**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4128**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, Atwater, Toole, Chumley, Delleney, Hosey, D.C. Moss, G.R. Smith, Williams, Willis, Huggins, Bingham, Quinn and Bedingfield

Document Path: l:\council\bills\swb\6159cm11.docx

Companion/Similar bill(s): 862

Introduced in the House on April 26, 2011

Introduced in the Senate on May 1, 2012

Last Amended on April 19, 2012

Currently residing in the Senate

Summary: Gold and silver coins to be legal tender

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/26/2011 House Introduced and read first time ([House Journal‑page 75](file:///h:\hj%20archive\2011\04-26-11.docx))

4/26/2011 House Referred to Committee on **Judiciary** ([House Journal‑page 75](file:///h:\hj%20archive\2011\04-26-11.docx))

5/3/2011 House Member(s) request name added as sponsor: Huggins

5/11/2011 House Member(s) request name added as sponsor: Bingham, Quinn, Bedingfield

3/28/2012 House Committee report: Favorable with amendment **Judiciary** ([House Journal‑page 40](file:///h:\hj%20archive\2012\03-28-12.docx))

3/30/2012 Scrivener's error corrected

4/19/2012 House Amended ([House Journal‑page 66](file:///h:\hj%20archive\2012\04-19-12.docx))

4/19/2012 House Requests for debate‑Rep(s). Sabb, Sellers, Johnson, Brannon, HB Brown, McLeod, Jefferson ([House Journal‑page 66](file:///h:\hj%20archive\2012\04-19-12.docx))

4/24/2012 House Debate adjourned until Wed., 04‑25‑12 ([House Journal‑page 66](file:///h:\hj%20archive\2012\04-24-12.docx))

4/24/2012 House Requests for debate removed‑Rep(s). McLeod, McEachern ([House Journal‑page 58](file:///h:\hj%20archive\2012\04-24-12.docx))

4/25/2012 House Read second time ([House Journal‑page 67](file:///h:\hj%20archive\2012\04-25-12.docx))

4/25/2012 House Roll call Yeas‑65 Nays‑24 ([House Journal‑page 68](file:///h:\hj%20archive\2012\04-25-12.docx))

4/26/2012 House Read third time and sent to Senate ([House Journal‑page 74](file:///h:\hj%20archive\2012\04-26-12.docx))

5/1/2012 Senate Introduced and read first time ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\05-01-12.docx))

5/1/2012 Senate Referred to Committee on **Finance** ([Senate Journal‑page 7](file:///h:\sj%20archive\2012\05-01-12.docx))

5/30/2012 Senate Committee report: Majority favorable with amend., minority unfavorable **Finance** ([Senate Journal‑page 13](file:///h:\sj%20archive\2012\05-30-12.docx))

**VERSIONS OF THIS BILL**

[4/26/2011](file:///p:\pprever\2011-12\4128_20110426.docx)

[3/28/2012](file:///p:\pprever\2011-12\4128_20120328.docx)

[3/30/2012](file:///p:\pprever\2011-12\4128_20120330.docx)

[4/19/2012](file:///p:\pprever\2011-12\4128_20120419.docx)

[4/25/2012](file:///p:\pprever\2011-12\4128_20120425.docx)

[5/30/2012](file:///p:\pprever\2011-12\4128_20120530.docx)

COMMITTEE REPORT

May 30, 2012

**H. 4128**

Introduced by Reps. Pitts, Atwater, Toole, Chumley, Delleney, Hosey, D.C. Moss, G.R. Smith, Williams, Willis, Huggins, Bingham, Quinn and Bedingfield

S. Printed 5/30/12--S.

Read the first time May 1, 2012.

**THE COMMITTEE ON FINANCE**

To whom was referred a Bill (H. 4128) to amend the Code of Laws of South Carolina, 1976, by adding Article 18 to Chapter 1, Title 1 so as to provide that gold or silver coin, or, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting SECTION 1.

Amend the bill further, SECTION 2, page 2, by striking lines 15-21 and inserting:

/ The eleven members must be appointed as follows:

(1) three Senators appointed by the Chairman of the Senate Finance Committee;

(2) one Senator appointed by the Minority Leader of the Senate;

(3) three members of the House of Representatives appointed by the Chairman of the Ways and Means Committee;

(4) one member of the House of Representatives appointed by the Minority Leader of the House of Representatives; and

(5) three representatives of the business community, one being a certified public accountant, appointed by the Governor. /

Amend the bill further, SECTION 2, page 3, by striking line 13 and inserting:

/ June 30, 2013, at which time the committee will be dissolved. /

Renumber sections to conform.

