alliance (NESA) | \$ 745,000; |
| (4) Charleston Regional Development Alliance | \$ 660,000; |
| (5) I-77 Alliance | \$ 600,000; |
| (6) Economic Development Partnership | \$ 450,000; |
| (7) Southern Carolina Alliance | \$ 460,000; and |
| (8) The LINK Economic Alliance | \$ 385,000. |

Each dollar of state funds must be matched with one dollar of private funds. The organization receiving state funds must certify that the private funds are new dollars specifically designated for the purpose of matching state funds and have not been previously allocated or designated for economic development. No funds appropriated in this proviso may be used for routine operating costs of the organization as defined by the Department of Commerce.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

The remaining \$200,000 shall be provided to counties as follows, provided they meet the requirements established above:

- | | |
|----------------------|-----------------|
| (1) Beaufort County | \$ 140,000; and |
| (2) Lancaster County | \$ 60,000. |

Upon receipt of the request for the funds and certification of the matching funds, the Department of Commerce shall disburse the funds to the requesting organization.

Funds recipients shall provide an annual report by November first, to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee and the Secretary of Commerce on the expenditure of the funds and on the outcome measures.

Any unexpended, unallocated, or undistributed funds appropriated in prior fiscal years for Regional Economic Development Organizations shall first be made available to Regional Economic Development Organizations and any remainder shall be transferred to the Rural Infrastructure Fund at the Department of Commerce. If more than one alliance applies for the same funds, the funds will be distributed pro-rata.

- 50.19** **ADD** (Funding for Rail Infrastructure) **WMC:** ADD new proviso to allow the Secretary of Commerce to use Rural Infrastructure Fund grants authorized for the Coordinating Council for Economic Development towards state-owned rail infrastructure projects.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

50.19. (CMRC: Funding for Rail Infrastructure) Of the funds authorized for the Coordinating Council for Economic Development under Section 12-10-85 (B) of the 1976 Code, the Secretary of Commerce may utilize these funds toward state-owned rail infrastructure projects.

SECTION 51 -P340 - JOBS-ECONOMIC DEVELOPMENT AUTHORITY

- 51.1** **DELETE** (Bonds Interest Rate) Directs that interest rates of bonds issued by JEDA are not subject to approval by the State Fiscal Accountability Authority.
WMC: DELETE proviso. *Act 80 of 2017 corrected the scrivener's error in the Restructuring Act which had necessitated this provision.* Requested by Jobs Economic Development Authority.
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

~~**51.1.** (JEDA: Bonds Interest Rates) Pursuant to Sections 41-43-100 and 41-43-110(A) of the 1976 Code, the interest rate of bonds issued by the authority are not subject to approval by the State Fiscal Accountability Authority.~~

SECTION 53 - P40-S.C. CONSERVATION BANK

- 53.1** **AMEND** (Conservation Bank Trust Fund) Suspends the requirement that the South Carolina Conservation Bank receive all revenues designated for it under Section 12-24-95 [STATE DEED RECORDING FEE CREDITED TO SOUTH CAROLINA CONSERVATION BANK TRUST FUND]. **WMC:** AMEND proviso to update fiscal year reference from "2017-18" to "2018-19."
HOU: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

53.1. (CB: Conservation Bank Trust Fund) For Fiscal Year ~~2017-18~~ 2018-19, the provisions of Section 12-24-95 of the 1976 Code are suspended.

SECTION 59 - E200 - OFFICE OF THE ATTORNEY GENERAL

- 59.10** **ADD** (Victim/Witness Program Formula Distribution) **WMC:** ADD new proviso to require the first \$650,000 of any excess funds in the SC Victims' Compensation Fund be used for Victim/Witness programs. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 93.4.*
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

59.10. (AG: Victim/Witness Program Formula Distribution) If funds in the South Carolina Victims' Compensation Fund exceed the amount required to operate the State Crime Victim Compensation Department and pay claims of crime victims, the first \$650,000 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria developed by the policy committee, and otherwise subject to requirements of Proviso 60.8.

- 59.11** **ADD** (Physical Abuse Examinations) **WMC:** ADD new proviso to authorize up to \$120,000 11 funds appropriated for Victims' Rights to be expended for physical abuse exams. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 93.5.*
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

59.11. (AG: Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to \$120,000 may be expended for physical abuse examinations.

- 59.12** **ADD** (Procuring Services) **WMC:** ADD new proviso to require the Office of Victims' Assistance to follow state procurement procedures when hiring outside entities in order to maximize services for victims. Require contracting entities to submit an annual report by August 1 detailing expenditures from the prior fiscal year. Direct the Attorney General's Office to transfer funds from the Victims' Compensation Fund and to use general funds appropriated for Victims' Assistance to pay for any contracts or services procured and specifies the amount to be used/transferred. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 93.9.*
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

59.12. (AG: Procuring Services) In order to maximize services for victims of crime, if the fulfilling of requirements pursuant to Section 16-3-1410 of the 1976 Code, necessitates hiring any outside entities, the State Crime Victim Compensation Department must follow procedures

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

established by the SC Consolidated Procurement Code. Any entity contracting with the agency will submit an annual report by August first to the Governor's Office and to the Chairmen of the Senate Finance Committee and House Ways and Means Committee detailing expenditures from the prior fiscal year in accordance with the State Office of Victims' Assistance. The Attorney General's Office is directed to transfer \$122,032 of the funds carried forward from the prior fiscal year in the Victims' Compensation Fund, and up to \$41,892 from general funds from Victim's Assistance to pay for any contracts or services procured.

- 59.13** **ADD** (Crime Victims Ombudsman) **WMC:** ADD new proviso to direct the State Crime Victim Compensation Department to transfer \$116,000 to the Crime Victims Ombudsman's Office for administrative and operations support. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 93.11.*
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

59.13. (AG: Crime Victims Ombudsman) For the current fiscal year, the State Crime Victim Compensation Department shall transfer \$116,000 to the Crime Victims Ombudsman's Office to be used for administrative and operational support.

- 59.14** **ADD** (State Crime Victim Compensation Department) **WMC:** ADD new proviso to authorize the State Crime Victim Compensation Department to enter into MOA with third-party victim service providers for emergency medical, transportation, or other crisis stabilization services on a reimbursable basis and require a report be submitted annually by October 1st to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees on the performance of the providers and the use of funds. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 93.23.*
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

59.14. (AG: State Crime Victim Compensation Department) For the current fiscal year, The State Crime Victim Compensation Department may enter into memoranda of agreement with third-party victim service providers to secure emergency medical, transportation, or other crisis stabilization services on a reimbursable basis. Such agreements shall not allow for more than eight percent of the total reimbursement to cover a provider's administrative, marketing, and advocacy costs. Annually, and no later than October first of each year, the State Crime Victim Compensation Department shall report to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of House Ways and Means Committee on the performance of third-party providers and the use of funds authorized pursuant to this provision in the prior fiscal year.

- 59.15** **ADD** (State Crime Victim Compensation) **WMC:** ADD new proviso to authorize a county or municipality to retain up to \$25,000 or 10% of the funds collected in the prior fiscal year, whichever is higher, pursuant to certain code sections pertaining to the additional assessment authorized in general sessions, family, magistrate, and municipal courts. Direct that if a county or municipality does not spend at least 90% of these funds on specific crime victims' services during the fiscal year the funds are received, any funds that exceed that amount authorized to be carried forward must be remitted to the State Victim Assistance Program. Direct the State Crime Victim Compensation Department to annually offer training and technical assistance on the

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

acceptable use of the funds. Authorize the State Crime Victim Compensation Department to transfer any state funds under their authority to the State Victim Assistance Program for placement in the competitive bid process. Direct the State Victim Assistance Program to offer remitted funds to non-profits that provide direct victim services on a competitive bid process. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 93.26.*

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

59.15. (AG: State Crime Victim Compensation) A county or municipality may retain carry forward funds that were collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) of the 1976 Code, but no more than \$25,000 or ten percent of funds collected in the prior fiscal year, whichever is higher. If a county or municipality does not spend at least ninety percent of the funds collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) on Article 16, Chapter 3, Title 16 first priority and/or second priority programs during the fiscal year that the funds are received then the county or municipality shall remit any unspent funds that are greater than the allowed carried forward funds, regardless of the year collected, to the State Victim Assistance Program (SVAP) with the Office of the Attorney General within 120 days after the end of the fiscal year. All funds must be accounted for in the annual audit for each county or municipality.

The State Crime Victim Compensation Department shall offer training and technical assistance to each municipality and county annually on acceptable use of both priority one and priority two funds and funds available for competitive bid.

The State Crime Victim Compensation Department is authorized to transfer to the State Victim Assistance Program any state funds deemed available under Crime Victims Compensation authority to the State Victim Assistance Programs be placed in the competitive bid process.

The State Victim Assistance Program shall offer any funds remitted to it to non-profit organizations that provide direct victim services on a competitive bid process. These funds may be used by the non-profit for administrative costs and victim services.

59.16 **ADD** (Crime Victim Training Certification and Statistical Analysis) **WMC:** ADD new proviso to authorize the Attorney General's Office to use \$75,000 of the State Crime Victim Compensation Fund to support the State Crime Victim Training, Certification and Statistical Analysis Division.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

59.16. (AG: Crime Victim Training Certification and Statistical Analysis) Of the funds appropriated and/or authorized for the State Crime Victim Compensation Fund, \$75,000 may be used to support the State Crime Victim Training, Certification and Statistical Analysis Division.

SECTION 60 - E210 - PROSECUTION COORDINATION COMMISSION

60.2 **AMEND** (Solicitor Expense Allowance) Directs that each solicitor receive \$500 per month expense allowance.

WMC: AMEND proviso to change the expense allowance from \$500 to \$1,000 per month.

HOU: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

60.2. (PCC: Solicitor Expense Allowance) Each solicitor shall receive ~~five hundred dollars (\$500.00)~~ one thousand dollars (\$1,000.00) per month as expense allowance.

SECTION 63 - K050 - DEPARTMENT OF PUBLIC SAFETY

63.4 DELETE (Sale of Real Property) Authorizes DPS, DOT, and DMV to receive and expend funds received from the sale of property in Greenville.

WMC: DELETE proviso. *Agency states the Laurens Road property in Greenville was sold in FY 2016-17 and the proceeds were distributed to DPS, DOT and DMV. Requested by Department of Public Safety.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

63.4. (DPS: Sale of Real Property) ~~At such time as any portion of the Laurens Road property in Greenville is declared to be surplus by the agency or agencies which occupy said portion, and after receiving approval from the Department of Administration or State Fiscal Accountability Authority, for the sale of the property, the Department of Public Safety, the Department of Transportation, and the Department of Motor Vehicles are authorized to receive, retain, expend, and carry forward funds derived from the sale of the real property in which each agency holds an interest or title. No portion of the property may be declared as surplus by one agency if another agency is occupying said property. The Department of Public Safety is directed to use these funds to defray the operating expenses of the Highway Patrol and the Department of Transportation and the Department of Motor Vehicles are directed to use their portion of these funds for department operating expenses.~~

SECTION 64 - N200 - LAW ENFORCEMENT TRAINING COUNCIL

64.3 ADD (CJA-Unexpended FY 2017-18 General Funds) **WMC:** ADD new proviso to authorize the Criminal Justice Academy to carry forward unexpended general funds to complete the Village Dorm restroom repairs and training program technology upgrades.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

64.3. (LETC: CJA-Unexpended FY 2017-18 General Funds) The Law Enforcement Training Council, Criminal Justice Academy, is authorized to carry forward unexpended general funds from the prior fiscal year into the current fiscal year to complete Village Dorm restroom repairs and technology upgrades for the training program.

SECTION 80 - R280 - DEPARTMENT OF CONSUMER AFFAIRS

80.1 AMEND (Consumer Protection Code Violations Revenue) Authorizes the agency to retain and use funds paid to the department in settlement of cases involving violations of the SC Consumer Protection Code.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

WMC: AMEND proviso to replace “settlement” with “resolution” of cases. Requested by Department of Consumer Affairs.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

80.1. (CA: Consumer Protection Code Violations Revenue) Funds, paid to the department in ~~settlement~~ resolution of cases involving violations of the South Carolina Consumer Protection Code and other statutes enforced by the department be retained and expended within the agency’s budget to help offset the costs of investigating, prosecuting, and the administrative costs associated with these violations, may be carried forward and expended for the same purposes in the current fiscal year.

80.4 **AMEND** (Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) Allows the Department of Consumer Affairs to retain all revenue derived from Consumer Credit Grantor Notification and Maximum Rate filing fees. Directs the revenue be used to offset the cost of operations.

WMC: AMEND proviso to allow the department to retain all filing fees collected under Chapters 2, 3 and 6 of Title 37 by deleting specific references to fees collected under Sections 37-6-203 [CONSUMER PROTECTION CODE FEES]; 37-2-305 [CREDIT SALES FILING & POSTING MAXIMUM RATE SCHEDULE]; and 37-3-305 [LOANS FILING & POSTING MAXIMUM RATE SCHEDULE] and direct that the fees be used to offset the cost of administering and enforcing all of Title 37 rather than just Chapters 2 and 3. Fiscal Impact: RFAO states this provision would have no revenue impact to the General Fund or Federal Funds. The department will be permitted to continue to use Other Funds in the amount of \$615,000. Requested by Department of Consumer Affairs.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

80.4. (CA: Registered Credit Grantor Notification and Maximum Rate Filing Fees Retention) The Department of Consumer Affairs may retain all ~~Consumer Credit Grantor Notification~~ filing fees collected under ~~Section 37-6-203 and all Maximum Rate Schedules~~ filing fees collected under ~~Section 37-2-305 and Section 37-3-305~~ Chapters 2, 3 and 6, Title 37 of the 1976 Code. These fees shall be used to offset the cost of administering and enforcing ~~Chapters 2 and 3, Title 37 of the 1976 Code~~ and may be applied to the cost of operations. Unexpended balances may be carried forward for the prior fiscal year into the current fiscal year and be utilized for the same purposes.

