**South Carolina General Assembly**

124th Session, 2021-2022

**S. 396**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Harpootlian

Document Path: l:\council\bills\nbd\11099dg21.docx

Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Judiciary**

Summary: FOIA

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Judiciary**

1/12/2021 Senate Introduced and read first time ([Senate Journal‑page 298](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 298](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=396&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\396_20201209.docx)

**A** **BILL**

TO AMEND SECTION 30‑4‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATTERS EXEMPT FROM THE FREEDOM OF INFORMATION ACT, SO AS TO DELETE THE EXEMPTION FOR DOCUMENTS RELATING TO GOVERNMENTAL EFFORTS TO ATTRACT BUSINESSES TO THIS STATE.

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

SECTION 1. Section 30‑4‑40(a)(9) of the 1976 Code is amended to read:

“(9) ~~Memoranda, correspondence, documents, and working papers relative to efforts or activities of a public body and of a person or entity employed by or authorized to act for or on behalf of a public body to attract business or industry to invest within South Carolina; however, an incentive agreement made with an industry or business: (1) requiring the expenditure of public funds or the transfer of anything of value, (2) reducing the rate or altering the method of taxation of the business or industry, or (3) otherwise impacting the offeror fiscally, is not exempt from disclosure after:~~

~~(a)~~ ~~the offer to attract an industry or business to invest or locate in the offeror’s jurisdiction is accepted by the industry or business to whom the offer was made; and~~

~~(b)~~ ~~the public announcement of the project or finalization of any incentive agreement, whichever occurs later~~ Reserved.”

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

‑‑‑‑XX‑‑‑‑