Amend title to conform.

Majority favorable. Minority unfavorable.

HARVEY S. PEELER, JR. HUGH K. LEATHERMAN, SR.

For Majority. For Minority.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

A Cost to the General Fund (See Below)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

The Senate and the House of Representatives

The Legislature indicates there will be an additional cost for the proposed bill. The committee will consist of 6 legislators and 3 non-legislators. The cost per legislator per one-day meeting is $245 per person, and the cost per non-legislator per one-day meeting is $190. The total cost will be $2,040 per one-day meeting paid from approved accounts of the respective appointing authority.

State Treasurer’s Office

The office reports this bill would have a minimal impact and could be absorbed within existing resources.

Budget & Control Board

The board indicates that provided the support is in the scope of normal research projects, fiscal impacts or revenue impacts, there is no impact to this bill. Any required work, as previously stated, could be absorbed by existing resources.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT GOLD OR SILVER COIN, OR BOTH, SHALL BE LEGAL TENDER IN THIS STATE FOR PAYMENT OF CERTAIN DEBTS; AND BY ADDING ARTICLE 26 TO CHAPTER 1, TITLE 1 SO AS TO ESTABLISH A JOINT COMMITTEE FOR THE ADOPTION OF AN ALTERNATE FORM OF CURRENCY.

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

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

“Article 18

Gold and Silver as Legal Tender

Section 1‑1‑1110. (A) To the full extent allowed by Article I, Section 10, Clause 1 of the Constitution of the United States, minted gold and silver coins shall be legal tender in the State of South Carolina under the laws of this State.

(B) Any person may employ gold or silver coin, or both, as legal tender in this State under its laws for payment of any debt private or public.

(C) No person may be compelled to accept or tender gold or silver coin, minted or otherwise.

Section 1‑1‑1130. A transaction for the purchase of gold or silver coin shall not be subject to ad valorem or sales tax imposed by South Carolina.”

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

“Article 26

Joint Committee for the Adoption of an Alternate Form of Currency

Section 1‑1‑1710. There is established the Joint Committee on Adoption of an Alternate Currency composed of nine members. The nine members must be appointed as follows:

(1) three Senators appointed by the Chairman of the Senate Finance Committee;

(2) three members of the House of Representatives appointed by the Chairman of the Ways and Means Committee; and

(3) three representatives of the business community, one being a certified public accountant, appointed by the Governor.

Members of the Senate and House of Representatives serve ex officio. The committee chairman must be one of the legislative members and the vice chairman must be one of the business community members. Both officers are to be elected by the membership of the committee. The terms of members appointed by the Governor shall be coterminous with the term of the appointing Governor.

Section 1‑1‑1720. The committee must make a detailed and careful study of the need, means, and schedule for establishing an alternate currency within the State of South Carolina.

Section 1‑1‑1730. The committee may:

(1) hold public hearings;

(2) receive testimony of members of the general public, any employees of the State or any other witnesses who may assist the committee in its duties; and

(3) call for assistance in the performance of its duties from any employees or agencies of the State or any of its political subdivisions.

Section 1‑1‑1740. The committee may adopt by majority vote rules not inconsistent with this chapter it considers proper with respect to matters relating to the discharge of its duties under this chapter.

Section 1‑1‑1750. Professional and clerical services for the committee must be made available from the staffs of the General Assembly, the State Budget and Control Board, the Office of the State Treasurer, and other state agencies and institutions.

Section 1‑1‑1760. The committee must make reports and recommendations to the General Assembly and the Governor by June 30, 2012, at which time the committee will be dissolved. These findings and recommendations must be published and made available to the public.

Section 1‑1‑1770. The members of the committee are entitled to receive the per diem, mileage, and subsistence as is allowed by law for members of boards, committees, and commissions when engaged in the exercise of their duties as members of the committee. These expenses must be paid from approved accounts of their respective appointing authority. All other costs and expenses of the committee must be paid in equal proportion by the Senate, the House of Representatives, and the Office of the Governor, but only after the expenditures have been approved in advance by the President Pro Tempore of the Senate, the Speaker of the House, and the Governor.”

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

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