SECTION 82 - R400 - DEPARTMENT OF MOTOR VEHICLES

82.5 **DELETE** (Five Year Eye Exam Suspension) Suspends the requirement that a driver submit a vision screening certificate to the department or visit the department and complete a vision screening during the 5th year of a 10 year driver’s license.

WMC: DELETE proviso. *Agency indicates Act 6 of 2017 (READ ID) provides guidelines for eye exams.* Requested by Department of Motor Vehicles.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

82.5. (DMV: Five Year Eye Exam Suspension) ~~For the current fiscal year, Section 56-1-220(B), relating to the requirement for a vision screening certificate during the fifth year of a ten-year driver's license, is suspended.~~

82.8 **AMEND** (Phoenix III Migration Pilot) Authorizes DMV, upon approval from DOA through the IT project governance process, to expend up to \$1,000,000 from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration.

WMC: AMEND proviso to update fiscal year reference from "2017-18" to "2018-19." Delete the authority to expend "up to" and replace with "the remainder of the" \$1,000,000 "authorized in the prior fiscal year." Requested by Department of Motor Vehicles.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

82.8. (DMV: Phoenix III Migration Pilot) In Fiscal Year ~~2017-18~~ 2018-19, the department shall be authorized to expend ~~up to~~ the remainder of the \$1,000,000 authorized in the prior fiscal year from any available other earmarked cash balances to conduct a proof-of-concept pilot for Phoenix III development and data migration. Funds may be expended only upon review and approval of the Department of Administration through the IT project governance process established by proviso 117.119.

82.9 **AMEND** (Real ID) Authorizes DMV to spend any available earmarked cash reserves to implement Real ID, except for the \$1,000,000 designated for the Phoenix III pilot.

WMC: AMEND proviso to update fiscal year reference from "2017-18" to "2018-19." Delete "1,000,000" and replace with "funds" as the exception for the Phoenix III pilot. Requested by Department of Motor Vehicles.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

82.9. (DMV: Real ID) For Fiscal Year ~~2017-18~~ 2018-19, the Department of Motor Vehicles may expend any available earmarked cash reserves, with the exception of the ~~\$1,000,000~~ funds designated for the Phoenix III pilot, on the implementation of Real ID.

82.10 **ADD** (Electronic Verification Processing Fees) **WMC:** ADD new proviso to exempt DMV from paying Electronic Verification of Vital Events system fees to DHEC for verification or certification of birth certificates used to issue driver's licenses or ID cards.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

82.10. (DMV: Electronic Verification Processing Fees) In the current fiscal year, the Department of Motor Vehicles is exempt from paying fees to the Department of Health and Environmental Control associated with the use of the Electronic Verification of Vital Events (EVVE) system to verify or certify birth certificates during the driver's license or identification card issuance process.

82.11 **ADD** (Minor Identification Card Fees) **WMC:** ADD new proviso to allow DMV to waive the \$5 fee collected for ID cards issued to someone less than 17 years old if the issuance is through

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

a state or federal agency partnership. Fiscal Impact: RFAO states this provision would have no expenditure impact on the General Fund, Other Funds, or Federal Funds. Non-Federal Aid Highway Funds revenue at DOT would be reduced by \$100 which can be absorbed by DOT.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

82.11. (DMV: Minor Identification Card Fees) In the current fiscal year, the Department of Motor Vehicles may waive the five dollar fee associated with issuing an identification card to someone less than 17-years-old if the card issuance is through an established partnership with a state or federal agency.

SECTION 83 - R600 - DEPARTMENT OF EMPLOYMENT AND WORKFORCE

83.1 ~~AMEND (Consortium Contracts: Training-Development Sessions and Media Services *Business Intelligence Division Program Contracts*)~~ Authorizes earmarked funds collected for LMI-Training-Development Services; Media Services and Division Program Contracts to be retained, used, and carried forward for operating these programs.

WMC: AMEND proviso to update the program title from “Consortium Contracts: Training-Development Sessions and Media Services” to “Business Intelligence Division” Program Contracts. Requested by Department of Employment and Workforce.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

83.1. (DEW: ~~Consortium Contracts: Training-Development Sessions and Media Services *Business Intelligence Division Program Contracts*~~) All earmarked funds collected for the ~~LMI-Training-Development Services; Media Services and~~ *Business Intelligence Division* Program Contracts through the Department of Employment and Workforce may be retained by the agency to be used for the exclusive purpose of operating these programs. All funds not expended in the prior fiscal year may be carried forward for use in the current fiscal year.

83.5 **AMEND** (UI Tax System Modernization) Authorizes DEW to expend up to \$1,743,930 of funds made available to the State under Section 903 of the U.S. Social Security Act. Directs the funds be used to replace the agency’s unemployment tax information system with a modern technology solution. Prohibits the funds from being obligated after a 2-year period beginning July 1, 2017.

WMC: AMEND proviso to change “\$1,743,930” to “\$3,178,053” and update the fiscal year reference from “2017” to “2018.” Requested by Department of Employment and Workforce.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

83.5. (DEW: UI Tax System Modernization) The Department of Employment and Workforce is authorized to expend up to ~~\$1,743,930~~ \$3,178,053 of funds made available to the State under Section 903 of the United States Social Security Act, as amended. The funds must be used under the direction of the Department of Employment and Workforce, for the purpose of acquiring software, equipment, and necessary services to replace the agency’s unemployment tax information system with a modern technology solution. No part of the funds herein authorized may be obligated after a two-year period beginning on July 1, ~~2017~~ 2018. The amount obligated

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

pursuant to this provision shall not at any time exceed the amount by which (a) the aggregate of amounts transferred to the accounts of the State pursuant to Section 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.

SECTION 84 - U120 - DEPARTMENT OF TRANSPORTATION

- 84.15** **ADD** (Preventative Maintenance Credit) **WMC:** ADD new proviso to authorize DOT to transfer a portion of the motor fuel user fee held in the Infrastructure Maintenance Trust Fund to DOR to satisfy the preventative maintenance credits. Fiscal Impact: RFAO states this provision would have no additional impact on the General Fund, Other Funds, or Federal Funds expenditures or revenue. Requested by Department of Transportation.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

84.15. (DOT: Preventative Maintenance Credit) The Department of Transportation is authorized to transfer a portion of proceeds of the motor fuel user fee received from Section 12-28-310(D) to the Department of Revenue in order to satisfy the requirements of the preventative maintenance credit in Section 12-6-3780(B)(2).

- 84.16** **ADD** (Emergency Meetings) **WMC:** ADD new proviso to authorize the DOT Commission to convene an emergency meeting when the Secretary of Transportation determines a natural disaster or other situation requires immediate action. Direct that a meeting notice be immediately provided to the press and the public. Direct that only emergency matters may be considered at the meeting and that it be open to the public.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

84.16. (DOT: Emergency Meetings) The Department of Transportation Commission is authorized to use funds under this Act in order to convene a meeting in cases of emergency as determined by the Secretary of Transportation when a natural disaster or other dire situation requires immediate action. Notice shall be given to the press and the public as soon as a decision is made to convene an emergency meeting. Only emergency matters may be considered in such a meeting. The meeting shall be open to the public, and may be conducted over a conference call if necessary.

SECTION 87 - U300 - DIVISION OF AERONAUTICS

- 87.3** **AMEND** (Funding Sequence) Directs that all General Aviation Airports will receive funding prior to the four air carrier airports as these qualify for special funding under the DOT/FAA appropriations. Allows the policy to be waived to provide matching state funds for critical FAA safety or capacity projects.
WMC: AMEND proviso to delete the matching state funds policy waiver for critical projects at air carrier airports. Requested by Division of Aeronautics.
HOU: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

87.3. (AERO: Funding Sequence) All General Aviation Airports will receive funding prior to the four air carrier airports (i.e. Columbia, Charleston, Greenville-Spartanburg, Myrtle Beach Jetport) as these qualify for special funding under the DOT/FAA appropriations based on enplanements in South Carolina. ~~This policy may be waived to provide matching state funds for critical FAA safety or capacity projects at air carrier airports.~~

SECTION 88 - Y140 - STATE PORTS AUTHORITY

88.1 **AMEND** (Charleston Cooper River Bridge Project) Directs the State Ports Authority to pay the State Transportation Infrastructure Bank \$1,000,000 before June 30, 2018 to continue the Charleston Cooper River Bridge Project.

WMC: AMEND proviso to update fiscal year references from “2017” to “2018” and from “2018” to “2019.” *Meets the obligations of the State Ports Authority and the State Infrastructure Bank’s financial agreement.* Fiscal Impact: No impact on the General Fund. The funds used to pay the Transportation Infrastructure Bank are operating funds of the Ports Authority, none of which are state appropriated funds. Generates \$1,000,000 for the State Transportation Infrastructure Bank. Per the Ports Authority, the commitment of the agency is to provide \$1,000,000 per year for 25 years, until 2027. Requested by State Ports Authority.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

88.1. (SPA: Charleston Cooper River Bridge Project) The State Ports Authority shall, from other general fund or operating fund surplus available and any funds appropriated to the authority in prior fiscal years and left unexpended as of July 1, ~~2017~~ 2018, pay to the State Transportation Infrastructure Bank one million dollars before June 30, ~~2018~~ 2019, to continue the Charleston Cooper River Bridge Project.

88.5 **DELETE** (Jasper Ocean Terminal Permitting) Designates \$1,000,000 of the funds allocated in FY 2016-17 for the Jasper Ocean Terminal Permitting for a contract for the permitting process that the Corps of Engineers were previously scheduled to handle. Prohibits the Ports Authority from spending these funds until a contract is executed. Requires funds not committed by the contract to be returned to the General Fund at the end of FY 2017-18.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

88.5. (SPA: Jasper Ocean Terminal Permitting) ~~Of the funds allocated to the Ports Authority in Fiscal Year 2016-17 for the Jasper Ocean Terminal Permitting, \$1,000,000 is designated for a contract for the permitting process that was previously scheduled to be handled by the Corps of Engineers. This funding may not be expended by the Ports Authority until a contract is executed. Additionally, any funds not committed by this contract must be returned to the General Fund at the end of Fiscal Year 2017-18.~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

- 91.23** **AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership to provide a report that describes the state’s efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2018.
WMC: AMEND proviso to update report due date to no later than June 1, “2019.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

91.23. (LEG: Technology Panel) Of the funds appropriated in the Department of Education’s program VIII.D. for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state’s efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, ~~2018~~ 2019.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

- 93.4** **DELETE/MOVE** (Victim/Witness Program Formula Distribution) Requires the first \$650,000 of any excess funds in the SC Victims’ Compensation Fund be used for Victim/Witness programs.
WMC: DELETE proviso. *Responsibility was transferred per Act 96 of 2017 to the Attorney General’s Office. See proviso 59.10.*
HOU: ADOPT deletion of proviso.
SFC: ADOPT deletion of proviso.
SEN: ADOPT deletion of proviso.

93.4. (DOA: Victim/Witness Program Formula Distribution) ~~If funds in the South Carolina Victims’ Compensation Fund exceed the amount required to operate the State Office of Victims Assistance and pay claims of crime victims the first \$650,000 of such excess must be used for Victim/Witness programs by distribution to Judicial Circuits based on a formula and criteria developed by the policy committee, and otherwise subject to requirements of Section 60.8.~~

- 93.5** **DELETE/MOVE** (Physical Abuse Examinations) Authorizes up to \$120,000 of funds appropriated for Victims’ Rights to be expended for physical abuse exams.
WMC: DELETE proviso. *Responsibility was transferred per Act 96 of 2017 to the Attorney General’s Office. See proviso 59.11.*
HOU: ADOPT deletion of proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~93.5. (DOA: Physical Abuse Examinations) Of the funds appropriated in this section for Victims' Rights, up to \$120,000 may be expended for physical abuse examinations.~~

93.9 DELETE/MOVE (Procuring Services) Requires the Office of Victims' Assistance to follow state procurement procedures when hiring outside entities in order to maximize services for victims. Requires contracting entities to submit an annual report by August 1 detailing expenditures from the prior fiscal year. Authorizes OEPP to transfer funds from the Victims' Compensation Fund and to use general funds appropriated for Victims' Assistance to pay for any contracts or services procured and specifies the amount to be used/transferred.

WMC: DELETE proviso. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 59.12.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~93.9. (DOA: Procuring Services) In order to maximize services for victims of crime, if the fulfilling of requirements pursuant to Section 16-3-1410 of the 1976 Code, necessitates hiring any outside entities, the State Office of Victims' Assistance must follow procedures established by the SC Consolidated Procurement Code. Any entity contracting with the agency will submit an annual report by August first to the Governor's Office and to the Chairmen of the Senate Finance Committee and House Ways and Means Committee detailing expenditures from the prior fiscal year in accordance with the State Office of Victims' Assistance. The Governor's Office of Executive Policy and Programs is directed to transfer \$122,032 of the funds carried forward from the prior fiscal year in the Victims' Compensation Fund, and up to \$41,892 from general funds from Program III.C.1 to pay for any contracts or services procured.~~

93.11 DELETE/MOVE (Crime Victims Ombudsman) Directs the State Office of Victim's Assistance to transfer \$116,000 to the Crime Victims Ombudsman's Office for administrative and operations support.

WMC: DELETE proviso. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 59.13.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~93.11. (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer \$116,000 to the Crime Victims Ombudsman's Office to be used for administrative and operational support.~~

93.19 AMEND (Sale of Surplus Real Property) Provides guidelines for the retention and use of revenue derived from the sale of surplus real properties.

