**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4072**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Reps. Toole, Brantley, Atwater, Quinn, Huggins, Bingham, Corbin, Erickson, Frye, Pinson, Patrick, Crawford, Battle, Hamilton, Hearn, Henderson, Pitts, J.R. Smith and Stringer

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Introduced in the House on April 13, 2011

Currently residing in the House Committee on **Judiciary**

Summary: Government Privatization Study Committee created

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/13/2011 House Introduced and read first time ([House Journal‑page 19](file:///h:\hj%20archive\2011\04-13-11.docx))

4/13/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 19](file:///h:\hj%20archive\2011\04-13-11.docx))

**VERSIONS OF THIS BILL**

[4/13/2011](file:///p:\pprever\2011-12\4072_20110413.docx)

**A** **JOINT RESOLUTION**

TO CREATE A STUDY COMMITTEE ON GOVERNMENT PRIVATIZATION; TO PROVIDE FOR THE MEMBERSHIP, POWERS, DUTIES, AND FUNCTIONS OF THE COMMITTEE; TO PROVIDE A PROCEDURE FOR THE SUBMISSION, CONSIDERATION, APPROVAL, AND IMPLEMENTATION OF RECOMMENDATIONS OF THE STUDY COMMITTEE; TO PROVIDE FOR STAFF SUPPORT AND FINANCES FOR THE STUDY COMMITTEE; TO PROVIDE FOR COOPERATION WITH AND SUPPORT FOR THE STUDY COMMITTEE; TO PROVIDE FOR THE APPLICABILITY OF OTHER LAWS; AND TO PROVIDE FOR ITS TERMINATION.

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

SECTION 1. The State of South Carolina should be run no differently than any other business and must carefully give consideration of whether certain state functions might be better performed privately. Immediate action by the State is necessary to ensure the State can continue to meet its obligations to the citizens of South Carolina in an effective means.

SECTION 2. (A) There is created the Study Committee on Government Privatization to examine each state agency, including public corporations authorized by the State, so as to determine if the State’s best interests would be served by the privatization of an agency’s activities, programs, services, powers, or other functions.

(B) The study committee is composed of five members who are not members of the General Assembly consisting of:

(1) one member appointed by the President Pro Tempore of the Senate;

(2) one member appointed by the Speaker of the House of Representatives;

(3) one member appointed by the Governor;

(4) one member appointed by the Senate Minority leader; and

(5) one member appointed by the House Minority leader.

(C) At the study committee’s first meeting, its members shall elect from their membership a chairman and vice chairman and other officers as necessary.

(D) The members of the study committee must serve without pay, but are entitled to receive mileage, subsistence, and per diem as allowed by law for legislative members of boards, committees, and commissions when engaged in the exercise of their duties as members of the study committee. This must be paid from approved accounts of their respective appointing authorities.

SECTION 3. (A) The study committee may hold public hearings as part of its evaluation process and may appoint advisory groups to conduct studies, research, or analyses, and make reports and recommendations with respect to a matter within the jurisdiction of the study committee. At least one member of the study committee shall serve on each advisory group.

(B)(1) The committee first shall determine which state agency offers the best opportunity for improvements in its effectiveness and management of its costs by means of privatizing all or some portion of its activities. The agency selected must appear first in the per agency reports required pursuant to item (2) of this subsection. The report and reorganization plan for that agency must be comprehensive and detailed and suitable as a pilot project model for other agencies.

(2) The study committee shall prepare its recommendations on a per agency basis as reorganization plans and establish a schedule that will allow it to complete these agency by agency reports as quickly as possible. It may issue a series of reports or a single report, but all such reports, on completion, must be submitted to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate and a first report containing as many agencies as possible must be submitted by January 15, 2012 together with a schedule for its completion of recommendations for the remaining agencies. The committee terminates upon its completion and submission of reports on all remaining agencies.

(3) Executive and legislative action should be taken to implement the portions of the reorganization plan that are either approved or modified as soon as possible and the director of each agency is responsible for an implementation plan and suggested legislative language if the agency is selected for privatization of all or part of its activities.

SECTION 4. The staffs of the Senate, House of Representatives, and State Budget and Control Board shall provide staff support and otherwise assist the study committee as requested by the study committee. The study committee may submit a written request to the President Pro Tempore of the Senate, the Speaker of the House of Representatives, or the State Budget and Control Board for specific support and assistance to be provided by the staffs of their respective agencies.

SECTION 5. (A) Each agency shall furnish aid, services, and assistance as may be requested by the study committee pursuant to Section 4.

(B) To the extent permitted by and in accordance with applicable laws, each officer and agency shall make available all facts, records, information, and data requested by the study committee and in all ways cooperate with the study committee in carrying out the functions and duties imposed by this joint resolution.

(C) All information requested by the study committee must be submitted to the study committee within fifteen business days after the date of the request. The study committee chairman may extend this time period for good cause shown.

SECTION 6. The study committee may apply for, contract for, receive, and expend for purposes of this joint resolution any appropriation or grant from the State, its political subdivisions, the federal government, or any other public or private source to carry out duties and responsibilities.

SECTION 7. This joint resolution takes effect upon approval by the Governor.

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