**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑11‑145 REENACTING PROVISIONS OF THE “CARNELL‑FELDER” SPENDING LIMIT, LIMITING ANNUAL GENERAL FUND APPROPRIATIONS BY THE GENERAL ASSEMBLY TO THE LESSER OF GENERAL FUND REVENUES FOR THE UPCOMING FISCAL YEAR AS ESTIMATED BY THE BOARD OF ECONOMIC ADVISORS OR ACTUAL GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR INCREASED BY AN AMOUNT EQUAL TO SEVENTY‑FIVE PERCENT OF THE AMOUNT THAT THE ESTIMATE FOR THE UPCOMING FISCAL YEAR EXCEEDS CURRENT YEAR GENERAL FUND REVENUES AND PROVIDE THOSE CIRCUMSTANCES WHEN THIS LIMIT MUST BE ADJUSTED.

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

SECTION 1. Article 1, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11‑11‑145. (A) General fund appropriations in the annual general appropriations act may not exceed the base revenue estimate as calculated pursuant to subsection (B) or as adjusted pursuant to subsection (C).

(B) For purposes of this section, the base revenue estimate is the lessor of:

(1)(a) the total of recurring general fund revenues collected in the fiscal year completed before the General Assembly first considers the annual general appropriations bill increased by any recurring general fund revenue enhancements occurring in the current fiscal year if such enhancements are certified by the Board of Economic Advisors;

(b) increased by a sum equal to seventy‑five percent of the amount the general fund revenue estimate of the Board of Economic Advisors for the upcoming fiscal year exceeds the amount in subitem (a) of this item; or

(2) the general fund revenue estimate of the Board of Economic Advisors for the upcoming fiscal year.

(C) The base revenue estimate may be increased or decreased by:

(1) any amendment to the general appropriations bill which affects the Board of Economic Advisors revenue estimate; or

(2) enacted legislation which affects the board’s estimate, if the board certifies in writing the change in estimated revenue.

(D) If the annual limit imposed on approved general fund appropriations pursuant to Section 11‑11‑310 is lower than the limit imposed pursuant to subsection (A) of this section, the lower limit applies.”

SECTION 2. This act takes effect upon approval by the Governor and first applies for general fund appropriations for fiscal year 2010‑2011.

‑‑‑‑XX‑‑‑‑