WMC: AMEND proviso to delete authorization for Vocational Rehabilitation to retain the net proceeds from the sale of 3.205 acres in Clinton. *Agency states the property was sold and the proceeds were designated to capital project #9554, Lyman VR Center. Requested by Department of Vocational Rehabilitation.*

HOU: ADOPT proviso as amended.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

93.19. (DOA: Sale of Surplus Real Property) Up to fifty percent of the proceeds, net of selling expenses, from the sale of surplus real properties shall be retained by the Department of Administration and used for the deferred maintenance of state-owned buildings. The remaining fifty percent of the net proceeds shall be returned to the agency that the property is owned by, under the control of, or assigned to and shall be used by that agency for nonrecurring purposes. This provision applies to all state agencies and departments except: institutions of higher learning; the Public Service Authority; the Ports Authority; the MUSC Hospital Authority; the Myrtle Beach Air Force Redevelopment Authority; the Department of Transportation; the Columbia State Farmers Market; the Department of Agriculture's Columbia Metrology Lab building and property; the Charleston Naval Complex Redevelopment Authority; the Department of Commerce's Division of Public Railways; the Midlands Technical College Enterprise Campus Authority; the Trident Technical College Enterprise Campus Authority; the Commissioners residence at the Department of Corrections and the Educational Television Commission's Key Road property.

The Educational Television Commission shall be authorized to retain the net proceeds from the sale of its property on Key Road, and such proceeds may be used for the renovation of the ETV Telecommunications Center and other maintenance and operating expenses. If it is determined that sufficient net proceeds are not to be derived from the sale of its property on Key Road to cover the cost of all renovations of the Telecommunications Center, the property on Key Road shall not be sold. Any proposed sale hereunder shall, prior to said sale, be submitted to the Department of Administration for approval as being in compliance with the requirements of this subsection.

The Department of Corrections shall be authorized to retain the net proceeds from the sale of the residence provided for the Commissioner of the Department of Corrections and use such proceeds for deferred maintenance needs at the Department of Corrections.

The Forestry Commission shall be authorized to retain the net proceeds from the sale of surplus land for use in firefighting operations and replacement of firefighting equipment.

The Department of Natural Resources shall be authorized to retain the net proceeds from the sale of existing offices originally purchased with a federal grant or with restricted revenue from hunting and fishing license sales for the improvement, consolidation, and/or establishment of regional offices and related facilities.

~~The Department of Vocational Rehabilitation shall be authorized to retain the net proceeds from the sale of 3.205 acres located at 22861 Highway 76 East in Clinton, South Carolina to be used for capital projects and deferred maintenance.~~

The Department of Agriculture, the Educational Television Commission, the Department of Corrections, the Department of Natural Resources, the Forestry Commission, and the Department of Vocational Rehabilitation shall annually submit a report, within sixty days after the close of the fiscal year, to the Senate Finance Committee and the House Ways and Means Committee on the status of the sale of the identified property and a detailed accounting on the expenditure of funds resulting from such sale.

This provision is comprehensive and supersedes any conflicting provisions concerning disposition of state-owned real property whether in permanent law, temporary law or by provision elsewhere in this act.

Any unused portion of these funds may be carried forward into succeeding fiscal years and used for the same purposes.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

- 93.23** **DELETE/MOVE** (Office of Victim Assistance) Authorizes the State Office of Victim Assistance to enter into MOA with third-party victim service providers for emergency medical, transportation, or other crisis stabilization services on a reimbursable basis and require a report be submitted annually by October 1st to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees on the performance of the providers and the use of funds.
- WMC:** DELETE proviso. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 59.14.*
- HOU:** ADOPT deletion of proviso.
- SFC:** ADOPT deletion of proviso.
- SEN:** ADOPT deletion of proviso.

~~**93.23.** (DOA: Office of Victim Assistance) For the current fiscal year, The State Office of Victim Assistance may enter into memoranda of agreement with third party victim service providers to secure emergency medical, transportation, or other crisis stabilization services on a reimbursable basis. Such agreements shall not allow for more than eight percent of the total reimbursement to cover a provider's administrative, marketing, and advocacy costs. Annually, and no later than October first of each year, the State Office of Victim Assistance shall report to the Governor, the Chairman of Senate Finance Committee, and the Chairman of House Ways and Means Committee on the performance of third party providers and the use of funds authorized pursuant to this provision in the prior fiscal year.~~

- 93.25** **DELETE** (Sale of Port Royal) Directs DOA to order a new appraisal for the real and personal property at Port Royal within 30 days of the transfer of the property to DOA. Requires the appraisal be conducted in strict accordance with Section 54-3-700(D) [CESSATION OF MARINE TERMINAL OPERATIONS AT PORT ROYAL; SALE OF PROPERTY; CONDITIONS AND REQUIREMENTS OF SALE] and directs that the appraisal be published on the DOA website. Provides a timeframe and guidelines for the sale of the property. Directs that upon the transfer of the Port Royal real and personal property to DOA, the port and its representatives are divested of any authority, control, jurisdiction, or legal standing regarding the property.
- WMC:** DELETE proviso. *The property has been sold.* Requested by Department of Administration.
- HOU:** ADOPT deletion of proviso.
- SFC:** ADOPT deletion of proviso.
- SEN:** ADOPT deletion of proviso.

~~**93.25.** (DOA: Sale of Port Royal) (A) Within thirty days of the transfer of the real and personal property at Port Royal to the Department of Administration pursuant to Section 54-3-700 of the 1976 Code, from the funds appropriated to the department, the department must order a new appraisal for the property, which shall be the appraisal to which Section 54-3-700(C)(3) applies. The appraisal must be conducted in strict accordance with Section 54-3-700(D), and the department, or the appraisal itself, must demonstrate that the appraisal was conducted accordingly. Upon the completion of the appraisal, the department must publish the appraisal, in its entirety, on the website maintained by the department. Also, the department shall make the appraisal available to any interested party.~~

~~(B) Beginning on the first day of the first month beginning thirty days after the completion of the appraisal, the department shall list the property for sale at public auction. The auction shall close ninety days thereafter. If the department is unable to close the sale of the property to the highest qualifying bidder, the department must sell the property to the second highest qualifying bidder if the bidder is willing to close at the same bid amount. If the department is unable to~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~close the sale of the property to the second highest qualifying bidder, the department shall continue this process until it has exhausted all qualifying bidders. For purposes of this section, a qualifying bid is a bid that meets the requirements of Section 54-3-700(C)(3).~~

~~(C) Upon the transfer of the real and personal property at Port Royal to the Department of Administration pursuant to Section 54-3-700, the State Ports Authority, and any of its representatives, are divested of any authority, control, jurisdiction, or legal standing in regards to the property.~~

- 93.26 DELETE/MOVE** (State Victim Assistance Program) Authorizes a county or municipality to retain up to \$25,000 or 10% of the funds collected in the prior fiscal year, whichever is higher, pursuant to certain code sections pertaining to the additional assessment authorized in general sessions, family, magistrate, and municipal courts. Directs that if a county or municipality does not spend at least 90% of these funds on specific crime victims' services during the fiscal year the funds are received, any funds that exceed that amount authorized to be carried forward must be remitted to the State Victim Assistance Program within the DPS Office of Highway Safety and Justice Programs. Directs SOVA to annually offer training and technical assistance on the acceptable use of the funds. Authorizes SOVA to transfer any state funds under their authority to the DPS State Victim Assistance Program for placement in the competitive bid process. Directs the State Victim Assistance Program to offer remitted funds to non-profits that provide direct victim services on a competitive bid process.

WMC: DELETE proviso. *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office. See proviso 59.15.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

93.26. (DOA: State Victim Assistance Program) ~~A county or municipality may retain carry forward funds that were collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) of the 1976 Code, but no more than \$25,000 or ten percent of funds collected in the prior fiscal year, whichever is higher. If a county or municipality does not spend at least ninety percent of the funds collected pursuant to Sections 14-1-206 (B) and (D), 14-1-207 (B) and (D), 14-1-208 (B) and (D), and 14-1-211 (B) on Article 16, Chapter 3, Title 16 first priority and/or second priority programs during the fiscal year that the funds are received then the county or municipality shall remit any unspent funds that are greater than the allowed carried forward funds, regardless of the year collected, to the State Victim Assistance Program (SVAP) with the Department of Public Safety, Office of Highway Safety and Justice Programs within 120 days after the end of the fiscal year. All funds must be accounted for in the annual audit for each county or municipality.~~

~~SOVA shall offer training and technical assistance to each municipality and county annually on acceptable use of both priority one and priority two funds and funds available for competitive bid.~~

~~SOVA is authorized to transfer to the State Victim Assistance Program housed in the Department of Public Safety any state funds deemed available under SOVA authority to be placed in the competitive bid process.~~

~~The State Victim Assistance Program shall offer any funds remitted to it to non-profit organizations that provide direct victim services on a competitive bid process. These funds may be used by the non-profit for administrative costs and victim services.~~

- 93.28 ADD** (OCAB Head Start Program) **HOU:** ADD new proviso to direct DOA to transfer \$30,000 from Executive Policy & Programs to OCAB Community Action Agency, Inc., Head Start

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

Program to match grant funds for the purchase a 36-passenger bus for Head Start students.
Sponsors: Reps. Ott and Cobb-Hunter.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

93.28. (DOA: OCAB Head Start Program) Of the funds appropriated to the Department of Administration, III. Executive Policy & Programs, the department is directed to transfer \$30,000 to OCAB Community Action Agency, Inc., Head Start Program in order to match a grant award for the purchase of a 36-passenger bus to transport Head Start students.

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.9 ~~AMEND (Billeting and Dining Facility Operations)~~ Authorizes Billeting and Dining Facility operations revenue to be retained and expended in their budgeted operations.

WMC: AMEND proviso to delete reference to Dining Facility operations. *The operations, financial management, and oversight of the Dining Facility operations are being moved under the National Guard Grants and Cooperative Agreements Program's Master Cooperative Agreement which is managed by the US Property and Fiscal Office.* Requested by Office of Adjutant General.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

100.9. (ADJ: ~~Billeting and Dining Facility~~ Operations) All revenues collected by the ~~Billeting and Dining Facility~~ operations at the R.L. McCrady Training Center shall be retained and expended in their its budgeted operations. Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations ~~and the Deputy Adjutant General for state operations for the Dining Facility operation.~~

100.16 **AMEND** (National or State Guard State Active Duty) Authorizes and directs the State Treasurer and the Comptroller General to pay funds necessary to cover actual costs incurred, not to exceed \$500,000, from specific categories if the Governor activates the National Guard to State Active Duty in a declared state emergency. Directs that Emergency Management Assistance Compact and federal funds received from a Declared Federal Emergency reimbursed to the state are to be deposited into the general fund, up to the amount of funds advanced to the SC National Guard.

WMC: AMEND proviso to include the activation of the State Guard; delete reference to the activation only being in response to the Governor declaring a state of emergency; specify the code cite for EMAC support; delete list of specific categories for which reimbursement is paid; and change reference to the SC National Guard to the Office of Adjutant General. *Some events requiring National or State Guard response does not rise to the level of the Governor issuing a Declared State of Emergency.* Requested by Office of the Adjutant General.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

100.16. (ADJ: National or State Guard State Active Duty) In the event of the activation of the South Carolina National Guard or State Guard to State Active Duty ~~by the Governor in a Declaration of State Emergency in response to a declared emergency or in response to an imminent or anticipated emergency.~~ including support provided under Section 25-9-420 of the

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~1976 Code, the Emergency Management Assistance Compact (EMAC), the State Treasurer and the Comptroller General are hereby authorized and directed to pay from the general fund of the State such funds as necessary, not to exceed \$500,000, to cover the actual costs incurred for personnel, travel, and per diem costs, and the Operational Tempo costs for equipment from the U.S. Property and Fiscal Office. EMAC and any Federal monies from a Declared Federal Emergency *Any funds* reimbursed to the state shall be deposited in the state general fund, up to the amount of funds advanced to the South Carolina National Guard for the Declared State of Emergency *Office of Adjutant General for these activities.*~~

- 100.19 AMEND** (Disasters Expenditure Status Report) Requires the Emergency Management Division to prepare a quarterly report on the status of the expenditure of funds appropriated in the current or a previous fiscal year for FEMA Match for the 2015 Flooding, for Hurricane Matthew, and for the Pinnacle Mountain Fire and submit the report to the Chairmen of the Senate Finance and House Ways and Means Committees beginning September 30, 2017.
WMC: AMEND proviso to change September 30, “2017” to “2018.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

100.19. (ADJ: Disasters Expenditure Status Report) The Emergency Management Division of the Office of the Adjutant General shall prepare a quarterly report on the status of the expenditure of the funds appropriated in the current fiscal year or in a previous fiscal year for FEMA Match for the 2015 Flooding, for Hurricane Matthew, and for the Pinnacle Mountain Fire. The quarterly report must include, but is not limited to, expenditure by category of work by state/local and by county and shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee beginning September 30, ~~2017~~ 2018.

- 100.20 ADD** (Armory Revitalizations Carry Forward) **WMC:** ADD new proviso to authorize Armory Revitalization funds to be carried forward and expended for the same purpose.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

100.20. (ADJ: Armory Revitalizations Carry Forward) The funds appropriated for Armory Revitalizations may be carried forward from the prior fiscal year and expended for the same purpose in the current fiscal year.

