**South Carolina General Assembly**

123rd Session, 2019-2020

**A171, R172, H3351**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Jefferson, W. Newton, R. Williams and Weeks

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Introduced in the House on January 8, 2019

Introduced in the Senate on April 10, 2019

Last Amended on September 15, 2020

Passed by the General Assembly on September 22, 2020

Governor's Action: September 29, 2020, Signed

Summary: Archives and History

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 12/18/2018 House Prefiled

 12/18/2018 House Referred to Committee on **Ways and Means**

 1/8/2019 House Introduced and read first time ([House Journal‑page 207](file:///h%3A%5Chj%5C20190108.docx))

 1/8/2019 House Referred to Committee on **Ways and Means** ([House Journal‑page 207](file:///h%3A%5Chj%5C20190108.docx))

 1/15/2019 House Member(s) request name added as sponsor: W.Newton

 1/29/2019 House Member(s) request name added as sponsor: R.Williams

 3/27/2019 House Committee report: Favorable **Ways and Means** ([House Journal‑page 39](file:///h%3A%5Chj%5C20190327.docx))

 4/2/2019 House Member(s) request name added as sponsor: Weeks

 4/9/2019 House Read second time ([House Journal‑page 46](file:///h%3A%5Chj%5C20190409.docx))

 4/9/2019 House Roll call Yeas‑109 Nays‑0 ([House Journal‑page 47](file:///h%3A%5Chj%5C20190409.docx))

 4/10/2019 House Read third time and sent to Senate ([House Journal‑page 8](file:///h%3A%5Chj%5C20190410.docx))

 4/10/2019 Senate Introduced and read first time ([Senate Journal‑page 14](file:///h%3A%5Csj%5C20190410.docx))

 4/10/2019 Senate Referred to Committee on **Education** ([Senate Journal‑page 14](file:///h%3A%5Csj%5C20190410.docx))

 3/12/2020 Senate Committee report: Favorable with amendment **Education** ([Senate Journal‑page 9](file:///h%3A%5Csj%5C20200312.docx))

 9/15/2020 Senate Committee Amendment Adopted ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20200915.docx))

 9/15/2020 Senate Read second time ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20200915.docx))

 9/15/2020 Senate Roll call Ayes‑40 Nays‑0 ([Senate Journal‑page 26](file:///h%3A%5Csj%5C20200915.docx))

 9/16/2020 Senate Read third time and returned to House with amendments ([Senate Journal‑page 16](file:///h%3A%5Csj%5C20200916.docx))

 9/22/2020 House Concurred in Senate amendment and enrolled ([House Journal‑page 81](file:///h%3A%5Chj%5C20200922.docx))

 9/22/2020 House Roll call Yeas‑106 Nays‑0 ([House Journal‑page 81](file:///h%3A%5Chj%5C20200922.docx))

 9/25/2020 Ratified R 172

 9/29/2020 Signed By Governor

 10/7/2020 Effective date 09/29/20

 10/7/2020 Act No.  171

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**VERSIONS OF THIS BILL**

[12/18/2018](file:///p%3A%5Cpprever%5C2019-20%5C3351_20181218.docx)

[3/27/2019](file:///p%3A%5Cpprever%5C2019-20%5C3351_20190327.docx)

[3/12/2020](file:///p%3A%5Cpprever%5C2019-20%5C3351_20200312.docx)

[9/15/2020](file:///p%3A%5Cpprever%5C2019-20%5C3351_20200915.docx)

(A171, R172, H3351)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60‑11‑102 SO AS TO PROVIDE FOR THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY TO ANOTHER PUBLIC OR NONPROFIT INSTITUTION BY GIFT OR SALE, TO PROVIDE FOR THE USE OF RESULTING PROCEEDS, AND TO PROVIDE ANNUAL REPORTING REQUIREMENTS; BY ADDING SECTION 60‑11‑103 SO AS TO PROVIDE FOR THE RETENTION AND USE BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF CERTAIN PROCEEDS GENERATED BY ITS OPERATIONS; TO AMEND SECTION 60‑11‑60, RELATING TO THE MANAGEMENT AND ADMINISTRATION OF THE DEPARTMENT, SO AS TO PROVIDE THE DIRECTOR MAY DO ADDITIONAL WORK WITH PAY IF APPROVED BY THE COMMISSION OF ARCHIVES AND HISTORY, AND TO DELETE A PROVISION REQUIRING THE DIRECTOR TO FURNISH INFORMATION FOR FREE; AND TO REPEAL SECTION 60‑11‑120 RELATING TO THE DISPOSITION OF CERTAIN DUPLICATIVE MATERIAL IN THE POSSESSION OF THE DEPARTMENT OF ARCHIVES AND HISTORY.**

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

**Disposition of certain records, funds, reporting**

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

 “Section 60‑11‑102. 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. 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 must be placed in a special account to be used for improved access to and preservation of the state archives collections. The commission annually shall report to the State Department of Administration regarding these dispositions.

 Section 60‑11‑103. 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.”

**Director duties, furnishing information**

SECTION 2. Section 60‑11‑60 of the 1976 Code is amended to read:

 “Section 60‑11‑60. The active management and administration of the South Carolina Department of Archives and History shall be committed to the director, who at the time of his appointment must have the qualifications of special training or experience in archival or historical work. The director shall not do any additional work for pay without the permission of the Commission of Archives and History. ”

**Repeal**

SECTION 3. Section 60‑11‑120 of the 1976 Code is repealed.

**Time effective**

SECTION 4. This act takes effect upon approval by the Governor.

Ratified the 25th day of September, 2020.

Approved the 29th day of September, 2020.

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