

Session 115 - (2003-2004)

S*0034 (Rat #0133, Act #0086 of 2003) General Bill, By Knotts, Elliott, Reese and Kuhn

Similar (H 3208, H 3340)

Summary: Business incentive offers must include fiscal impact; documents not exempt from disclosure once offer accepted or rejected

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-25 SO AS TO DEFINE PUBLIC MONIES AS MONIES IN A FUND USED BY THE DEPARTMENT OF COMMERCE IN CARRYING OUT CERTAIN DESCRIBED PURPOSES AND TO ESTABLISH SPECIFIC REPORTING REQUIREMENTS FOR THOSE MONIES; TO AMEND SECTION 13-1-1720, RELATING TO THE PURPOSE AND DUTIES OF THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO RESTATE THE PUBLIC NATURE OF THE SUBJECT FUNDS, INCLUDING THE ACCOUNTABILITY, DISCLOSURE, REPORTING, AND PROCUREMENT REQUIREMENTS; BY ADDING SECTION 30-4-55 SO AS TO PROVIDE THAT A PUBLIC BODY OR PERSON OR ENTITY ACTING ON BEHALF OF THE PUBLIC BODY THAT OFFERS CERTAIN INCENTIVES TO ATTRACT A BUSINESS OR INDUSTRY TO INVEST IN SOUTH CAROLINA SHALL DISCLOSE THE FISCAL IMPACT OF THE OFFER ON THE PUBLIC BODY OR OTHER GOVERNMENTAL ENTITY AT THE TIME THE OFFER IS ACCEPTED AND MADE PUBLIC OR FINALIZED, AND TO PRESCRIBE THE SUBSTANCE OF THE FISCAL IMPACT DISCLOSURE; TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE THAT MARINE TERMINAL SERVICE AND NONTARIFF AGREEMENTS ARE TRADE SECRETS AND THAT MEMORANDA, CORRESPONDENCE, AND DOCUMENTS RELATING TO AN OFFER MADE TO AN INDUSTRY OR BUSINESS OF INCENTIVES THAT REQUIRE THE EXPENDITURE OF PUBLIC FUNDS OR THE TRANSFER OF ANYTHING OF VALUE OR THAT REDUCE THE RATE OR ALTER THE METHOD OF TAXATION OF THE BUSINESS OR INDUSTRY OR OTHERWISE IMPACT THE OFFEROR FISCALLY ARE NOT EXEMPT FROM DISCLOSURE AFTER THE OFFER IS ACCEPTED AND MADE PUBLIC OR FINALIZED; BY ADDING SECTION 30-4-65 SO AS TO PROVIDE THAT THE GOVERNOR'S CABINET MEETINGS ARE SUBJECT TO THE FREEDOM OF INFORMATION ACT ONLY WHEN THE CABINET IS GRANTED CERTAIN POWERS BY EXECUTIVE ORDER; AND TO AMEND SECTION 30-4-20, RELATING TO DEFINITIONS FOR PURPOSES OF THE FREEDOM OF INFORMATION ACT, SO AS TO EXPAND THE DEFINITION OF "PUBLIC BODY" TO INCLUDE A LEGISLATIVE CAUCUS OR A GROUP MADE UP OF A MAJORITY OF CERTAIN PUBLIC EMPLOYEES. - ratified title

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| 12/04/02 | Senate | Prefiled |
| 12/04/02 | Senate | Referred to Committee on Judiciary |
| 01/14/03 | Senate | Introduced and read first time SJ-34 |
| 01/14/03 | Senate | Referred to Committee on Judiciary SJ-34 |
| 03/12/03 | Senate | Committee report: Favorable with amendment Judiciary SJ-8 |
| 03/13/03 | Senate | Amended SJ-23 |
| 04/02/03 | Senate | Amended SJ-29 |
| 04/02/03 | Senate | Read second time SJ-29 |
| 04/02/03 | Senate | Ordered to third reading with notice of amendments SJ-29 |
| 04/17/03 | Senate | Special order SJ-16 |
| 04/23/03 | Senate | Amended SJ-52 |
| 04/23/03 | Senate | Read third time and sent to House SJ-52 |
| 04/24/03 | House | Introduced and read first time HJ-17 |
| 04/24/03 | House | Referred to Committee on Ways and Means HJ-17 |
| 04/30/03 | House | Recalled from Committee on Ways and Means HJ-36 |
| 04/30/03 | House | Referred to Committee on Judiciary HJ-36 |
| 05/28/03 | House | Committee report: Favorable with amendment Judiciary HJ-74 |
| 05/29/03 | | Scrivener's error corrected |
| 06/03/03 | House | Requests for debate-Rep(s). Scott, JH Neal, Gourdine, Lloyd, Rivers, Moody-Lawrence, Hosey, Breeland, and M Hines HJ-71 |
| 06/04/03 | House | Requests for debate removed-Rep(s). Scott, JH Neal, Gourdine, Breeland, Hosey, M Hines, Rivers and Moody-Lawrence HJ-51 |
| 06/04/03 | House | Debate adjourned HJ-56 |
| 06/04/03 | House | Debate adjourned HJ-85 |
| 06/04/03 | House | Amended HJ-128 |

06/04/03 House Read second time HJ-132
06/05/03 House Debate adjourned HJ-8
06/05/03 House Amended HJ-153
06/05/03 House Read third time and returned to Senate with amendments HJ-153
06/05/03 Senate Concurred in House amendment and enrolled SJ-172
06/05/03 Ratified R 133
07/14/03 Signed By Governor
07/18/03 Copies available
07/18/03 Effective date 07/14/03
07/23/03 Act No. 86