SECTION 101 - E280 - ELECTION COMMISSION

- 101.1 AMEND** (County Boards of Voter Registration and Elections Compensation) Authorizes compensation for each County Boards of Voter Registration and Elections Board Members at the rate of \$1,500 annually and limits each county to \$12,500 per year. Exempts funds appropriated for this purpose from budget reductions. Directs that unexpended funds be carried forward and used for special primaries, runoffs, and elections.
WMC: AMEND proviso to change “\$12,500” to “\$13,500.” *The cap of \$12,500 does not allow counties with 9 board members to pay the \$1,500 stipend.* Fiscal Impact: No additional funding is needed. The commission has reviewed the amount needed to provide the full stipend to the

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

current number of board members and has concluded that the current funding appropriated is sufficient.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

101.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for “County Boards of Voter Registration and Elections Board Members,” shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed ~~\$12,500~~ \$13,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections Board Members. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections Board Members shall be excluded from the agency’s base budget. Unexpended funds shall be carried forward from the prior fiscal year and shall be utilized for special primaries, runoffs, and elections.

101.12 **ADD** (Statewide Voting System Reserve Fund) **WMC:** ADD new proviso to create the Statewide Voting System Reserve Fund that is separate and distinct from the General Fund; direct that accrued interest must remain in the fund; direct that the fund may only be used to procure a new Statewide Voting System; require General Assembly authorization before money can be spent from the fund; and authorize the funds to be carried forward and used for the same purpose.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

101.12. (ELECT: Statewide Voting System Reserve Fund) Of the funds appropriated for the New Statewide Voting System, there is created within the State Election Commission the Statewide Voting System Reserve Fund. This fund shall be separate and distinct from the General Fund and interest accrued by the fund must remain in the fund. This fund may only be used by the State Election Commission for the procurement of a new Statewide Voting System. The State Election Commission must receive authorization from the General Assembly prior to expending any amount from the fund. These funds shall be carried forward from the prior fiscal year into the current fiscal year and must be used for the same purpose.

SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY

104.4 **AMEND** (Insurance Coverage for Aging Entity Authorized) Authorizes the Insurance Reserve Fund to provide insurance coverage for certain local aging entities. Directs that the IRF and the State shall not be liable for any coverage insufficiencies.

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

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

104.4. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year ~~2017-18~~ 2018-

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

19, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

SECTION 105 - F270 - SFAA, STATE AUDITOR'S OFFICE

105.1 AMEND (Annual Audit of Federal Programs) Requires each state agency subject to federal audit requirements to pay the State Auditor for their share of the expense of contracting with a CPA firm to conduct the federal portion of the audit as determined by a schedule developed by the State Auditor. Authorizes these funds to be retained, expended, and carried forward.

WMC: AMEND proviso to change uniform requirement reference from "OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations" to-"Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)." Requested by Office of the State Auditor.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

105.1. (SFAA-AUD: Annual Audit of Federal Programs) Each state agency receiving federal funds subject to the audit requirements of the Single Audit Act Amendments of 1996 and ~~OMB Circular A-133, Audits of States, Local Governments and Nonprofit Organizations~~ Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) shall remit to the State Auditor an amount representing an equitable portion of the expense of contracting with a nationally recognized CPA firm to conduct a portion of the audit of the State's federal financial assistance.

Each state agency's equitable portion of the expense will be determined by a schedule developed by the State Auditor. Such remittance will be based upon invoices provided by the State Auditor. The audit shall be re-bid every five years. The State Auditor shall retain and expend the funds received and shall carry forward any unexpended funds from the prior fiscal year into the current fiscal year for the same purpose.

SECTION 108 - F500 - PUBLIC EMPLOYEE BENEFIT AUTHORITY

108.13 ADD (Non-Revocation of Beneficiary Designations) **WMC:** ADD new proviso to suspend the revocation of benefits for beneficiaries affected by divorce for the administration of employee benefit plans established in Article 5, Chapter 11, Title 1 [EMPLOYEES AND RETIREES INSURANCE ACCOUNTING FOR POST-EMPLOYMENTS BENEFITS], Chapter 23, Title 8 [RETIREMENT SYSTEMS] and Title 9 [DEFERRED COMPENSATION PROGRAM].

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

108.13. (PEBA: Non-Revocation of Beneficiary Designations) For the payment of benefits during Fiscal Year 2018-19, the provisions of Section 62-2-507 of the 1976 Code related to the revocation of beneficiary designations upon divorce are hereby suspended for the administration

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

of the employee benefit plans established pursuant to Article 5 of Chapter 11 of Title 1, Chapter 23 of the Title 8, or Title 9 of the 1976 Code.

- 108.14** **ADD** (Removal of Notarization Requirement for Retirement Systems) **WMC:** ADD new proviso to suspend the requirement that written beneficiary designations be duly acknowledged pursuant to multiple provisions in the Retirement Systems code section. Suspend requirement that PEBA member forms concerning requirements for revoking spousal retirement benefits be notarized.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

108.14. (PEBA: Removal of Notarization Requirement for Retirement Systems) The provisions in Sections 9-1-1650, 9-9-70(A), 9-9-100(2), 9-11-110(1), 9-11-170(5) and 9-11-170(6) of the 1976 Code requiring a written beneficiary designation to be “duly acknowledged” are hereby suspended for Fiscal Year 2018-19. The requirement that a PEBA form or other writing signed by a member be “notarized” pursuant to Section 9-9-70(B) is hereby suspended for Fiscal Year 2018-19.

- 108.15** **ADD** (Suspension of Fiduciary Audit) **WMC:** ADD new proviso to suspend the requirement that a private audit firm submit a fiduciary audit of PEBA by January 15, 2019.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

108.15. (PEBA: Suspension of Fiduciary Audit) The provision of Section 9-4-40 of the 1976 Code requiring the performance and completion of a fiduciary audit of the Public Employee Benefit Authority by January 15, 2019, is hereby suspended for Fiscal Year 2018-19.

SECTION 109 - R440 - DEPARTMENT OF REVENUE

- 109.9** **AMEND** (May Events) Directs that up to 1/3 of the total accommodation tax allocation returned to Horry County or its municipalities may be set aside and used for direct policing activities during events held in May within Horry County. Requires the local government inform DOR by October 31st of the percentage of accommodation tax to be withheld, not to exceed 1/3 of the estimated yearly return. Directs DOR to send these funds to the local governing entity upon their request. Requires the county or municipalities submit a report on the expenditure of the funds to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by 90 days after the end of the event for which the funds were expended.

WMC: AMEND proviso to exclude municipalities that have enacted a Tourism Development Fee.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

109.9. (DOR: May Events) Of the accommodation tax returned to Horry County or the municipalities therein, excluding municipalities that have enacted a Tourism Development Fee up to one third of the total allocation may be set aside and used for direct policing activities during events held in May within Horry County. By October thirty-first, the local government must

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

inform the Department of Revenue the percentage of accommodation tax to withhold, not to exceed one third of the estimated yearly return, ~~that~~ *which* will be dedicated to direct policing activities. These funds shall be sent by the Department of Revenue to the local governing entity upon request of the local entity. A report on the expenditure of these funds, which must include the amount and purpose for which the funds were expended shall be submitted by the county or municipalities to the Governor, the Chairman of Senate Finance Committee and the Chairman of House Ways and Means Committee no later than ninety days after the end of any event in which these funds are expended.

- 109.10 AMEND FURTHER** (Educational Credit for Exceptional Needs Children) **SFC:** AMEND proviso item (B)(1)(4) to direct that information obtained from a tax return, document, or stored data used by the department or the public charity as well as personally identifiable information, individual health records, or medical or wellness needs of children are confidential and exempt from disclosure through FOIA. Amend item (C)(1) to direct that tuition charged to qualifying students by eligible schools that receive grants may not exceed tuition charged to non-participating students. Amend item (D)(1)(b) to require the school to provide individual student test scores on national achievement or state standardized tests for students who received a grant during the prior school year. Amend (D)(6) to require the EOC to issue a report to the General Assembly that documents the impact of the Educational Credit for Exceptional Needs Children Program on student achievement; and to include certain information on individual schools. Provide for the EOC to reduce participating student cell size under certain conditions. Amend item (H)(2) by (c) to direct that a child within the care and custody of a taxpayer claiming the refundable tax credit may not be charged tuition that exceeds the tuition charged to non-participating students. Amend item (J) to delete from the study subitems (1) and (4) which pertains to measurable improvement.
- SEN:** AMEND FURTHER to change the amount of tax credits which this proviso may not cumulatively exceed from “eleven” to “twelve” million dollars. Sponsor: Sen. Sheheen.
- HOU2:** AMEND proviso to adopt the SFC and SEN amendments.

109.10. (DOR: Educational Credit for Exceptional Needs Children) (A) As used in this proviso:

(1) “Eligible school” means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

- (a) offers a general education to primary or secondary school students;
- (b) does not discriminate on the basis of race, color, or national origin;
- (c) is located in this State;
- (d) has an educational curriculum that includes courses set forth in the state’s diploma requirements, graduation certificate requirements (for special needs children), and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;
- (e) has school facilities that are subject to applicable federal, state, and local laws;
- (f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, or Palmetto Association of Independent Schools; and
- (g) provides a specially designed program or learning resource center to provide needed accommodations based on the needs of exceptional needs students or provides onsite educational services or supports to meet the needs of exceptional needs students, or is a school specifically existing to meet the needs of only exceptional needs students with documented disabilities.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(2) "Exceptional needs child" means a child:

(a) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(b) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs.

(3) "Independent school" means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.

(4) "Parent" means the natural or adoptive parent or legal guardian of a child.

(5) "Qualifying student" means a student who is an exceptional needs child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.

(6) "Resident public school district" means the public school district in which a student resides, or in the case of dependents of active military personnel, the public school district which the student may attend.

(7) "Transportation" means transportation to and from school only.

(8) "Tuition" means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(9) "Department" means the Department of Revenue.

(B) (1) There is created the Educational Credit for Exceptional Needs Children Fund that is separate and distinct from the State general fund. The fund shall be organized by the department as a public charity as defined by the Internal Revenue Code under sections 509(a)(1) through 509(a)(4) and consist solely of contributions made to the fund. The fund may not receive an appropriation of public funds. The fund shall receive and hold all contributions intended for it as well as all earnings until disbursed as provided in this chapter. Monies received in the fund shall be used to provide scholarships to exceptional needs children attending eligible schools.

(2) The amounts on deposit in the fund do not constitute public funds nor are the deposits property of the State. Amounts on deposit in the fund must not be commingled with public funds and the State shall have no claim to or interest in the amounts on deposit. Agreements or contracts entered into by or on behalf of the fund do not constitute a debt or obligation of the State.

(3) The public charity shall be governed by five directors, two appointed by the Chairman of the House Ways and Means Committee, one of which is based upon the recommendation of the South Carolina Association of Christian Schools and one which is based upon the recommendation of the Diocese of Charleston, two appointed by the Chairman of the Senate Finance Committee based upon the recommendations of the South Carolina Independent Schools Association and one appointed by the Governor based upon the recommendation of the Palmetto Association of Independent Schools. The directors of the public charity, along with the Director of the Department of Revenue, shall designate an executive director of the public charity.

(4) In concert with the public charity directors, the Department of Revenue shall administer the public charity, including, but not limited to, the keeping of records, the management of accounts, and disbursement of the grants awarded pursuant to this proviso. The

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

public charity may expend up to two percent of the fund for administration and related costs. Neither the department or the public charity may expend public funds to administer the program.

Information contained in or produced from a tax return, document, or magnetically or electronically stored data utilized by the Department of Revenue or the public charity in the exercise of its duties as provided in this proviso shall remain confidential and is exempt from disclosure pursuant to the Freedom of Information Act. Personally identifiable information, as described in the Family Educational Rights and Privacy Act and individual health records, or the medical or wellness needs of children applying for or receiving grants shall remain confidential and are not subject to disclosure pursuant to the Freedom of Information Act.

(5) By June thirtieth of the current fiscal year, the Department of Revenue must report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee and the Governor:

(a) the number and total amount of grants issued to eligible schools in the fiscal year;

(b) for each grant issued to an eligible school in the fiscal year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of a compilation, review, or audit of the fund's financial statements, conducted by a certified public accounting firm and;

(e) the criteria and eligibility requirements for scholarship awards.

(C) (1) Grants may be awarded in an amount not exceeding eleven thousand dollars or the total annual cost of tuition, whichever is less, to a qualifying student at an eligible school. Tuition charged to qualifying students by eligible schools receiving grants may not exceed tuition charged to non-participating students.

(2) Before awarding any grant, the public charity must receive written documentation from the qualifying student's parent or guardian documenting that the qualifying student is an exceptional needs child. Upon approving the application, the public charity must issue a check to the eligible school in the name of the qualifying student within either thirty days upon approval of the application or thirty days of the start of the school's semester.

(3) In the event that the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school must return a prorated amount of the grant to the public charity based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(4) The public charity may not award grants solely for the benefit of one school.

(5) The department or the public charity may not release any personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain.

(6) The public charity shall develop a process to prioritize the awarding of grants to eligible incumbent grant recipients at eligible schools.

(D) (1) (a) Tax credits authorized by subsection (H)(1) and subsection (I) of this proviso annually may not exceed cumulatively a total of ~~eleven~~ twelve million dollars for contributions to the Educational Credit for Exceptional Needs Children Fund.

(b) Tax credits authorized pursuant to subsection (H)(2) of this proviso annually may not exceed cumulatively a total of two million dollars for tuition payments made on behalf of qualifying students.

(c) If the department determines that the total of the credits claimed by all taxpayers exceeds either limit amount as contained in items (a) or (b), it shall allow credits only up to those amounts on a first come, first served basis.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(2) (a) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. Subject to the provisions of subitem (e), contributions must be made annually on or before June thirtieth, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(b) A taxpayer may not claim more than sixty percent of his total tax liability for the year in contribution toward the tax credit authorized by subsection (H)(1) or subsection (I). This credit is not refundable.

(c) If a taxpayer deducts the amount of the contribution on his federal return and claims the credit allowed by subsection (H)(1) or subsection (I), then he must add back the amount of the deduction for purposes of South Carolina income taxes.

