**South Carolina General Assembly**

119th Session, 2011-2012

**S. 73**

**STATUS INFORMATION**

Joint Resolution

Sponsors: Senators Thomas, Rose and Peeler

Document Path: l:\council\bills\bbm\9822htc11.docx

Companion/Similar bill(s): 3

Introduced in the Senate on January 11, 2011

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

Summary: Constitutional amendment proposed

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/1/2010 Senate Prefiled

12/1/2010 Senate Referred to Committee on **Judiciary**

1/11/2011 Senate Introduced and read first time ([Senate Journal‑page 37](file:///h:\sj%20archive\2011\01-11-11.docx))

1/11/2011 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 37](file:///h:\sj%20archive\2011\01-11-11.docx))

1/21/2011 Senate Referred to Subcommittee: L.Martin (ch), Rankin, Hutto, Bright, Davis

**VERSIONS OF THIS BILL**

[12/1/2010](file:///p:\pprever\2011-12\73_20101201.docx)

**A** **JOINT RESOLUTION**

PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE REQUIREMENT FOR THE STATE AND ITS POLITICAL SUBDIVISIONS TO HAVE BUDGET PROCESSES DESIGNED TO KEEP REVENUES AND EXPENDITURES IN BALANCE, THE LIMITATION ON STATE APPROPRIATIONS, AND THE LIMITATIONS ON STATE EMPLOYEES, SO AS TO DELETE THE EXISTING STATE SPENDING LIMITATION AND REQUIRE THE GENERAL ASSEMBLY TO REPLACE IT BY A LAW PROVIDING A LIMIT ON STATE SPENDING FOR A FISCAL YEAR THAT EQUALS THE TOTAL OF STATE APPROPRIATIONS IN THE PRIOR YEAR INCREASED BY THE TOTAL PERCENTAGE OF INCREASES IN STATE PERSONAL INCOME AND STATE POPULATION IN THE MOST RECENT YEAR FOR WHICH THIS INFORMATION IS AVAILABLE AND PROVIDE THAT THE GENERAL ASSEMBLY IN ENACTING THIS LIMIT SHALL DEFINE THE APPROPRIATIONS TO WHICH THE LIMIT APPLIES, AND THE METHOD OF AND SOURCES FOR CALCULATING THE LIMIT AND TO MAKE CONFORMING AMENDMENTS.

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

SECTION 1. It is proposed that the first two paragraphs of Section 7(c), Article X of the Constitution of this State be amended to read:

“(c) The General Assembly shall prescribe by law a spending limitation on appropriations for the operation of state government which ~~shall provide that annual increases in such appropriations may not exceed the average growth rate of the economy of the State as measured by a process provided for by the law which prescribes the limitations on appropriations; provided, however~~ provides that the state appropriations for a fiscal year must not exceed the total of the prior year’s state appropriations increased by the total of percentage increases in state personal income and state population in the most recent year for which this information is available. However, the limitation may be suspended for any one fiscal year by a special vote as provided in this subsection. The law implementing the limit must specify the appropriations to which this limit applies, the method of calculating the limit, and the sources which must be used in obtaining the information required for the calculation.

During the regular session of the General Assembly in ~~1990~~ 2015 and during every fifth annual regular session thereafter, the General Assembly shall conduct and complete a review of the law implementing this subsection. During such session, only a vote of two‑thirds of the members of each branch present and voting ~~shall be~~ is required to change the existing limitation on appropriation. Unless that is done, the existing limitations shall remain unchanged.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article X of the Constitution of this State be amended relating to the requirement for the State and its political subdivisions to have budget processes designed to keep revenues and expenditures in balance and the limitation on state appropriations, so as to delete the existing state spending limitation and require the General Assembly to replace it by a law providing a limit on state spending for a fiscal year that is the total of state appropriations in the prior year increased by the total percentage increases in state personal income and state population growth in the most recent year for which this information is available, to provide that this implementing law must specify the appropriations to which this limit applies, the method of calculating this limit, and the sources which must be used in obtaining the information required for the calculation and to make conforming amendments?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

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