**South Carolina General Assembly**

119th Session, 2011-2012

**A148, R167, H4595**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Bingham, Allison, Anthony and White

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Introduced in the House on January 12, 2012

Introduced in the Senate on February 1, 2012

Last Amended on April 12, 2012

Passed by the General Assembly on April 18, 2012

Governor's Action: April 23, 2012, Signed

Summary: Requirements for the Individuals with Disabilities Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/12/2012 House Introduced, read first time, placed on calendar without reference ([House Journal‑page 128](file:///h%3A%5Chj%20archive%5C2012%5C01-12-12.docx))

 1/18/2012 House Debate adjourned until Tues., 01‑24‑12 ([House Journal‑page 16](file:///h%3A%5Chj%20archive%5C2012%5C01-18-12.docx))

 1/24/2012 House Debate adjourned until Wed., 01‑25‑12 ([House Journal‑page 22](file:///h%3A%5Chj%20archive%5C2012%5C01-24-12.docx))

 1/25/2012 House Debate adjourned until Thur., 01‑26‑12 ([House Journal‑page 15](file:///h%3A%5Chj%20archive%5C2012%5C01-25-12.docx))

 1/26/2012 House Debate adjourned until Tues., 01‑31‑12 ([House Journal‑page 12](file:///h%3A%5Chj%20archive%5C2012%5C01-26-12.docx))

 1/31/2012 House Amended ([House Journal‑page 12](file:///h%3A%5Chj%20archive%5C2012%5C01-31-12.docx))

 1/31/2012 House Read second time ([House Journal‑page 12](file:///h%3A%5Chj%20archive%5C2012%5C01-31-12.docx))

 1/31/2012 House Roll call Yeas‑105 Nays‑0 ([House Journal‑page 13](file:///h%3A%5Chj%20archive%5C2012%5C01-31-12.docx))

 2/1/2012 House Read third time and sent to Senate ([House Journal‑page 5](file:///h%3A%5Chj%20archive%5C2012%5C02-01-12.docx))

 2/1/2012 Senate Introduced and read first time ([Senate Journal‑page 15](file:///h%3A%5Csj%20archive%5C2012%5C02-01-12.docx))

 2/1/2012 Senate Referred to Committee on **Finance** ([Senate Journal‑page 15](file:///h%3A%5Csj%20archive%5C2012%5C02-01-12.docx))

 4/11/2012 Senate Committee report: Favorable with amendment **Finance** ([Senate Journal‑page 23](file:///h%3A%5Csj%20archive%5C2012%5C04-11-12.docx))

 4/12/2012 Senate Committee Amendment Adopted ([Senate Journal‑page 28](file:///h%3A%5Csj%20archive%5C2012%5C04-12-12.docx))

 4/12/2012 Senate Amended ([Senate Journal‑page 28](file:///h%3A%5Csj%20archive%5C2012%5C04-12-12.docx))

 4/12/2012 Senate Read second time ([Senate Journal‑page 28](file:///h%3A%5Csj%20archive%5C2012%5C04-12-12.docx))

 4/12/2012 Senate Roll call Ayes‑36 Nays‑0 ([Senate Journal‑page 28](file:///h%3A%5Csj%20archive%5C2012%5C04-12-12.docx))

 4/12/2012 Senate Unanimous consent for third reading on next legislative day ([Senate Journal‑page 28](file:///h%3A%5Csj%20archive%5C2012%5C04-12-12.docx))

 4/13/2012 Senate Read third time and returned to House with amendments ([Senate Journal‑page 1](file:///h%3A%5Csj%20archive%5C2012%5C04-13-12.docx))

 4/18/2012 House Read third time and enrolled

 4/18/2012 House Roll call Yeas‑111 Nays‑0

 4/19/2012 Ratified R 167

 4/23/2012 Signed By Governor

 4/25/2012 Effective date 04/23/12

 5/7/2012 Act No. 148

**VERSIONS OF THIS BILL**

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[1/12/2012-A](file:///p%3A%5Cpprever%5C2011-12%5C4595_20120112A.docx)

[1/31/2012](file:///p%3A%5Cpprever%5C2011-12%5C4595_20120131.docx)

[4/11/2012](file:///p%3A%5Cpprever%5C2011-12%5C4595_20120411.docx)

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(A148, R167, H4595)

**AN ACT TO AMEND ACT 73 OF 2011, RELATING TO THE 2011‑2012 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.54, SECTION 1A, PART IB, DIRECTING THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY FURTHER PROVIDING FOR THE DOLLAR AMOUNT OF THE TRANSFER AND FOR OTHER TERMS AND CONDITIONS OF THE TRANSFER; AND TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2012‑2013 SCHOOL YEAR FOR RETIRED TEACHERS.**

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

**Transfer of funds revised**

SECTION 1. Paragraph 1A.54, Section 1A, Part IB of Act 73 of 2011, is amended to read:

 “1A.54. (SDE‑EIA:IDEA Maintenance of Effort) Prior to the dispersal of funds appropriated in Section XI.A.1 Aid to Districts according to Proviso 1A.48 for Fiscal Year 2011‑2012, the department shall direct $33,549,409 of the funds appropriated in Section XI.A.1 Aid To Districts to school districts and special schools for supplemental support of programs and services for students with disabilities, to meet the estimated maintenance of effort for IDEA. Funds provided for the maintenance of effort for IDEA may not be transferred to any other purpose and therefore are not subject to flexibility. The department shall distribute these funds using the current fiscal year one hundred thirty‑five day Average Daily Membership. For continued compliance with the federal maintenance of effort requirements of the IDEA, funding for children with disabilities must, to the extent practicable, be held harmless to budget cuts or reductions to the extent those funds are required to meet federal maintenance of effort requirements under the IDEA. By June 30, 2012, the department shall submit an estimate of the IDEA MOE requirement to the General Assembly and the Governor.”

**Retired teacher salaries**

SECTION 2. Notwithstanding another provision of law, school districts uniformly may negotiate salaries below the school district salary schedule for the 2012‑2013 school year for retired teachers.

**Time effective**

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

Ratified the 19th day of April, 2012.

Approved the 23rd day of April, 2012.

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