(d) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (H)(1) or subsection (I). The department shall also develop a method of informing taxpayers if the credit limit is met at any time during the fiscal year.

(e) A taxpayer only may claim a credit pursuant to subsection (H)(1) and subsection (I) for contributions made during the fiscal year.

(3) A corporation or entity entitled to a credit under subsection (H)(1) and subsection (I) may not convey, assign, or transfer the credit authorized by this proviso to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(E) (1) On or before August first, of the current fiscal year an independent school who participated in the program in the prior fiscal year and who desires to participate in the program in the current fiscal year must reapply to the Education Oversight Committee. The independent school must certify to the Education Oversight Committee that it continues to meet all program requirements and must provide to the committee student test score data from the prior school year by December thirty-first. If student test score data are not submitted by December thirty-first, then the Education Oversight Committee must remove the school from the program. The Education Oversight Committee must consult with the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, Palmetto Association of Independent Schools, or the Diocese of Charleston to verify that the school is still a member in good standing and that the school continues to serve exceptional needs children. An independent school who did not participate in the program in the prior fiscal year but desires to participate in the program in the current fiscal year must apply to the Education Oversight Committee. The Education Oversight Committee shall develop an application to be completed by the independent schools which must contain at least:

(a) the number and total amount of grants received in the preceding fiscal year;

(b) student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this chapter in the previous fiscal year. The school must also provide individual student test scores on national achievement or state standardized tests, or both, for any student in grades 1 through 12 who received a grant from the program during the prior school year. The information will be used to provide program level reports to determine whether students participating in the program have experienced measurable improvement. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement;

(c) a copy of a compilation, review, or compliance audit of the organization's financial statements as relating to the grants received, conducted by a certified public accounting firm; and

(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(2) (a) The Education Oversight Committee may waive the August first deadline contained in subsection (E) upon good cause shown by an independent school.

(b) The Education Oversight Committee may waive some or all of the curriculum requirements contained in subsection (A)(1)(d) following consultation with the advisory committee.

(3) (a) By September 1, ~~2016~~ *of the current fiscal year* the Education Oversight Committee shall publish on its website a comprehensive list of independent schools certified as eligible institutions. The list shall include for each eligible institution:

(i) the institution's name, addresses, telephone numbers, and, if available, website addresses; and

(ii) the score reports and compliance audits received by the committee pursuant to subsection (E)(1)(b) and (c).

(b) The Education Oversight Committee shall summarize or redact the score reports identified in item (3)(a)(ii) if necessary to prevent the disclosure of personally identifiable information.

(4) An independent school that does not apply for certification pursuant to this subsection must not be included on the list of eligible schools and contributions to that school shall not be allowed for purposes of the tax credits permitted by this proviso.

(5) An independent school that is denied certification pursuant to this section may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court's rules of procedure.

(6) Annually, the Education Oversight Committee will issue a report to the General Assembly documenting the impact of the Educational Credit for Exceptional Needs Children Program on student achievement. In addition, the report will include information on individual schools if at least 51 percent of the total enrolled students in the private school participated in the Educational Credit for Exceptional Needs Children Program in the prior school year. The report shall be according to each participating private school, and for participating students, in which there are at least 30 participating students who have scores for tests administered. If the Education Oversight Committee determines that the 30 participating-student cell size may be reduced without disclosing personally identifiable information of a participating student, the Education Oversight Committee may reduce the participating-student cell size, but the cell size must not be reduced to less than 10 participating students.

(F) (1) The Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations.

(2) The advisory committee shall:

(a) consult with the Education Oversight Committee concerning requests for exemptions from curriculum requirements; and

(b) provide recommendations on other matters requested by the Education Oversight Committee.

(G) Except as otherwise provided, the Department of Education, the Education Oversight Committee, and the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this chapter."

(H) (1) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) of this proviso if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(2) (a) A taxpayer is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding eleven thousand dollars per child, for tuition payments to an eligible school for an exceptional needs child within his custody or care who would be eligible for a grant pursuant to this proviso up to the limits contained in subsection (D)(1)(b) of this proviso.

(b) If a child within the care and custody of taxpayer claiming a tax credit pursuant to this item also receives a grant from the Educational Credit for Exceptional Needs Children Fund, then the taxpayer may only claim a credit equal to the difference of eleven thousand dollars or the cost of tuition, whichever is lower, and the amount of the grant.

(c) A child within the care and custody of a taxpayer claiming a credit pursuant to this item may not be charged tuition in an amount that exceeds the tuition that is charged to non-participating students.

(I) A taxpayer is entitled to a tax credit against income taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to the Educational Credit for Exceptional Needs Children Fund up to the limits contained in subsection (D)(1)(a) of this proviso if:

(1) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this proviso; and

(2) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(J) The department shall conduct a comprehensive study of the Exceptional Needs Tax Credit program. The study shall examine the following:

~~(1) whether or not the students participating in the program have experienced measurable improvement as a result of participation;~~

~~(2) the allocation of scholarship funds and tax credits among students, including the effect of funding limitations on the addition of new participants; the demographic and socio-economic data of the participants and their families, including the distribution of scholarship funds by income ranges to be determined by the department of scholarship recipients, and/or their legal guardians, as applicable; and the geographical distribution of the participants. In reporting the information required by this sub-item, the department shall protect and shall not display, any personally identifiable information of scholarship recipients, their families or legal guardians, and/or taxpayers;~~

~~(3) the distribution of scholarship funds among all eligible schools;~~

~~(4) identification of the schools in which the most measurable improvement has occurred among students, with an analysis of the types of schools achieving the best results and best practices implemented by those schools; and~~

~~(5) any other aspect of the program that the department determines would be relevant and useful in making future policy decisions in regard to the program and its continued existence or expansion.~~

The department shall submit a report of its study to the General Assembly no later than January 15, ~~2018~~ of the current fiscal year.

109.11 ADD (Tourist Safety) WMC: ADD new proviso to allow any municipality in Horry County that has a Tourism Development Fee to set aside up to 50% of the allocation of accommodation tax returned to them under Section 6-4-10(3) [ALLOCATION TO GENERAL FUND; SPECIAL FUND FOR TOURISM; MANAGEMENT AND USE OF SPECIAL FUND] and to use those funds for direct tourism related policing purposes; define direct policing; require expenditures and revenue sources to be included

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

in each municipality's annual report to the Tourism Expenditure Review Committee; and require copies of the report to be submitted to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

109.11. (DOR: Tourist Safety) Of the accommodation tax returned to any municipality in Horry County that has a Tourism Development Fee, up to fifty percent of the allocation designated under Section 6-4-10(3) of the 1976 Code may be set aside and used for direct policing purposes related to tourism. Direct policing purposes include temporary personnel, equipment, and the installation and maintenance of infrastructure related thereto. These funds may not exceed sixty-five percent of the total new funds dedicated to the additional policing purposes implemented. Each municipality utilizing this provision shall include expenditures and revenue sources in its annual report to the Tourism Expenditure Review Committee and shall submit copies of the report to the Governor, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee.

SECTION 110 - R520 - STATE ETHICS COMMISSION

110.2 **ADD** (Commission Meeting) **WMC:** ADD new proviso to direct the commission to meet at least once a month and post 24 hours advance meeting notice on the agency website.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

110.2. (ETHICS: Commission Meeting) The Ethics Commission must meet at least one time each month and post notice of meeting at least twenty-four hours in advance on the agency website.

SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER

113.2 **AMEND** (Quarterly Distributions) Provides for the quarterly distribution of Aid to Subdivisions Local Government Fund.

WMC: AMEND proviso to update fiscal year references to "2018-19."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2017-18~~ 2018-19, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year ~~2017-18~~ 2018-19 Part IA appropriation for the Local Government Fund.

113.7 **AMEND** (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

been reduced compared to the amount required to be funded by law, but excludes the court system and assessment for indigent medical care from the reductions.

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

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2017-18~~ 2018-19, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices, Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices, and assessment for indigent medical care pursuant to Section 44-6-146 of the 1976 Code.

SECTION 117 - X900 - GENERAL PROVISIONS

117.2 **AMEND** (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2017-18.

WMC: AMEND proviso to update fiscal year reference from “2017-18” to “2018-19.” *Technical.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2017-18~~ 2018-19, and for other purposes specifically designated.

117.3 **AMEND** (Fiscal Year Definitions) Defines current and prior fiscal year time frames.

WMC: AMEND proviso to update fiscal year references from “2017” to “2018;” “2018” to “2019;” and “2016” to “2017.” *Technical.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, “current fiscal year” means the fiscal year beginning July 1, ~~2017~~ 2018, and ending June 30, ~~2018~~ 2019, and “prior fiscal year” means the fiscal year beginning July 1, ~~2016~~ 2017, and ending June 30, ~~2017~~ 2018.

117.14 **AMEND** (FTE Management) Provides guidelines for the Executive Budget Office to monitor full-time equivalent (FTE) positions and directs that no agency may exceed the total FTEs

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

authorized in the Appropriation Act except upon majority vote of the State Fiscal Accountability Authority. Directs that personal services funds in the Governor's budget recommendations must be at least 97% funded.

WMC: AMEND proviso to delete item (5) which established a process for permitting the number of authorized positions in this act to be increased if an agency determines that the duties of Temporary, Time-Limited, and Temporary Grant positions created before July 1, 2017 will continue indefinitely and merit being classified as a FTE and required a report be submitted on FTEs issued through this item to the Chairmen of the Senate Finance and House Ways and Means Committees by January 6 of the current fiscal year. *Process has been completed and the report has been submitted.* Requested by Department of Administration.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.14. (GP: FTE Management) In order to provide the necessary control over the number of employees, the Executive Budget Office is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

(1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the State Fiscal Accountability Authority.

(2) That the Executive Budget Office shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Executive Budget Office records all positions authorized in the Act. Each agency may, upon notification to the Executive Budget Office, change the funding source of state FTE positions established on the Executive Budget Office records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTEs between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the office shall prepare a FTE analysis, by agency, which shows the number of authorized, filled, and vacant positions by source of funds for the current and two previously completed fiscal years. The office shall provide a copy of each agency's FTE analysis to the Senate Finance and House Ways and Means Committees.

(3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine months.

The FTE method of accounting shall be utilized for all authorized positions.

(4) That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

~~(5) That the number of positions authorized in this act shall be increased for the sole purpose of classifying Temporary, Time Limited and Temporary Grant positions created prior to July 1, 2017, that merit such classification as FTEs because the agency has determined that the duties will continue indefinitely. The new FTEs created through this process and filled by existing non-FTE staff shall be exempt from the posting process. Additionally, affected Temporary Grant and Time Limited employees shall transfer any unused annual and sick leave to their FTE positions.~~

~~The Division of State Human Resources, in consultation with the Executive Budget Office, shall formulate guidelines for the administration of this item. The request by the agency must include a justification for changing the position, justification of an insufficient vacancy pool, identification of sufficient funds with current appropriations, identification of source of funds to be utilized, and assurance that the FTEs are not being used to create new jobs. The guidelines shall also include a process for submitting requests including a deadline for submission of requests.~~

~~The Department of Administration shall review the request and approve, deny, or modify it as appropriate. The department shall further ensure that the FTE Constitutional limits are observed. This item in no way requires agencies to submit requests, and does not guarantee any employment status to staff. A report on FTE issuance through this item shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January sixth of the current fiscal year.~~

~~(6) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.~~

~~(7) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.~~

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

117.32 AMEND (Voluntary Separation Incentive Program) Authorizes and provides guidelines for agencies to implement a voluntary separation incentive program for employees. Requires agencies to report their prior year's results of the use of the program to the Department of Administration by August 15th and requires DOA, upon request, to report the results to the Senate Finance and House Ways and Means Committees.

WMC: AMEND proviso to delete the stipulation that employees who participate in this program are not eligible to participate in the TERI program. *The TERI program ends on June 30, 2018 so the language will no longer be needed.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.32. (GP: Voluntary Separation Incentive Program) State agencies may implement, in consultation with the Department of Administration, a program to realign resources to include provisions for a separation incentive payment for employees which may include the employer portion of health and dental benefits not to exceed one year. ~~Employees participating in such program shall not be eligible to participate in the Teacher and Employee Retention Incentive (TERI) program.~~ Employees participating in such program shall be considered to have

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

voluntarily quit their employment without good cause and be subject to the provisions of Section 41-35-120(1) of the South Carolina Employment Security Law. Any program developed under this provision will involve voluntary participation from employees and will be funded within existing appropriations. The program must be approved by the agency head and the Director of the Human Resources Division based on ability to demonstrate recurring cost savings for realignment and/or permanent downsizing. State agencies shall report the prior year's results to the Department of Administration by August fifteenth, of the current fiscal year. The Department of Administration, upon request, shall report to the Senate Finance Committee and the House Ways and Means Committee on these results.

- 117.33 DELETE** (Alternative Commitment to Truancy) Directs that school districts receiving funds from the Department of Education for an alternative school must identify alternatives to commitment for students whose truancy is nearing referral to court and present the alternatives to the court.

WMC: DELETE proviso. *Moved to EIA proviso 1A.84.* Requested by Department of Education.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~117.33. (GP: Alternative Commitment to Truancy) As part of its plan for an alternative school, a school district receiving funds from the Department of Education for an alternative school shall identify available alternatives to commitment for children whose truancy is approaching the level of being referred to family court. When proceeding under S.C. Code Section 59-65-50 to bring an individual case before the family court, the school district must present this plan as well as the district's efforts with respect to the individual child to the court. Each school district's plan under this proviso shall include possible assignment to alternative school for a non-attending child before petitioning the court.~~

- 117.51 AMEND** (Assessment Audit / Crime Victim Funds) Requires the State Auditor to notify the State Office of Victim Assistance if the Auditor's Office finds any county or municipal treasurer, county clerk of court, magistrate or municipal court has not properly allocated revenue from court fines, fines, and assessments to the crime victim funds or if they have not properly spent those funds.

