**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 1, TITLE 13 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF COMMERCE, BY ADDING SECTION 13-1-55, TO TRANSFER THE OFFICE OF ECONOMIC OPPORTUNITY TO THE DEPARTMENT OF COMMERCE; AND TO AMEND SECTION 1-11-10(A), RELATING TO THE COMPOSITION OF THE DEPARTMENT OF ADMINISTRATION, TO CONFORM TO THE TRANSFER OF THE OFFICE OF ECONOMIC OPPORTUNITY TO THE DEPARTMENT OF COMMERCE.

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

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

“Section 13-1-55. The Department of Commerce shall administer the Office of Economic Opportunity, the office designated by the Governor to be the state administering agency that is responsible for the receipt and distribution of the federal funds allocated to South Carolina for the implementation of Title VI, Public Law 97‑35.”

SECTION 2. Section 1-11-10(A) is amended by deleting item (4).

SECTION 3. A. Where the provisions of this act transfer duties, programs, or services of the Department of Administration to the Department of Commerce, the employees, authorized appropriations, and assets and liabilities of these divisions, services, and programs also are transferred to and become part of the Department of Commerce. All classified or unclassified personnel employed by the divisions, programs, services, or initiatives transferred from the Department of Administration, either by contract or by employment at will, become on July 1, 2018 employees of the Department of Commerce with the same compensation, classification, and grade level, as applicable. Before the transfer of the applicable divisions, programs, services, or initiatives of the Department of Administration pursuant to this act, these agencies and organizations shall cause all necessary actions to be taken to accomplish this transfer in accordance with state and federal laws and regulations.

B. Applicable regulations promulgated by the Department of Administration are continued and are considered to be promulgated by the Department of Commerce. Applicable contracts entered into by the Department of Administration are continued and are considered to be devolved upon the Department of Commerce at the time of the transfer.

SECTION 4. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect July 1, 2018.

‑‑‑‑XX‑‑‑‑