

## Session 123 - (2019-2020)

### H 4453 General Bill, By Elliott, Bannister and Clary

**Summary:** State Institution of Higher Education Efficiency Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 157 TO TITLE 59 SO AS TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT", TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF THE COLLEGE OR UNIVERSITY MAY BE TRANSFERRED TO THE AUXILIARY DIVISION, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND THE DISPOSITION OF REAL AND PERSONAL PROPERTY, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE AUXILIARY DIVISION, AND TO PROVIDE AUDIT AND REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260, RELATING TO EXEMPTIONS FROM THE PROVISIONS OF STATE PERSONNEL REGULATIONS AND REQUIREMENTS, SO AS TO EXEMPT EMPLOYEES OF INSTITUTIONS TO WHICH THE HIGHER EDUCATION EFFICIENCY ACT APPLIES; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD DEFINITIONS OF "RESEARCH INSTITUTION" AND "INSTITUTION"; TO AMEND SECTION 11-35-1210, RELATING TO CERTIFICATION FOR DIRECT PROCUREMENTS, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH DIRECT PROCUREMENTS MAY BE MADE; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REVISE THE MANNER IN WHICH INSTITUTIONS OF HIGHER LEARNING ARE AUDITED; AND BY ADDING SUBARTICLE 11 TO ARTICLE 3, CHAPTER 35, TITLE 11 SO AS TO FURTHER PROVIDE FOR THE AUTHORITY OF RESEARCH INSTITUTIONS AND OTHER INSTITUTIONS TO UNDERTAKE CERTAIN ACTIONS, INCLUDING PURCHASING AND THE APPROVAL OF CONTRACTS.

**04/11/19 House Introduced and read first time (House Journal-page 75)**

**04/11/19 House Referred to Committee on Ways and Means (House Journal-page 75)**