COMMITTEE REPORT

February 5, 2014

**S. 605**

Introduced by Senators Lourie, Sheheen, Jackson, Coleman, Johnson, Allen, McElveen, Bryant, Bright, Davis, Shealy and Campsen

S. Printed 2/5/14--S. [SEC 2/6/14 12:48 PM]

Read the first time April 10, 2013.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 605) to amend the Code of Laws of South Carolina, 1976, by adding Section 8‑13‑791 so as to provide that the use of any aircraft owned or leased, 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 after the enacting words and inserting:

/ SECTION 1. Article 7, Chapter 8, Title 13 of the 1976 Code is amended by adding:

“Section 8‑13‑791. (A)(1) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of the General Assembly must be first approved by the Speaker of the House of Representatives in regard to members of the House or by the President Pro Tempore of the Senate in regard to members of the Senate.

(2) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of a state board, commission, or committee in the executive branch who is permitted to request use of state aircraft must be first approved by the chairman of that board, commission, or committee.

(B) Violations of this section are considered violations of the rules of conduct under state ethics laws and are punishable in the manner provided by this chapter and by law, except that in addition to all other penalties or remedies authorized by law, the violating member or other person authorizing the flight shall reimburse the state general fund within thirty days of the unauthorized flight for the full cost thereof.”

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

Renumber sections to conform.

Amend title to conform.

LUKE A. RANKIN for Committee.

**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:**

Department of Natural Resources

University of South Carolina

Aeronautics Division

The Senate

The House of Representatives

The agencies report that this bill will have no impact on agency operations. There would be no impact on the state general fund or on federal and/or other funds if this bill were to be enacted.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8‑13‑791 SO AS TO PROVIDE THAT THE USE OF ANY AIRCRAFT OWNED OR LEASED BY THIS STATE, OR ANY STATE AGENCY, ENTITY, OR INSTITUTION, INCLUDING INSTITUTIONS OF HIGHER LEARNING, BY A MEMBER OF THE GENERAL ASSEMBLY MUST BE FIRST APPROVED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IN REGARD TO MEMBERS OF THE HOUSE, BY THE PRESIDENT PRO TEMPORE OF THE SENATE IN REGARD TO MEMBERS OF THE SENATE, OR BY THE CHAIRMAN OF A STATE BOARD, COMMISSION, OR COMMITTEE IN THE EXECUTIVE BRANCH IN REGARD TO A MEMBER OF THAT BOARD, COMMISSION, OR COMMITTEE WHO IS PERMITTED TO REQUEST USE OF STATE AIRCRAFT, TO PROVIDE THAT NO AIRCRAFT OWNED OR LEASED BY THIS STATE, OR ANY STATE AGENCY, ENTITY, OR INSTITUTION, INCLUDING INSTITUTIONS OF HIGHER LEARNING, MAY TRANSPORT A PERSON FROM A LOCATION IN OR OUT OF THIS STATE TO COLUMBIA OR ANOTHER LOCATION TO TESTIFY BEFORE A STANDING OR SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY OR EITHER HOUSE OF THE GENERAL ASSEMBLY ABOUT ANY MATTER UNDER CONSIDERATION BY THAT COMMITTEE, AND TO PROVIDE PENALTIES FOR VIOLATIONS, INCLUDING A REQUIREMENT THAT THE COST OF THE FLIGHT MUST BE REIMBURSED TO THE STATE GENERAL FUND.

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

SECTION 1. Article 7, Chapter 8, Title 13 of the 1976 Code is amended by adding:

“Section 8‑13‑791. (A)(1) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of the General Assembly must be first approved by the Speaker of the House of Representatives in regard to members of the House or by the President Pro Tempore of the Senate in regard to members of the Senate.

(2) Any use of aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, by a member of a state board, commission, or committee in the executive branch who is permitted to request use of state aircraft must be first approved by the chairman of that board, commission, or committee.

(B) No aircraft owned or leased by this State, or any state agency, entity, or institution, including institutions of higher learning, may transport a person from a location in or out of this State to Columbia or another location to testify before a standing or special committee of the General Assembly or either house of the General Assembly about any matter under consideration by that committee.

(C) Violations of this section are considered violations of the rules of conduct under state ethics laws and are punishable in the manner provided by this chapter and by law, except that in addition to all other penalties or remedies authorized by law, the violating member or other person authorizing the flight shall reimburse the state general fund within thirty days of the unauthorized flight for the full cost thereof.”

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

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