**A** **BILL**

TO AMEND CHAPTER 8 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF THE GOVERNMENT, BY ADDING CHAPTER 8, TO ESTABLISH THE OFFICE OF INSPECTOR GENERAL, TO INCORPORATE BY REFERENCE THE PROVISIONS CONTAINED IN EXECUTIVE ORDER NUMBER 2011-10, TO PROVIDE FOR THE MISSION OF THE STATE INSPECTOR GENERAL, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF OFFICE, AND TO PROVIDE THE OFFICE WITH THE AUTHORITY NECESSARY TO CARRY OUT ITS MISSION.

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

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

“CHAPTER 8

State Inspector General

Section 1‑8‑10. There is created the Office of State Inspector General, to be headed by the State Inspector General, who shall exercise duties, responsibilities, and authority established in this chapter.

Section 1‑8‑20. The provisions contained in Executive Order Number 2011‑10, executed by the Governor on March 11, 2011, are incorporated into this chapter by reference.

Section 1‑8‑30. For purposes of this chapter, ‘executive agency’ or ‘executive agencies’ means any office, agency, or another instrumentality of the executive branch of the state government other than the South Carolina National Guard and includes state technical schools and state colleges and universities.

Section 1‑8‑40. The mission of the State Inspector General is to:

(1) detect, expose, and deter fraud, waste, mismanagement, misconduct, and abuse in programs and operations administered and conducted by executive agencies;

(2) report to agency heads and the Governor about problems and deficiencies relating to the administration of programs and operations in the executive agencies;

(3) establish a toll‑free telephone number for the purpose of receiving information concerning fraud, waste, misconduct, mismanagement, and abuse in the executive agencies; and

(4) perform the mission of State Inspector General in a manner that is consistent with state law and generally accepted governmental accounting standards.

Section 1‑8‑50. It shall be the duty and responsibility of the State Inspector General to:

(1) initiate and coordinate investigative activities with the purpose of detecting and exposing executive agency fraud, waste, mismanagement, and misconduct;

(2) recommend policies for and to conduct, supervise, and coordinate activities designed to deter, detect, prevent, and eradicate executive agency fraud, waste, misconduct, mismanagement, and abuse;

(3) receive complaints from any individual, including those employed by an executive agency, alleging fraud, waste, misconduct, mismanagement and abuse in the administration of programs and operations in the executive agency and, as appropriate, advise those individuals of state laws providing ‘whistleblower’ protections;

(4) maintain confidentiality of any information received to the extent permitted by law;

(5) report expeditiously to and cooperate fully with the appropriate state and federal enforcement agencies and prosecuting authorities whenever the State Inspector General has reasonable grounds to believe there was been a violation of a criminal law or that a civil action should be initiated by the State;

(6) file a complaint with the State Ethics Commission if the State Inspector General has specific and credible evidence that a public employee or official has violated the State Ethics Act; and

(7) refer matters to agency heads whenever the State Inspector General determines that disciplinary or other administrative action is appropriate.

Section 1‑8‑60. (A) Executive agencies, their officers and employees must fully cooperate with and furnish the State Inspector General with any information or assistance that he requests.

(B) The State Inspector General may require state officers and employees to produce all documents, reports, answers, records, accounts, papers, and other necessary data and documentary information necessary to carry out his mission.

(C) If information or assistance requested by the State Inspector General is unreasonably refused or not provided, he may report to the agency head and the Governor for appropriate action to the extent permitted by law.

Section 1‑8‑70. The State Inspector General may assign staff as may be necessary for carrying out the functions, powers, and duties of the office.”

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

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