WMC: AMEND proviso to change the "Office of Victim Assistance" references to "Department of Crime Victim Compensation." *Responsibility was transferred per Act 96 of 2017 to the Attorney General's Office.*

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.51. (GP: Assessment Audit / Crime Victim Funds) If the State Auditor finds that any county treasurer, municipal treasurer, county clerk of court, magistrate, or municipal court has not properly allocated revenue generated from court fines, fines, and assessments to the crime victim funds or has not properly expended crime victim funds, pursuant to Sections 14-1-206(B) and (D), 14-1-207(B) and (D), 14-1-208(B) and (D), and 14-1-211(B) of the 1976 Code, the State Auditor shall notify the State Office of Victim Assistance Department of Crime Victim Compensation. The State Office of Victim Assistance Department of Crime Victim Compensation is authorized to conduct an audit which shall include both a programmatic review and financial audit of any entity or nonprofit organization receiving victim assistance funding

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

based on the referrals from the State Auditor or complaints of a specific nature received by the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation to ensure that crime victim funds are expended in accordance with the law. Guidelines for the expenditure of these funds shall be developed by the Victim Services Coordinating Council. The Victim Services Coordinating Council shall develop these guidelines to ensure any expenditure which meets the parameters of Article 15, Chapter 3, Title 16 is an allowable expenditure. Any local entity or nonprofit organization that receives funding from revenue generated from crime victim funds is required to submit their budget for the expenditure of these funds to the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation within thirty days of the budget's approval by the governing body of the entity or nonprofit organization. Failure to comply with this provision shall cause the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation to initiate a programmatic review and a financial audit of the entity's or nonprofit organization's expenditures of victim assistance funds. Additionally, the ~~Office of Victim Assistance~~ Department of Crime Victim Compensation will place the name of the noncompliant entity or nonprofit organization on their website where it shall remain until such time as they are in compliance with the terms of this proviso. Any entity or nonprofit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation. If the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation finds an error, the entity or nonprofit organization has ninety days to rectify the error. An error constitutes an entity or nonprofit organization spending victim assistance funding on unauthorized items as determined by the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation. If the entity or nonprofit organization fails to cooperate with the programmatic review and financial audit or to rectify the error within ninety days, the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation shall assess and collect a penalty in the amount of the unauthorized expenditure plus \$1,500 against the entity or nonprofit organization for improper expenditures. This penalty plus \$1,500 must be paid within thirty days of the notification by the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation to the entity or nonprofit organization that they are in noncompliance with the provisions of this proviso. All penalties received by the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation shall be credited to the General Fund of the State. If the penalty is not received by the State ~~Office of Victim Assistance~~ Department of Crime Victim Compensation within thirty days of the notification, the political subdivision will deduct the amount of the penalty from the entity or nonprofit organization's subsequent fiscal year appropriation.

117.65 **AMEND** (~~Healthcare~~ Critical Employee Recruitment and Retention) Provides guidelines for DOC, DDSN, DHEC, DHHS, DJJ, DMH, and Voc Rehab to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining healthcare workers in critical needs healthcare jobs based on objective guidelines established by the Department of Administration. Provides guidelines for paid educational leave for employees, for repaying outstanding student loans, and for tuition reimbursement.

WMC: AMEND proviso to delete references to specific agencies and to "healthcare." Allow state agencies to provide lump sum bonuses to recruit and retain workers in critical needs jobs that provide services that directly impact the health, safety, and welfare of the public. Direct that the bonus would be considered earnings for determining if a returned to work retiree is subject to the retirement earnings limit. Direct that for an agency to provide paid educational leave, DOA must determine if the position is critical. Change "Psychiatrists, Psychologists, and Nurses" to "individuals" employed in "critical needs" positions in reference to repayment of outstanding student loans associated with completion of a "relevant" degree. Direct DOA to approve the designation of critical needs positions using certain guidelines. Provide for healthcare employees

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

in approved critical needs positions to be allowed to complete their practicum or required clinical experience at their or another state agency at the discretion of the agency head. Require state agencies to annually report expenditures to DOA by August 31st and for DOA to compile the responses and submit them to the Chairmen of the Senate Finance and House Ways and Means Committees annually by October 1st.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.65. (GP: ~~Healthcare~~ Critical Employee Recruitment and Retention) ~~The Department of Corrections, Department of Disabilities and Special Needs, Department of Health and Environmental Control, Department of Health and Human Services, Department of Juvenile Justice, Department of Mental Health, Department of Vocational Rehabilitation, and Wil Lou Gray Opportunity School~~ State agencies are allowed to spend state, federal, and other sources of revenue to provide lump sum bonuses to aid in recruiting and retaining ~~healthcare~~ workers in critical needs ~~healthcare~~ jobs ~~based on objective guidelines established by the Department of Administration~~ which provide services that directly impact the health, safety, and welfare of the public. The employee bonus amount shall be approved by the State Human Resources Director based on State Human Resources guidelines, and shall not exceed \$10,000 per year. Payment of these bonuses is not a part of the employee's base salary and is not earnable compensation for purposes of employee and employer contributions to respective retirement systems. These bonuses shall, however, be considered earnings for determining if an employee who has returned to work after retirement is subject to the earning limitation imposed in either Section 9-1-1790(A)(1) or Section 9-11-(4)(a)(i).

These agencies may also provide paid educational leave for any ~~employees~~ employee in an a FTE position deemed critical by the Department of Administration to attend class while enrolled in ~~healthcare~~ degree programs that are related to the agency's mission. All such leave is at the agency head's discretion.

These agencies may enter into an agreement with ~~Psychiatrists, Psychologists, and Nurses~~ individuals employed in ~~those~~ critical needs positions to repay them for their outstanding student loans associated with completion of a ~~healthcare~~ relevant degree. ~~The employee must be employed in a critical needs area, which would be identified at the agency head's discretion. Critical needs areas could include rural areas, areas with high turnover, or where the agency has experienced recruiting difficulties.~~ Agencies may pay these employees up to twenty percent or \$7,500, whichever is less, of their outstanding student loan each year over a five-year period. Payments will be made directly to the employee at the end of each year of employment. The agency will be responsible for verifying the ~~principle~~ principal balance of the employee's student loan prior to issuing payments.

~~Employees of these agencies working on a practicum or required clinical experience towards completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.~~

~~These agencies~~ Agencies are also authorized to allow tuition reimbursement from a maximum of ten credit hours per semester; allow probationary employees to participate in tuition programs; and provide tuition prepayment instead of tuition reimbursement for employees willing to pursue a degree in a healthcare program. An agency may pay up to fifty percent of an employee's tuition through tuition prepayment. The remaining tuition could be reimbursed to the employee after successful completion of the class.

The Department of Administration shall approve of the designation of critical needs positions applicable to this provision using guidelines that include, but are not limited to: 1) the difficulty

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

recruiting for the positions as reflected by data such as the vacancy rate maintained, the average time to fill, the lack of sufficient qualified applicants, and other objective factors; 2) the difficulty retaining employees in the positions as shown by turnover data; 3) justification by the state agency that the position is critical to the core mission of the agency and directly impacts the health, safety and welfare of the public; and 4) assurances from the state agency that there are sufficient existing funds available to pay for items under this provision.

Healthcare employees in approved critical needs positions working on a practicum or required clinical experience towards completion of a healthcare degree may be allowed to complete these requirements at their state agency or another state agency at the discretion of the agency head. This field placement at another state agency may be considered work time for participating employees.

State agencies must report to the Department of Administration by August 31st of each year any expenditure under this provision. The Department of Administration shall compile a report of the responses and submit them to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by October 1st of each year.

117.72 AMEND (Printed Report Requirements) Directs that for Fiscal Year 2017-18, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically and waives the submission of certain reports. Authorizes DOT to combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

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

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.72. (GP: Printed Report Requirements) (A) For Fiscal Year ~~2017-18~~ 2018-19, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2017-18~~ 2018-19, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2017-18~~ 2018-19, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2017-18~~ 2018-19, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

- 117.89 AMEND** (Funds Transfer to ETV) Requires funds appropriated to DOA for Legislative & Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council for City and Council municipal training to be transferred to ETV during July of 2017 for services as they were provided in the prior fiscal year.
WMC: AMEND proviso to change “2017” to “of the current fiscal year.”
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

117.89. (GP: Funds Transfer to ETV) In the current fiscal year funds appropriated in Part IA to the Department of Administration Section 93 for Legislative and Public Affairs Coverage and Emergency Communications Backbone and to the Law Enforcement Training Council in Section 64 for State and Local Training of Law Enforcement, City and County municipal training services must be transferred to the Educational Television Commission (ETV) during July ~~2017~~ of the current fiscal year for the continuation of services as provided in the prior fiscal year.

- 117.94 AMEND** (Victims Assistance Transfer) Requires the Department of Corrections to transfer \$20,500 monthly to DPS for distribution through the State Victim Assistance Program.
WMC: AMEND proviso to replace “Department of Public Safety” with “Office of Attorney General.” *Responsibility was transferred per Act 96 of 2017 to the Attorney General’s Office.*
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

117.94. (GP: Victims Assistance Transfer) The Department of Corrections shall transfer \$20,500 each month to the ~~Department of Public Safety~~ Office of Attorney General for distribution through the State Victims Assistance Program.

- 117.97 AMEND** (BabyNet Quarterly Reports) Requires certain quarterly reports be submitted and directs First Steps to collaborate with the School for the Deaf and Blind, DDSN, DHHS, DMH, and DSS to develop a common reporting format.
WMC: AMEND proviso to delete reference to First Steps and to delete directive for agencies to develop a common template. *Agency states the template has been developed and BabyNet is now with DHHS. Requested by Department of Health and Human Services.*
HOU: ADOPT proviso as amended.
SFC: ADOPT proviso as amended.
SEN: ADOPT proviso as amended.

117.97. (GP: BabyNet Quarterly Reports) ~~First Steps to School Readiness, the~~ The School for the Deaf and Blind, the Department of Disabilities and Special Needs, the Department of Health and Human Services, the Department of Mental Health and the Department of Social Services shall each provide on a common template ~~developed by the agencies,~~ a quarterly report to the Chairman of the House Ways and Means Committee and the Chairman of Senate Finance outlining all programs provided by them for BabyNet; all federal funds received and expended on BabyNet and all state funds expended on BabyNet. Each entity and agency shall report on its share of the state’s ongoing maintenance of effort as defined by the US Department of Education under IDEA Part C.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

117.106 AMEND (State Ports Authority Property) Directs that if the Authority has not sold its real property on Daniel and Thomas Islands, with certain exceptions, by June 30, 2018, it must transfer the property to the Department of Administration.

WMC: AMEND proviso to delete Thomas (St. Thomas) Island and to change “2018” to “2019.”

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.106. (GP: State Ports Authority Property) If the State Ports Authority has not completed the sale of its real property on Daniel Island ~~and Thomas (St. Thomas) Island~~, except for the dredge disposal cells that are needed in connection with the construction of the North Charleston terminal on the Charleston Naval Complex and for harbor deepening and for channel and berth maintenance, by June 30, ~~2018~~ 2019, the authority must transfer the property to the Department of Administration. The authority shall sell the real property under terms and conditions it considers most advantageous to the authority and the State of South Carolina.

117.113 AMEND (SCOIS Transfer) Directs that the authorities and responsibilities of SCOIS shall continue to be transferred from DEW to SDE.

WMC: AMEND proviso to specify that the authority to collect user fees to operate the program is included in the transfer of authority and responsibility.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.113. (GP: SCOIS Transfer) For the current fiscal year, the South Carolina Occupational Information System, its authority and responsibilities, to include the collections of user fees that must be used to operate the program, shall continue to be transferred from the Department of Employment and Workforce to the Department of Education.

117.117 AMEND (First Steps Reauthorization) Reauthorizes Act 99 of 1999 as amended by Act 287 of 2014 [FIRST STEPS] for Fiscal Year 2017-18.

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

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.117. (GP: First Steps Reauthorization) Act 99 of 1999, the South Carolina First Steps to School Readiness Act, as amended by Act 287 of 2014 is reauthorized for the duration of Fiscal Year ~~2017-18~~ 2018-19.

117.120 DELETE (County Transportation Committee Road Program Supplement) Authorizes unexpended funds to be carried forward and be spent for the same purpose. *This proviso originally authorized County Transportation Committee Road Program Supplement funds to be used for a specific purpose and carried forward. Scrivener’s error inadvertently did not delete the final paragraph containing the carry forward authorization.*

WMC: DELETE proviso. Requested by Department of Transportation.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~117.120. (GP: County Transportation Committee Road Program Supplement) Unexpended funds appropriated pursuant to this provision may be carried forward and expended for the same purposes.~~

117.124 AMEND (Retail Facilities Revitalization Act Repeal Suspension) Suspends the repeal of Chapter 34 of Title 6 [RETAIL FACILITIES REVITALIZATION ACT] as specified in Act 285 of 2006 for sites that provided DOR written notification of election of mode of credit before 7/1/16 and for which a building permit was issued prior to 7/1/16.

WMC: AMEND proviso update fiscal year reference from “2017-18” to “2018-19.” Fiscal Impact: RFAO states there will be no expenditure impact to the General Fund, Federal Funds, or Other Funds from this provision.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.124. (GP: Retail Facilities Revitalization Act Repeal Suspension) The repeal of Chapter 34 of Title 6 of the 1976 Code as specified in Act 285 of 2006 as to sites for which written notification of election of mode of credit has been provided to the Department of Revenue prior to July 1, 2016 and for which a building permit has been issued prior to July 1, 2016, is suspended for Fiscal Year ~~2017-18~~ 2018-19.

