**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3565**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Pitts, Gagnon, Loftis and G.R. Smith

Document Path: l:\council\bills\ms\7123ahb13.docx

Introduced in the House on February 19, 2013

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

Summary: Clerks of Court or municipal treasurers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/19/2013 House Introduced and read first time ([House Journal‑page 45](file:///h:\HJ%20Archive\2013\02-19-13.docx))

2/19/2013 House Referred to Committee on **Judiciary** ([House Journal‑page 45](file:///h:\HJ%20Archive\2013\02-19-13.docx))

**VERSIONS OF THIS BILL**

[2/19/2013](file:///p:\pprever\2013-14\3565_20130219.docx)

**A** **BILL**

TO AMEND SECTION 14‑1‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERIODIC AUDITS OF COUNTY AND MUNICIPAL TREASURERS AND CLERKS OF COURT, SO AS TO REQUIRE THE STATE AUDITOR TO CONDUCT THE AUDIT IN COOPERATION WITH THE ENTITIES THAT RECEIVE CERTAIN COURT FEES, TO INCLUDE PERSONNEL FROM THE AFFECTED ENTITIES IN THE AUDIT TEAM CREATED BY THE STATE AUDITOR, AND TO PROVIDE THAT FUNDS AUTHORIZED TO BE USED FOR THIS PURPOSE MAY NOT BE DIVERTED TO ANY OTHER USE OR PROJECT.

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

SECTION 1. Section 14‑1‑210(B) of the 1976 Code, as added by Act 353 of 2008, is amended to read:

“(B) The State Auditor shall conduct these examinations in cooperation with the entities currently receiving funds as provided pursuant to Sections 14‑1‑206, 14‑1‑207, 14‑1‑208, and 14‑1‑211 and the local authority is required to participate in and cooperate fully with the examination. ~~The State Auditor may subcontract with independent auditors on audits required pursuant to subsection (A) of this section.~~ The State Auditor shall create an audit team, to include personnel from the affected entities, to perform these audits. The State Treasurer shall transfer, in each fiscal year, the first $10,900 received from the General Sessions Court pursuant to Section 14‑1‑206, the first $136,600 received from magistrates court pursuant to Section 14‑1‑207, and the first $102,500 received from municipal court pursuant to Section 14‑1‑208 for a total of $250,000 to the ~~State Auditor’s~~ Office of the State Auditor to fund these audits as required pursuant to subsection (A) of this section. These funds may not be diverted to any other use or project and must be expended for the purpose of meeting the requirements of this section. Notwithstanding any other provision of law, a state agency or local governmental entity receiving assessments, surcharges, fees, fines, forfeitures, escheatments, or other monetary penalties imposed or mandated, or both, by law in family court, circuit court, magistrates court, and municipal court may use any of its funds to assist the ~~State Auditor’s~~ Office of the State Auditor in funding these audits.”

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

‑‑‑‑XX‑‑‑‑