**South Carolina General Assembly**

119th Session, 2011-2012

**H. 3435**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Hamilton, Taylor and Young

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Introduced in the House on January 25, 2011

Currently residing in the House Committee on **Ways and Means**

Summary: Seventy-Two Hour Budget Review Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2011 House Introduced and read first time ([House Journal‑page 48](file:///h:\hj%20archive\2011\01-25-11.docx))

1/25/2011 House Referred to Committee on **Ways and Means** ([House Journal‑page 48](file:///h:\hj%20archive\2011\01-25-11.docx))

3/16/2011 House Member(s) request name added as sponsor: Taylor, Young

**VERSIONS OF THIS BILL**

[1/25/2011](file:///p:\pprever\2011-12\3435_20110125.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑7‑112 SO AS TO ENACT THE “SEVENTY‑TWO HOUR BUDGET REVIEW ACT” TO ESTABLISH STRICT TIME LIMITS DURING WHICH VERSIONS OF APPROPRIATIONS BILLS AND REVENUE RAISING BILLS AND AMENDMENTS MUST BE PUBLICLY AVAILABLE BEFORE CONSIDERATION AND VOTES ON THESE BILLS AND TO PROVIDE THAT THESE TIME LIMITS MAY BE WAIVED BY A TWO‑THIRDS VOTE.

Whereas, the General Assembly finds that public participation in the legislative process improves the quality of proposed legislation making appropriations and raising revenues by allowing the opportunity for its detailed review by interested parties. The opportunity for a detailed review by the public before meetings or votes on legislation helps increase public trust in government and enhances respect for the General Assembly by ensuring that its operation is conducted with the openness, order, and dignity befitting the State of South Carolina; and

Whereas, the General Assembly further finds that it is appropriate to prohibit meetings or votes on appropriations or revenue bills, or both, until seventy‑two hours after the bill’s public introduction. Now, therefore,

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

SECTION 1. Article 1, Chapter 7, Title 2 of the 1976 Code is amended by adding:

“Section 2‑7‑112. (A) This section may be cited as the ‘Seventy‑Two Hour Budget Review Act’.

(B) As used in this section:

(1) ‘Amendment’ means a proposed change in a bill.

(2) ‘Appropriations bill’ means the annual general appropriations bill, a supplemental appropriations bill, the joint resolution appropriating revenues of the capital reserve fund, a bill appropriating contingency reserve fund revenues, bond bills, or any other bill appropriating state revenues while under consideration by a legislative body.

(3) ‘Bill’ means an appropriations bill as defined in item (2) of this section, a revenue bill as defined in item (5) of this section., or a bill which both makes appropriations and raises revenues. For purposes of this definition, a bill includes a joint resolution.

(4) ‘Publicly available’ means posting a bill or amendment on the General Assembly’s website.

(5) ‘Revenue bill’ means a bill imposing a new or increasing an existing tax, fee, charge, assessment, or other revenue raising measure, however described, the revenues of which are used for the general operations of state government, or transferred to political subdivisions of the State, including school districts, or credited to segregated funds in the state treasury separate and apart from the general fund of the State the revenues of which must be used for specific rather than general governmental functions, which functions extend to distributions and reimbursements to political subdivisions of the State, including school districts, while under consideration by a legislative body.

(6) ‘Legislative body’ means the House Ways and Means Committee, the Senate Finance Committee, any subcommittee of these committees, the House of Representatives, and the Senate.

(7) ‘Strike‑all amendment’ means an amendment removing all text after the enacting words of a bill and inserting all new text.

(C) A legislative body may not consider or vote on a bill until seventy‑two hours after the bill is made publicly available. This seventy‑two hour period excludes Saturdays, Sundays, and state holidays except when the legislative body considering the bill is in session on that day.

(D) Amendments offered to bills are not considered in order unless made publicly available twenty‑four hours before a vote. The twenty‑four hour period excludes Saturdays, Sundays, and state holidays except when the legislative body considering the bill is in session on that day.

(E) Strike‑all amendments are not considered in order unless made publicly available forty‑eight hours before a vote. The forty‑eight hour period excludes Saturdays, Sundays, and state holidays except when the legislative body considering the bill is in session on that day.

(F) The time sensitive prohibitions of this rule apply each time a new version of a bill is considered, including consideration of a free conference committee report.

(G) The time sensitive prohibitions of this rule for a legislative body considering or voting on a bill may be waived upon a two‑thirds vote of the House Ways and Means Committee, the Senate Finance Committee, the House of Representatives, or the Senate. For bills reported or adopted utilizing this exemption, the following note must be included in the next printing of the bill and the next version of the bill made publicly available:

‘The (insert legislative body) has waived the people’s right for a detailed review of this bill as required by the Seventy‑Two Hour Budget Review Act.’”

SECTION 2. This act takes effect upon approval by the Governor and first applies for bills and joint resolutions making appropriations for fiscal year 2012‑2013.

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