COMMITTEE REPORT

February 7, 2019

**H. 3398**

Introduced by Reps. Clary, Norrell, Loftis, Hill and Felder

S. Printed 2/7/19--H.

Read the first time January 8, 2019.

**THE COMMITTEE ON EDUCATION AND PUBLIC WORKS**

To whom was referred a Bill (H. 3398) to amend Act 265 of 2016, relating to the establishment of the “Tucker Hipps Transparency Act”, so as to permanently authorize the act and to repeal the three‑year, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

MERITA A. ALLISON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Introduced on January 8, 2019**

**State Expenditure**

This bill repeals the three-year sunset provision of the Tucker Hipps Transparency Act. The Act requires public institutions of higher education to maintain a report detailing student misconduct investigations related to fraternity and sorority organizations. Institutions are required to update this report prior to the start of spring and fall semesters and display the report prominently on their websites. CHE is required to include links to the institutions’ reports on its website.

This bill permanently enacts an existing law that was scheduled to expire on June 29, 2019. CHE and the public institutions of higher education are currently complying with the requirements of this bill, and have budgeted for expenditures arising from the Tucker Hipps Transparency Act. Therefore, this bill will have no additional expenditure impact.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND ACT 265 OF 2016, RELATING TO THE ESTABLISHMENT OF THE “TUCKER HIPPS TRANSPARENCY ACT”, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE THREE‑YEAR SUNSET PROVISION.

Whereas, in 2016, the General Assembly enacted the “Tucker Hipps Transparency Act” in Act 265 of 2016, requiring public institutions of higher learning in this State to maintain reports of actual findings of certain misconduct by fraternity and sorority organizations, among other things; and

Whereas, the sunset provision of Act 265 of 2016 will result in the expiration of the act on June 29, 2019, unless the provisions of the act are extended or reenacted by the General Assembly; and

Whereas, the General Assembly finds that the success of the “Tucker Hipps Transparency Act” merits its permanent continuation, making it necessary to eliminate this sunset provision. Now, therefore,

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

SECTION 1. The “Tucker Hipps Transparency Act”, as established by Act 265 of 2016 and contained in Section 59‑101‑210, is permanently enacted by the provisions of this act.

SECTION 2. SECTION 4 of Act 265 of 2016 is repealed.

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

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