117.127 DELETE (DOT Structural Efficiencies Study) Directs the Inspector General, from funds appropriated and/or authorized to DOT and in collaboration with the Secretary of Transportation, to conduct a national search to contract with a renowned firm specializing in governmental structural efficiencies to study the internal structure of DOT and to make recommendations on improvements that would cause the department to operate more effectively and cost-efficiently.

WMC: DELETE proviso. *Study has been completed and submitted.* Requested by Department of Transportation.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~117.127. (GP: DOT Structural Efficiencies Study) From the funds appropriated to and/or authorized for the Department of Transportation, the Inspector General, in collaboration with the Secretary of Transportation, is directed to conduct a national search to contract with a renowned firm that specializes in governmental structural efficiencies. The firm shall be tasked with studying the internal structure of the Department of Transportation, and making recommendations on improvements that would cause the department to operate more effectively and more cost-efficiently. The Department of Transportation and any entity contracting with the department or the Office of Inspector General must fully cooperate with the firm in the discharge of its duties and responsibilities and must timely produce all requested information, including, but not limited to books, papers, correspondence, memoranda, and other records necessary in connection with an independent study. Final cost of the contractual arrangement with the chosen firm must be reported to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee. The study and recommendations must be transmitted to the General Assembly.~~

117.129 AMEND (BabyNet) Directs EBO to conduct an inventory of all BabyNet related spending and submit it to the Governor and the Chairmen of the Senate Finance and House Ways and Means Committees by July 15, 2017.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

WMC: AMEND proviso to update calendar year reference from “2017” to “2018.” Requested by Department of Health and Human Services.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.129. (GP: BabyNet) From funds available in the current fiscal year for budgetary analysis and oversight, the Executive Budget Office shall conduct an inventory of all BabyNet-related spending, which shall be submitted to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee no later than July 15, ~~2017~~ 2018. All affected agencies shall support the Executive Budget Office in this effort by providing information upon request, so that the first recommendation of the Legislative Audit Council’s 2011 report on BabyNet may be implemented.

117.130 DELETE (Equestrian Center Therapy Program) Directs Vocational Rehab to transfer \$500,000 to Lander University for the Lander Equestrian Center to provide equine assisted psychotherapy geared towards the treatment of PTSD. Directs that the funds must be used for the center and may not be transferred and used for other purposes.

WMC: DELETE proviso. *Agency states they do not have authority in the general fund appropriation to cover this expenditure without reducing services and losing matching federal funds.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**117.130.** (GP: Equestrian Center Therapy Program) The Department of Vocational Rehabilitation shall transfer \$500,000 to Lander University for the Lander Equestrian Center. These funds shall be used for the operation of the Equestrian Center and to create a Herd 2 Human pilot program to provide equine assisted psychotherapy geared towards military members as a method of treating post traumatic stress disorder (PTSD) and other similar disorders. These funds shall be used solely for the Equestrian Center and shall not be transferred and used for any other purpose.~~

117.132 DELETE (Adult Protective Services Coordination Teams) Directs the Department of Social Services Adult Protective Services Program to develop county level multi-agency interdisciplinary Adult Protective Services Coordination Teams to develop and implement strategies to ensure appropriate services are available to vulnerable adults during the investigation and adjudication of the report of alleged abuse, neglect and exploitation. Directs DSS to submit a progress report to the Governor and Chairmen of the House Ways and Means and Senate Finance Committees by January 1, 2018.

WMC: DELETE proviso. *Team evaluations and report have been completed.*

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**117.132.** (GP: Adult Protective Services Coordination Teams) In order to best coordinate services for the South Carolina vulnerable adult population, the Adult Protective Services Program at the Department of Social Services shall develop county level multi agency interdisciplinary Adult Protective Services Coordination Teams. These teams must develop and implement strategies to ensure appropriate services are available and provided to vulnerable~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

~~adults during the investigation and adjudication of the report of alleged abuse, neglect, and exploitation of vulnerable adults.~~

~~The following agencies are required to participate and/or designate a local entity to serve on the Adult Protective Services Coordination Teams to address abuse and neglect and to prevent or delay institutionalization: Department of Health and Human Services, Department of Disabilities and Special Needs, Department of Mental Health, and with advice and resources from the Lt. Governor's Office on Aging. Participating agencies may expend necessary funds as authorized and/or appropriated in the current fiscal year, to develop the APS Coordination Teams. The teams must give priority for services for assessment of mental and physical conditions, eligibility for services, home and community based services waivers, home health, hospice, targeted case management, Optional State Supplementation & OSCAP, service coordination, Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID), behavioral health programs such as community mental health programs, inpatients psychiatric services, nursing facility care, and other home and community based services such as home delivered meals and transportation.~~

~~The Department of Social Services shall submit a report on the progress of the implementation and any necessary funding requests to the Governor, the Chairman of the Senate Finance Committee, and the Chairman of the House Ways and Means Committee by January 1, 2018.~~

- 117.134 AMEND** (Catastrophic Weather Event) Directs (A) that improvements to real or personal property used as a residence, such as a mobile home or manufactured housing unit, resulting from damage caused by the catastrophic weather event in October 2015 or Hurricane Matthew of 2016, made after the event and before July 1, 2018, is not considered an improvement and does not require a re-appraisal under certain funding conditions; and (B) directs that for the current fiscal year an eligible property's tax value shall remain the same unless an assessable transfer of interest occurs.

WMC: AMEND proviso to update fiscal year reference from June 30, "2018" to "2019."

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.134. (GP: Catastrophic Weather Event) (A) Any improvements made to real property or personal property used as a residence, such as a mobile home or manufactured housing unit, damaged during the catastrophic weather event in October 2015 or Hurricane Matthew of 2016, after the event and before June 30, ~~2018~~ 2019, is not considered an improvement and does not require a re-appraisal. This provision only applies if as a result of the catastrophic weather event, the improvements made to the property were funded by the United States Department of Housing and Urban Development Block Gr

ant - Disaster Recovery program. This provision also applies if, at the discretion of the county and using qualifications determined by the county, the improvements were made with the assistance of a volunteer organization active in disaster, or a similar volunteer organization.

(B) During the current fiscal year, the property tax value of an eligible property shall remain the same unless an assessable transfer of interest occurs. No refund is allowed on account of values adjusted as provided in this provision.

- 117.136 DELETE** (Indigent Defense Screening Review) Directs the Commission on Indigent Defense and the Judicial Department Court Administration Program to consult with the Summary Court Judges' Association and Clerks of Court Association on screening indigent defense applications. Directs the Commission on Indigent Defense and Court Administration to make

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

recommendations to the Chairmen of the House Ways and Means, House Judiciary, Senate Finance and Senate Judiciary Committees no later than December 1, 2017, regarding the applicant screening process.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

~~**117.136.** (GP: Indigent Defense Screening Review) The Commission on Indigent Defense and the Judicial Department Court Administration Program shall consult with the Summary Court Judges' Association and Clerks of Court Association on issues regarding the screening of applicants for indigent defense representation. The Commission on Indigent Defense and Court Administration shall make recommendations to the Chairman of the House Ways and Means Committee, the Chairman of the House Judiciary Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Judiciary Committee no later than December 1, 2017 regarding: requirements for applicants to verify their financial status, supporting documentation that should be required of all applicants; who should conduct the screening, what resources are necessary to properly screen applicants and any other recommendations that will assist in ensuring only those applicants that are truly indigent qualify for the services of a public defender or other appointed counsel.~~

117.142 AMEND NEW PROVISO (Opioid Abuse Prevention and Treatment Plan) **WMC:** ADD new proviso to direct the Departments of Alcohol and Other Drug Abuse Services and Health and Human Services to establish a coalition of state agencies, providers, and other related entities to coordinate opioid abuse prevention and treatment services throughout the state. (A) Direct DAODAS, SLED, and DHHS to establish an advisory board to provide oversight and administrative direction to the coalition. Require the advisory board to consider recommendations made in the 2018 report by S.C. House of Representatives Opioid Abuse Prevention Study Committee and by the S.C. Behavioral Health Coalition and to create a plan to ensure appropriate recommendations are implemented. (B) Allow DHHS to leverage any federal funds possible to implement enhanced treatment services and resources. Allow the department to develop a waiver application through CMS to cover treatment for other populations. (C) Allow DHHS, in consultation with DAODAS and the MUSC Hospital Authority to expand the Medication-Assisted Treatment services pilot program to additional providers. (D) Direct DAODAS and DHHS to assist DHEC with funding to implement necessary programmatic enhancements to the Prescription Monitoring Program. (E) Direct DAODAS to solicit potential coordination from law enforcement, solicitors, and Magistrate and Circuit Courts to establish a diversion program in at least one judicial circuit. (F) Direct DAODAS and DHHS to coordinate with at least one 4-year college or university and one 2-year technical college with on-campus dorms to establish a Collegiate Recovery Program pilot program to target student intervention and retention. (G) Direct the advisory board provide to the Chairmen of the Senate Finance and House Ways and Means Committee and to the Governor by January 31, 2019 a report on the development of the plan and implementation of recommendations.

HOU: AMEND new proviso to include in Subsection (A) the SC Primary Health Care Association in the advisory board. Amend Subsection (B) to direct the department to ensure that IMDs are considered an "in lieu of" service in its managed care contracts, when medically appropriate, until a waiver is approved. Amend Subsection (C) to direct that medications proven to be effective in treating opioid addiction shall be considered as viable options on a case by case basis. Sponsor: Rep. G.M. Smith.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

117.142. (GP: Opioid Abuse Prevention and Treatment Plan) From the funds appropriated and authorized to the Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services in the current fiscal year, the agencies shall establish a coalition of state agencies, providers and other related entities to combat the opioid epidemic in a collaborative manner and ensure that appropriate services and treatments are made available statewide. This initiative should include efforts to coordinate funding for the provision of treatment with an assessment of current programs and funding levels, to enhance available prevention, treatment and recovery services; expand provider capacity; and enable workforce development for substance use disorder services. General Funds appropriated to any state agency for Opioid Abuse Prevention and Treatment may be carried forward and expended for the same purpose.

(A) The Department of Alcohol and Other Drug Abuse Services, the State Law Enforcement Division, and the Department of Health and Human Services shall establish an advisory board with representation from both agencies, to provide both oversight and administrative direction to the coalition. The advisory board may also include representation from the Department of Health and Environmental Control, the Department of Mental Health, the Medical University of South Carolina, the University of South Carolina's School of Medicine, the Department of Labor Licensing and Regulation, the Department of Corrections, state and local law enforcement agencies, the judicial branch, the South Carolina Hospital Association, the South Carolina Medical Association, the South Carolina Primary Health Care Association, Behavioral Health Centers and other related entities. The advisory board must consider recommendations made in the 2018 report by the South Carolina House of Representatives Opioid Abuse Prevention Study Committee, as well as any recommendations made by the South Carolina Behavioral Health Coalition related to substance use disorders and create a plan to ensure implementation of appropriate recommendations.

(B) The Department of Health and Human Services may leverage any and all available federal funds to implement enhanced treatment services and resources for this coalition. The department may also develop a waiver application through the Centers for Medicaid and Medicare Services that could provide coverage for populations that have a substance use disorder diagnosis. Until a waiver is approved to expand access to substance use treatment in Institutions of Mental Disease (IMD), the department shall ensure that IMDs are considered an "in lieu of" service in its managed care contracts, when medically appropriate. The department must also work with Medicaid Managed Care Organizations to ensure policies governing the clinical review, utilization management, and determinations of medical necessity for Medication-Assisted Treatment (MAT) for opioid use disorder are consistent with American Society for Addiction Medicine (ASAM) criteria.

(C) In consultation with the Department of Alcohol and Other Drug Abuse Services and the Medical University of South Carolina Hospital Authority, the Department of Health and Human Services shall review and evaluate outcomes data from the 2018 pilot program for MAT services for prescription opioid dependency and addiction established by Act 97 of 2017. Based on the success rate and ability to replicate this pilot, the department may provide funding not to exceed \$2,500,000 to continue and expand the program to additional providers that are necessary to ensure greater impact in geographical areas of critical need. All medications proven to be effective in treating opioid addiction shall be considered as viable options on a case by case basis to ensure the greatest level of success for individuals in the program.

(D) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall assist the Department of Health and Environmental Control

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

with any funding required to implement necessary programmatic enhancements to the Prescription Monitoring Program. The departments must consider changes to strengthen risk assessments and patient support tools, as well as the potential integration of Electronic Health Record systems. To the extent possible, the program must be expanded to include the administration of naloxone and other opioid overdose antidotes.

(E) In order to provide comprehensive treatment, from the point of incarceration, to individuals charged with criminal offenses who suffer from any substance use disorder that is treatable with medication, the Department of Alcohol and Other Drug Abuse Services must solicit potential cooperation from law enforcement, the state's solicitors, Magistrate Courts and Circuit Courts, to establish a diversion program in at least one judicial circuit. This program shall provide both behavioral and medical treatment, consultations with peer support specialists, and continued supervision of participants who are released, which may include electronic monitoring.

(F) The Department of Alcohol and Other Drug Abuse Services and the Department of Health and Human Services shall also coordinate with at least one four-year college or university and one two-year technical college with on-campus dormitories to establish pilot programs for Collegiate Recovery Programs to target intervention and the retention of students. These programs must offer academic support in designated spaces that provide for group meetings, clinical support, technology access, and academic advising, to assist students in recovery.

(G) The advisory board shall provide a report on the success of the development of the plan and the implementation of recommendations to the Chairman of the Senate Finance Committee, the Chairman of the House Ways & Means Committee, and the Governor no later than January 31, 2019. The report may also include proposals for amending existing recommendations or the establishment of new policies to combat the opioid epidemic.

