**A** **BILL**

TO AMEND SECTION 1‑30‑10 OF THE 1976 CODE, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, BY ADDING THE DEPARTMENT OF ADMINISTRATION; AND BY ADDING SECTION 1‑30‑125 TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, THE OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ESTABLISHMENT OF THE DEPARTMENT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1‑30‑10(A) of the 1976 Code is amended by adding at the end:

“20. Department of Administration”

SECTION 2. A. Chapter 30, Title 1 of the 1976 Code is amended by adding:

“Section 1‑30‑125. (A) Effective January 1, 2009, the following offices, divisions, or components of the State Budget and Control Board, the Office of the Governor, or other agencies are transferred to, and incorporated into, the Department of Administration, a department of the executive branch of state government headed by a director appointed by the Governor as provided in Section 1‑30‑10(B)(1)(i), except that this appointment must be upon the advice and consent of the Senate:

(1) Division of General Services including Facilities Management, Business Services together with Fleet Management, and Property Services;

(2) Office of Human Resources and Office of Research and Statistics of the Budget and Analysis Division;

(3) Office of Executive Policy and Programs, except for the State Ombudsman and Children’s Services programs which are contained within this office;

(4) the State Energy Office as established by Section 48‑52‑410;

(5) Office of Economic Opportunity;

(6) Developmental Disabilities Council;

(7) Continuum of Care as established by Section 20‑7‑5610;

(8) Children’s Foster Care as established by Section 20‑7‑2379;

(9) Veterans Affairs as established by Section 25‑11‑10;

(10) Commission on Women as established by Section 1‑15‑10;

(11) Victims Assistance as established by Article 13, Chapter 3, Title 16; and

(12) Small and Minority Business as established by Section 11‑35‑5270.

(B) The Department of Administration shall, during the absence of the Governor from Columbia, be placed in charge of the records and papers in the executive chamber. He shall keep in Columbia all the books, records, and papers belonging thereto.”

B. Where the provisions of this act transfer offices, or portions of offices, of the Budget and Control Board, Office of the Governor, or other agencies to the new Department of Administration, the employees, authorized appropriations, and assets and liabilities of the transferred offices are also transferred to and become part of the Department of Administration. All classified or unclassified personnel employed by these offices on the effective date of this act, either by contract or by employment at will, shall become employees of the Department of Administration, with the same compensation, classification, and grade level, as applicable. The Budget and Control Board shall cause all necessary actions to be taken to accomplish this transfer in accordance with state laws and regulations.

Regulations promulgated by these transferred offices as they formerly existed under the Budget and Control Board, Office of the Governor, or other agencies are continued and are considered to be promulgated by these offices under the newly created Department of Administration.

The Code Commissioner is directed to change or correct all references to these offices of the Budget and Control Board in the 1976 Code, Office of the Governor, or other agencies to reflect the transfer of them to the Department of Administration. References to the names of these offices in the 1976 Code or other provisions of law are considered to be and must be construed to mean appropriate references. This authority shall not be construed to remove any authority from the Budget and Control Board for approval of statewide policies, procedures, regulations, rates and fees, or specific actions requiring board approval.

SECTION 3. This act takes effect upon approval by the Governor.

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