**A** **BILL**

TO AMEND CHAPTER 1, TITLE 2 OF THE 1976 CODE, RELATING TO THE GENERAL ASSEMBLY, GENERALLY, BY ADDING SECTION 2-1-260, TO PROVIDE THAT A GOVERNMENT AGENCY, BODY, COMMISSION, COMMITTEE, OR COUNCIL FOR WHICH ITS GOVERNING BOARD IS APPOINTED BY A LEGISLATIVE DELEGATION OF THIS STATE MAY NOT ASSIGN, CONVEY, DEVOLVE, ENTRUST, OR TRANSFER TO ANOTHER BOARD OR ENTITY THE BOARD’S GOVERNANCE AUTHORITY, DUTIES, FUNCTIONS, RESPONSIBILITIES, OR OPERATIONAL OVERSIGHT WITHOUT A PRIOR AFFIRMATIVE ACT OF THE GENERAL ASSEMBLY, AND TO PROVIDE PENALTIES.

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

SECTION 1. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2‑1‑260. (A) Notwithstanding another provision of law, a government agency, body, commission, committee, or council for which its governing board is appointed by a legislative delegation of this State may not assign, convey, devolve, entrust, or transfer to another board or entity the board’s governance authority, duties, functions, responsibilities, or operational oversight without a prior affirmative act of the General Assembly.

(B) A member of a governing board described in subsection (A) must be dismissed from office, with the resulting vacancy filled in the manner of the original appointment and is permanently disqualified from holding public office in this State if he casts an affirmative vote to:

(1) assign, convey, devolve, entrust, or transfer to another board or entity the board’s governance authority, duties, functions, responsibilities, or operational oversight without a prior affirmative act of the General Assembly; or

(2) approve or ratify the assignment, conveyance, devolution, entrustment, or transfer to another board or entity the board’s governance authority, duties, functions, responsibilities, or operational oversight without a prior affirmative act of the General Assembly. A person who violates the provisions of this item is also guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.”

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

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