~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

March 12, 2012

**S. 212**

Introduced by Senators McConnell, Shoopman, Campsen, Peeler, Campbell, Rose and Ford

S. Printed 3/21/12--S.

Read the first time January 11, 2011.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 212) to amend Section 8-13-700, Code of Laws of South Carolina, 1976, relating to the use of official position or office for financial gain and disclosure of potential, 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 striking all following the enacting language and inserting therein the following:

/ SECTION 1. Section 8‑13‑700(B)(2) of the 1976 Code is amended to read:

“(2) if the public official is a member of the General Assembly, he shall deliver a copy of the statement to the presiding officer of the appropriate house. The presiding officer shall have the statement printed in the appropriate journal and require that the member of the General Assembly be excused from all votes, deliberations, and other action on the matter on which a potential conflict exists on the floor of the respective house, during committee proceedings or subcommittee proceedings. Should a member of the General Assembly be recognized to speak on any matter on which a potential conflict exists, that member may not be listed in the journal as recusing himself on the vote on that matter;”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Majority favorable. Minority unfavorable.

PHILLIP W. SHOOPMAN C. BRADLEY HUTTO

For Majority. For Minority.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

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 report this bill will have no fiscal impact on the General Fund of the State or on federal and/or other funds.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND SECTION 8-13-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN AND DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST, SO AS TO REQUIRE THAT THE MEMBER BE EXCUSED FROM ALL VOTES INVOLVING A POTENTIAL CONFLICT ON THE FLOOR OF THE RESPECTIVE HOUSE, DURING COMMITTEE PROCEEDINGS OR SUBCOMMITTEE PROCEEDINGS, AND TO PROHIBIT THE MEMBER FROM LISTING HIS RECUSAL ON THE VOTE IN THE JOURNAL IF THE MEMBER PARTICIPATED IN ANY MANNER ON THE MATTER.

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

SECTION 1. Section 8-13-700(B)(2) of the 1976 Code is amended to read:

“(2) if the public official is a member of the General Assembly, he shall deliver a copy of the statement to the presiding officer of the appropriate house. The presiding officer shall have the statement printed in the appropriate journal and require that the member of the General Assembly be excused from all votes, deliberations, and other action on the matter on which a potential conflict exists on the floor of the respective house, during committee proceedings or subcommittee proceedings. Should a member of the General Assembly participate in any manner on a matter on which a potential conflict exists, that member may not be listed in the journal as recusing himself on the vote on that matter;”

SECTION 2. This act takes effect upon approval by the Governor.

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