- 117.145 ADD (SCEIS Data Entry Compliance) WMC:** ADD new proviso to direct the Department of Administration to develop and issue written SCEIS data entry standards and guidelines and direct agencies to comply with such standards and guidelines. Direct DOA to provide a report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31st each year regarding agency compliance. Requested by Department of Administration.
HOU: ADOPT new proviso.
SFC: ADOPT new proviso.
SEN: ADOPT new proviso.

117.145. (GP: SCEIS Data Entry Compliance) The Department of Administration shall develop and issue written SCEIS data entry standards and guidelines for agency compliance. To ensure uniform compliance with these standards and guidelines, state agencies shall comply with all SCEIS data entry rules, standards, plans, policies, directives, and guidelines established by the Department of Administration.

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

- 117.146 ADD (Statewide Real Estate Plan Implementation) WMC:** ADD new proviso to establish, pursuant to the intent of proviso 118.2 (Titling of Real Property), a comprehensive central real property and office facility management process; require agencies to work in conjunction with the Department of Administration to achieve uniform space standards in state-owned, state-leased, and commercial leased facilities; require state agencies: to comply with DOA site selection criteria prior to entering or renewing any contract for leasing real property; to provide a list of all contracts related to facilities management, maintenance, and support and require prior

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

DOA approval to renew or enter into a new contract; to submit annual reports and plans on ongoing and deferred maintenance; and to annually update and submit an inventory of state-owned facilities and land to DOA. Provide that the Legislative and Judicial Branches, public institutions of higher learning, technical colleges, political subdivisions; and quasi-governmental bodies are exempt from these requirements, with certain exceptions. Direct DOA to provide a compliance report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31st each year. Requested by Department of Administration.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

117.146. (GP: Statewide Real Estate Plan Implementation) Pursuant to legislative intent expressed in Proviso 118.2 (Titling of Real Property) of this Act to establish a comprehensive central real property and office facility management process to plan for the needs of state government agencies; and to achieve maximum efficiency and economy in the use of state-owned, state-leased, and commercial leased facilities, all state agencies are directed as follows:

(1) In the current occupation of state-owned and commercial facilities or prior to incurring an obligation to expend funds through entering or renewing a lease for state-owned or commercial facilities, state agencies shall work in conjunction with the Department of Administration to achieve uniform space standards in state-owned, state-leased, and commercial leased facilities resulting over time in an overall target density of 210 square feet per person unless otherwise approved by the department.

(2) Prior to entering or renewing any contract for leasing real property, state agencies shall comply with the Department of Administration's site selection criteria for state-owned, state-leased, or commercial leased space.

(3) State agencies shall record into the South Carolina Enterprise Information System (SCEIS) all maintenance and operations expenditures for state-owned and state-leased facilities in the manner prescribed by the Department of Administration.

(4) State agencies shall provide to the Department of Administration a list of all contracts related to facilities management, maintenance, and support, and shall not renew or enter into any new contracts related to facilities management, maintenance or support without prior approval from the Department of Administration.

(5) Under guidance and direction of the Department of Administration, state agencies shall annually report on and submit plans to address ongoing and deferred maintenance for all state-owned real property.

(6) State agencies shall annually update and submit an inventory of state-owned facilities and land to the Department of Administration by June 30 of each fiscal year in the manner prescribed by the department. Each submission shall include a portfolio assessment with recommendations for any dispositions.

The Legislative Branch, the Judicial Branch, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are generally exempt from the requirements of this proviso; provided, however, that public institutions of higher learning and technical colleges shall be subject to the provisions of paragraph (6) in its entirety, and the provisions of paragraph (1) with respect to any facility or portion thereof used for administrative and office space.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding compliance with this proviso no later than December 31 of each calendar year, beginning December 31, 2018.

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

117.147 ADD (Statewide Administrative Services) **WMC:** ADD new proviso to authorize the Department of Administration to provide consolidated administrative services to agencies to promote cost savings, process integrity and other efficiencies and to reduce duplication, overlap and redundancies. Require agencies that receive appropriations of \$20,000,000 or less to consult with DOA to determine whether the use of consolidated administrative services would be beneficial to the agency. Direct DOA to provide a report to the Chairmen of the Senate Finance and House Ways and Means Committees by December 31, 2018 on the usage of the administrative services offered. Requested by Department of Administration.

HOU: ADOPT new proviso.

SFC: ADOPT new proviso.

SEN: ADOPT new proviso.

117.147. (GP: Statewide Administrative Services) The Department of Administration may provide consolidated administrative services to all agencies to promote cost savings, process integrity and other efficiencies, and to reduce duplication, overlap and redundancies, or any combination thereof and to provide for consistency in transactions and processes and to advance a statewide approach to agency administration. Consolidated administrative services may include, but are not limited to: 1) financial and accounting support, such as accounts payable and receivable processing, procurement processing, journal entry processing and financial reporting assistance; 2) human resources administrative support, such as transaction processing and reporting, payroll processing, and human resources training; and 3) budget support, such as budget transaction processing and budget reporting assistance.

Agencies that receive twenty million dollars or less in total appropriations in the current fiscal year shall consult with the Department of Administration to determine whether the use of consolidated administrative services offered by the department would be beneficial to the agency. The Legislative Branch, the Judicial Branch, public institutions of higher learning and technical colleges shall be exempt from the requirements of this provision.

The Department of Administration shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee regarding agency utilization of administrative services offered by the department no later than December 31, 2018.

SECTION 118 - X910 - STATEWIDE REVENUE

118.1 AMEND (Year End Cutoff) Directs year-end expenditure deadlines.

WMC: AMEND proviso to update calendar year references to “2019” and change July “13, 2018” to “12, 2019.” Requested by Office of Comptroller General.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

118.1. (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, 2018 2019. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by ~~July 13, 2018~~ July 12, 2019. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.

118.5 AMEND (Health Care Maintenance of Effort Funding) Directs DHHS to use the revenue collected from the 50 cent cigarette surcharge that is deposited into the S.C. Medicaid Reserve Fund for the Medicaid program. Authorizes unexpended funds appropriated by this provision to be carried forward and used for the same purpose.

WMC: AMEND proviso to reference “established by Act 170 of 2010 and any other funds deposited into the fund.” Specify that these funds are “deemed appropriated for use” by DHHS rather than “utilized” by DHHS.

HOU: ADOPT proviso as amended.

SFC: ADOPT proviso as amended.

SEN: ADOPT proviso as amended.

118.5. (SR: Health Care Maintenance of Effort Funding) The revenue collected from the fifty cent cigarette surcharge and deposited into the South Carolina Medicaid Reserve Fund ~~and established by Act 170 of 2010 and any other funds deposited into the fund~~ shall be ~~utilized~~ deemed appropriated for use by the Department of Health and Human Services for the Medicaid program. ~~By this provision these funds are deemed to have been received and are available for appropriation.~~ Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.

118.13 DELETE (Nonrecurring Revenue) Appropriates non-recurring revenue to various agencies for Fiscal Year 2017-18, generated from specific sources.

WMC: DELETE proviso.

HOU: ADOPT deletion of proviso.

SFC: ADOPT deletion of proviso.

SEN: ADOPT deletion of proviso.

118.13. (SR: Nonrecurring Revenue) ~~(A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following sources:~~

~~(1) \$28,496,108 from Fiscal Year 2016-17 unobligated general fund revenue as certified by the Board of Economic Advisors;~~

~~(2) \$16,183,789 from the Litigation Recovery Account;~~

~~(3) \$4,526,031 from the South Carolina Farm Aid Fund Lapse;~~

~~(4) \$7,879,103 from Fiscal Year 2016-17 (X440) Excess Homestead Exemption;~~

~~(5) \$13,397,132 from Fiscal Year 2016-17 Debt Service Lapse; and~~

~~(6) \$17,800,000 redirected from Fiscal Year 2016-17 (D100) State Law Enforcement~~

~~Division Forensic Building. The State Law Enforcement Division shall lapse to the General Fund the funds appropriated in Act 284 of 2016 by proviso 118.16, item (B)(31)(a) for a Forensic Building.~~

~~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 2016-17 and shall be available for use in Fiscal Year 2017-18.~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

This revenue is deemed to have occurred and is available for use in Fiscal Year 2017-18 after September 1, 2017, following the Comptroller General's close of the state's books on Fiscal Year 2016-17.

(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, 2017, for the purposes stated:

(1) ~~F310—General and Capital Reserve Funds
General Reserve Fund Contribution \$ 15,532,616~~

(2) ~~P280—Department of Parks, Recreation and Tourism
Statewide Coastal Beach Renourishment \$ 5,000,000~~

~~(2.1) The Department of Parks, Recreation and Tourism shall allocate the funds appropriated in item (2) for Statewide Coastal Beach Renourishment to local governments and state agencies for beach renourishment activities to repair damage caused by storm activity in 2015 and 2016 and to accelerate routine renourishment activities on beaches damaged by the storms. Local governments and state agencies shall make application for renourishment funds on a form and in the manner prescribed by the department and funds shall be allocated using a prioritization process developed by the department. The department shall report to the Governor, the Chairman of the House Ways and Means Committee and the Chairman of the Senate Finance Committee on applications received and the process for prioritizing renourishment funding no later than September 1, 2017.~~

(3) ~~P320—Department of Commerce
(a) Closing Fund \$ 16,100,000
(b) LocateSC \$ 8,000,000
(c) Applied Research Centers \$ 2,000,000~~

(4) ~~J040—Department of Health and Environmental Control
Pinewood Site Leachate Recovery \$ 1,848,000~~

(5) ~~J020—Department of Health and Human Services
Rural Hospital Transformation Plan \$ 4,000,000~~

~~(5.1) The funds appropriated to the Department of Health and Human Services in item (5) for the Rural Hospital Transformation Plan may only be utilized for site improvements associated with a hospital transformation plan approved by the Department of Health and Human Services.~~

(6) ~~P240—Department of Natural Resources
Outreach Programs \$ 400,000~~

(7) ~~P320—Department of Commerce
Military Base Task Force \$ 500,000~~

(8) ~~E240—Office of Adjutant General
SC Military Museum \$ 660,000~~

(9) ~~P320—Department of Commerce
2015 Flood Non-CDBG Disaster Recovery \$ 250,000~~

(10) ~~U300—Division of Aeronautics
Security System \$ 100,000~~

(11) ~~D100—State Law Enforcement Division
(a) Counter Terrorism/Arson Equipment \$ 448,000
(b) First Responder PTSD Treatment \$ 500,000~~

(12) ~~P280—Department of Parks, Recreation and Tourism
Hurricane Matthew Revenue Loss \$ 2,238,206~~

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(13) P400—S.C. Conservation Bank		
Conservation Bank Trust	\$	5,000,000
(14) H730—Department of Vocational Rehabilitation		
Lander Equestrian Center PTSD Pilot	\$	200,000
(15) H750—School for the Deaf and the Blind		
Campus Facility Plan	\$	150,000
(16) R400—Department of Motor Vehicles		
(a) Annual Leave Payouts	\$	140,000
(b) Disaster Recovery Integration	\$	500,000
(17) A170—Legislative Services		
IT Disaster Recovery	\$	500,000
(18) H630—Department of Education		
GSAH—Core Switch Replacement	\$	60,000
(19) H710—Wil Lou Gray Opportunity School		
(a) Underground Utilities	\$	100,000
(b) HVAC	\$	80,000
(20) E200—Office of the Attorney General		
ICAC Equipment, Training, and Operations	\$	150,000
(21) E240—Office of Adjutant General		
(a) Shaw Airforce Base/City of Sumter Main Gate Refurbishment	\$	150,000
(b) SC State Guard Uniforms	\$	100,000
(22) H870—State Library		
Building Maintenance	\$	90,000
(23) R520—State Ethics Commission		
(a) Additional Office Space/Rent Increase	\$	15,000
(b) New Administrative Assistants Operating Expenses	\$	10,000
(24) H790—Department of Archives and History		
Conservation of South Carolina’s Constitutions	\$	200,000
(25) E240—Office of Adjutant General		
Youth Challenge—POST Challenge	\$	500,000
(26) Y140—State Ports Authority		
Jasper Ocean Terminal, Channel, and Supporting Infrastructure	\$	1,000,000
(27) P280—Department of Parks, Recreation and Tourism		
Parks Recreation Development Fund	\$	3,000,000
(28) P120—Forestry Commission		
Firefighter Safety and Public Protection—Equipment	\$	1,000,000
(29) E240—Office of Adjutant General		
2014 Winter Storm Local Matching Funds	\$	1,677,193
<p>(29.1) The funds appropriated to the Office of Adjutant General in item (29) for 2014 Winter Storm Local Matching Funds, shall be disbursed to eligible counties and municipalities to offset storm cleanup expenses associated with the 2014 Winter Storm during states of emergency declared by Executive Orders 2014 06 and 2014 11. A county or municipality is eligible for disbursement if the county or municipality was eligible for reimbursement by the Federal Emergency Management Agency (FEMA), but was not reimbursed due to local match requirements. The amount reimbursed to each eligible county or municipality shall not exceed more than thirty three percent of the county or municipality’s remaining unreimbursed total non federal aid share from the 2014 Winter Storm.</p>		
(30) E240—Office of Adjutant General		
Town of Nichols Loan	\$	1

**H.4950 CONFERENCE COMMITTEE
SUMMARY OF PROVISO CHANGES FOR FY 2018-19
SAME IN BOTH VERSIONS**

(31) D100 State Law Enforcement Division		
(a) Forensics Equipment	\$	1
(b) Alcohol Enforcement/Narcotics Equipment	\$	1
(32) E280 Election Commission		
Refresh of Current Statewide Voting System	\$	1
(C) Unexpended funds appropriated pursuant to this provision may be carried forward to succeeding fiscal years and expended for the same purposes.		