~~Indicates Matter Stricken~~

Indicates New Matter

AMENDED

April 23, 2015

**H. 3534**

Introduced by Rep. Cobb‑Hunter

S. Printed 4/23/15--H.

Read the first time February 5, 2015.

**A** **BILL**

TO AMEND SECTION 2‑77‑15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “ELIGIBLE INSTITUTION” AS IT PERTAINS TO THE SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, SO AS TO INCLUDE AN INSTITUTION THAT OFFERS AT LEAST ONE NONSECTARIAN PROGRAM AT THE BACCALAUREATE LEVEL, AND TO INCLUDE AN INSTITUTION ACCREDITED BY AN ORGANIZATION THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AND ALSO RECEIVES TITLE III FUNDING.

Amend Title To Conform

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

SECTION 1. Section 2‑77‑15(1) of the 1976 Code, as last amended by Act 162 of 2005, is further amended to read:

“(1) ‘Eligible institution’ means a four‑year institution of higher learning or an institution of higher learning that is accredited to offer, and is actively offering, at least one nonsectarian program at the baccalaureate level:

(a)(i) at which sixty percent or more of the enrolled undergraduate students were low‑income and educationally disadvantaged students, for the four consecutive years immediately preceding the then current year~~;~~

~~(b)~~ ~~that~~ and which is defined in Part B, Subchapter III, Chapter 28, Title 20 of the United States Code; or

(ii) at which, for the four consecutive years immediately preceding the then current year, ninety percent or more of the entitled students are in campus‑based programs and are female;

(~~c~~b)(i) that is accredited by the Southern Association of Colleges and Schools; or

(ii) which receives Title III funding and is accredited by an accrediting organization recognized by the United States Department of Education;

(~~d~~c) that is organized as a nonprofit corporation or is a public institution; and

(~~e~~d) that has its main campus located in South Carolina.”

SECTION 2. Section 2‑77‑20(C) of the 1976 Code, as last amended by Act 74 of 2011, is further amended to read:

“(C)(1) An institution seeking to qualify as an eligible institution must submit an annual application to the commission. The commission must certify the eligibility of institutions seeking contracts pursuant to this section. Subject to the provisions of item (2), and less any allocations made pursuant to item (2), the funds appropriated for this program must be allocated equally among the eligible institutions.

(2) The Commission on Higher Education, or its successor, annually shall review and determine if funds allocated to a school pursuant to item (2) have been properly used by the school pursuant to Section 2‑77‑30. If the Commission on Higher Education, or its successor, determines these funds were used inappropriately by a school, the funds must be returned, and the following year that school’s allocation must be reduced by fifty percent of the amount appropriated to each eligible institution pursuant to item (1). The balance remaining from a school’s reduced allocation must be distributed equally among the remaining eligible institutions.”

SECTION 3. This act takes effect July 1, 2015.

‑‑‑‑XX‑‑‑‑