**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60‑11‑130 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS AFRICAN‑AMERICAN HERITAGE COMMISSION; AND TO AMEND SECTION 60‑11‑120, RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE AFRICAN‑AMERICAN HERITAGE COMMISSION, SO AS TO ELIMINATE THE REQUIREMENT THAT SALES OF SUCH DUPLICATIVE MATERIAL BE MADE BY PUBLIC AUCTION.

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

SECTION 1. Article 2, Chapter 11, Title 60 of the 1976 Code is amended by adding:

“Section 60‑11‑130. The proceeds of facilities rentals, gift shop operations, training sessions, sales of publications, reproduction of documents, repair of documents, research fees, handling charges, and the proceeds of sales of National Register of Historic Places certificates and plaques by the Archives Department must be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of facility operations and maintenance, gift shop inventory, additional training sessions, publications, reproduction expenses, repair expenses, and National Register of Historic Places certificates and plaques, and selected Historic Preservation Grants.”

SECTION 2. Section 60‑11‑120 of the 1976 Code, as added by Act 242 of 2008, is amended to read:

“Section 60‑11‑120. Upon approval by the commission, the agency may remove certain record and nonrecord materials from its collections by gift to another public or nonprofit institution or by sale ~~at public auction~~. This is a supplemental form of disposition beyond that recognized in the Public Records Act for the retention, copying, and destruction of public records, and it pertains only to those accessioned archive materials having a market value and which duplicate existing archival material, fall outside the scope of the archives collection policy, or have no further possible research value. All funds realized through sale ~~by public auction~~ must be placed in a special account to be used for improved access to and preservation of the state archives collections. The commission shall annually report to the State Department of Administration regarding these dispositions.”

SECTION 3. This act takes effect upon approval by the Governor.

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