**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23‑23‑125 SO AS TO PROVIDE THAT FOR THE CURRENT FISCAL YEAR, AN ADDITIONAL FIVE DOLLAR SURCHARGE TO FUND INFRASTRUCTURE IMPROVEMENTS AT THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY ON ALL FINES, FORFEITURES, ESCHEATMENTS, AND OTHER MONETARY PENALTIES MUST BE IMPOSED FOR CERTAIN OFFENSES, TO PROVIDE A PROCEDURE FOR THE COLLECTION AND DISTRIBUTION OF THE SURCHARGE REVENUES, AND TO PROVIDE THAT THE STATE TREASURER MAY REQUEST THE STATE AUDITOR TO EXAMINE THE FINANCIAL RECORDS OF JURISDICTIONS THAT COLLECT THE SURCHARGES.

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

SECTION 1. Article 1, Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23‑23‑125. (A) In addition to all other assessments and surcharges, during the current fiscal year, a five dollar surcharge to fund infrastructure improvements at the South Carolina Criminal Justice Academy is levied on all fines, forfeitures, escheatments, and other monetary penalties imposed in general sessions, magistrates, and municipal courts for misdemeanor traffic offenses or for nontraffic violations. No portion of the surcharge may be waived, reduced, or suspended.

(B) The revenue collected pursuant to subsection (A) must be retained by the jurisdiction which heard or processed the case and paid to the State Treasurer within thirty days after receipt. The State Treasurer shall transfer this revenue quarterly to the South Carolina Criminal Justice Academy.

(C) The State Treasurer may request the State Auditor to examine the financial records of any jurisdiction which he believes is not timely transmitting the funds required to be paid to the State Treasurer pursuant to subsection (B). The State Auditor is authorized to conduct these examinations. The local jurisdictions are required to participate in and cooperate fully with these examinations.”

SECTION 2. This act takes effect upon approval by the Governor.

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