**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 1 SO AS TO ENACT THE “SOUTH CAROLINA TRUTH IN SPENDING ACT OF 2011” TO PROVIDE THAT EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY SHALL MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, TO PROVIDE THAT EACH AGENCY, DEPARTMENT, AND INSTITUTION OF STATE GOVERNMENT AND EACH LOCAL GOVERNMENTAL ENTITY SHALL POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO PUBLIC OFFICIALS AND EMPLOYEES FOR PUBLIC USE, AND TO PROVIDE THAT EACH LOCAL GOVERNMENTAL ENTITY ANNUALLY SHALL POST ONLINE A LISTING OF ITS FULL TIME EMPLOYEES GROUPED BY CLASS ALONG WITH THE NUMBER OF FULL TIME POSITIONS IN EACH CLASS AND THE AVERAGE SALARY IN EACH CLASS.

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

SECTION 1. This act is known and may be cited as the “South Carolina Truth in Spending Act of 2011”.

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

“Article 17

Truth In Spending Act

Section 1‑1‑1100. For the purposes of this article:

(1) ‘Class’ means a group of positions sufficiently similar in the duties performed, degree of supervision exercised or received, minimum requirements of education or experience, and the knowledge, skills, and abilities required to perform the functions and duties of the position.

(2) ‘Detailed description of the expenditure’ means a description of an expenditure that enables the reader to distinguish that expenditure from other expenditures and is particular enough in its account of the expenditure that the reader is able to discern the purpose of the expenditure.

(3) ‘Local governmental entity’ means every county, municipal corporation, township, school district, special purpose district, drainage district, or other taxing or governmental unit organized under the laws of the State.

(4) ‘State agency’ means an agency, department, or institution of state government.

(5) ‘Year’ means a fiscal year beginning the first day of July and ending the following June thirtieth.

Section 1‑1‑1110. (A) Each state agency and local governmental entity in the State shall maintain a transaction register that includes a complete record of all funds expended over one hundred dollars, from whatever source for whatever purpose. The register must be posted prominently on the Internet website maintained by the entity and made available for public viewing and downloading.

(B)(1) The register must include for each expenditure:

(a) the transaction amount;

(b) the name of the payee; and

(c) a detailed statement of the purpose of the expenditure.

(2) The register must not include an entry for salary, wages, or other compensation paid to individual employees.

(3) The register must not include any information that can be used to identify an individual employee.

(4) The register must be accompanied by a complete explanation of any codes or acronyms used to identify a payee or an expenditure.

(C) The register must be searchable and updated at least once a month. Each monthly register must be maintained on the Internet website for at least five years.

Section 1‑1‑1120. (A) Each state agency and local governmental entity in the State shall maintain on its Internet website a copy of each monthly statement for all its credit cards, including credit cards issued to its officers or employees for official use.

(B) The credit card number on each statement must be redacted prior to posting on the Internet website.

(C) Each credit card statement must be posted not later than the thirtieth day after the first date that any portion of the balance due as shown on the statement is paid. Each statement must be maintained on the website for at least five years.

Section 1‑1‑1130. (A) Each year, on or before February first, each local governmental entity in the State shall post on its Internet website a listing of all of its full time positions grouped by class. The listing must provide the number of full time employees, average compensation in each class, and the actual compensation for each position receiving annual compensation equal to or more than fifty thousand dollars each year. The posting required by this section must be maintained on the district’s Internet website for five years.

(B) Each state agency shall post on its Internet website the report that must be prepared pursuant to Section 1‑1‑970. Each report must be maintained on the Internet website for five years.

Section 1‑1‑1140. (A) State agencies and local governmental entities that do not maintain an Internet website shall transmit all information required by this article to the board in a manner determined by the board to be included on the Internet website required by this section.

(B) The State Budget and Control Board shall establish and maintain a website to contain the information required by this article from a state agency or a local governmental entity that does not maintain its own Internet website. The Internet website must be organized so that the public can differentiate between the state agency or local governmental entities and search for the information they are seeking.

Section 1‑1‑1150. The provisions of this article must not be construed to require any law enforcement agency to report in detail expenditures which would jeopardize the necessary confidentiality of its operations, but all such agencies shall report the total amount of funds expended for payments to informants and for purchases of illegal substances in connection with criminal investigations.

Section 1‑11‑1160. A state agency or local governmental entity which on the effective date of this article has in place an Internet website which substantially complies with the requirements of this article, as determined by the State Budget and Control Board, is not required to be in full compliance with the requirements of this article until July 1, 2013.

Section 1‑1‑1170. The provisions contained in this article do not amend, suspend, supercede, replace, revoke, restrict, or otherwise affect Chapter 4, Title 30, the South Carolina Freedom of Information Act.”

SECTION 3. This act takes effect July 1, 2011.

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