COMMITTEE REPORT

February 23, 2011

**S. 419**

Introduced by Senators Setzler, Thomas, Fair, Bryant and Rose

S. Printed 2/23/11--S.

Read the first time January 25, 2011.

**THE COMMITTEE ON FINANCE**

To whom was referred a Bill (S. 419) to amend the Code of Laws of South Carolina, 1976, by adding Section 11‑11‑240 so as to create the Other Funds Oversight Committee to review and examine, etc., respectfully

**REPORT:**

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

Majority favorable. Minority unfavorable.

HUGH K. LEATHERMAN, SR. W. GREG RYBERG

For Majority. For Minority.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑11‑240 SO AS TO CREATE THE OTHER FUNDS OVERSIGHT COMMITTEE TO REVIEW AND EXAMINE THE SOURCE OF OTHER FUNDS IN THIS STATE AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, TO PROVIDE FOR ITS MEMBERSHIP, TO PROVIDE THAT ALL AGENCIES MUST COOPERATE WITH THE COMMITTEE, AND TO REQUIRE THE STATE BUDGET OFFICE TO NOTIFY THE COMMITTEE OF ANY REQUEST FOR AN INCREASE IN INTERIM BUDGET AUTHORIZATION.

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

SECTION 1. Article 1, Chapter 11, Title 11 of the 1976 Code is amended by adding:

“Section 11‑11‑240. (A) There is created the Other Funds Oversight Committee, a joint committee of the Senate and the House of Representatives. The committee shall consist of eight members as follows: the Chairman of the Senate Finance Committee, or his designee; one member of the Senate Finance Committee appointed by the Chairman of the Senate Finance Committee; the Chairman of the House of Representatives Ways and Means Committee, or his designee; one member of the House Ways and Means Committee appointed by the Chairman of the House Ways and Means Committee; the Senate Majority Leader, or his designee; the Senate Minority Leader, or his designee; the House Majority Leader, or his designee; and the House Minority Leader, or his designee.

(B) The committee shall review and examine the source of other funds in this State and recommend to the General Assembly the appropriate policy for the receipt, appropriation, expenditure, and reporting of other funds. In making its determination, the committee shall solicit and receive testimony from state agencies, departments, boards or commissions regarding the status of the receipt of other funds, the conditions of receipt, the expenditure of other funds, and any relevant statistic or measurement. The committee shall make recommendations to the General Assembly regarding any necessary action.

(C) Each state agency, department, board, or commission shall cooperate with the committee and provide any information the committee determines is necessary.

(D) The Office of State Budget must notify the committee of any request for an increase in interim budget authorization resulting from other funds collections that is made by any state agency, department, board, or commission. The committee shall review each request and recommend appropriate action.

(E) Members of the committee shall serve without compensation, but are allowed the usual per diem and mileage as provided by law for members of boards, commissions, and committees while on official business.

(F) For purposes of the section, ‘other funds’ means any revenues received by an agency which are not federal funds and are not general funds appropriated by the General Assembly in an appropriations act.”

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

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