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CONFERENCE COMMITTEE REPORT ADOPTED -- NOT PRINTED

June 15, 2022

**S. 202**

Introduced by Senators Hembree and Bennett

S. Printed 5/11/22--H.

Read the first time April 6, 2022.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑6‑35 SO AS TO PROVIDE UNDER WHAT CIRCUMSTANCES THE STATE INSPECTOR GENERAL MAY INVESTIGATE CERTAIN SCHOOLS; AND TO AMEND SECTION 1‑6‑10, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, SO AS TO DEFINE NECESSARY TERMS.

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

SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

“Section 1‑6‑35. (A) The State Inspector General may only initiate, supervise, and coordinate an investigation of a public school, public school district, public charter school, public charter school authorizer, or voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State upon the request of:

(1) the Governor;

(2) the State Superintendent of Education; or

(3) the majority of the membership of the legislative delegation of the county in which the subject of the investigation is located, as determined by a weighted vote of that delegation.

(B) A request to investigate pursuant to this section must be transmitted in writing to the Office of the Inspector General. The request for the investigation must articulate the basis of any alleged wrongdoing.

(C) Any report generating recommendations from the Inspector General regarding investigations conducted pursuant to this section must be transmitted to the State Superintendent of Education, the appropriate legislative delegation, and the chairman of the local board of trustees or the chairman of the charter school authorizer.

(D) By December thirty-first of each year, the Inspector General shall report to the General Assembly the number of requests for investigations that the office has received, the number of investigations requested by each individual or entity making the request, and the status of those requests.

(E) Any information relating to the investigation initiated by the Inspector General shall remain confidential for a period not to exceed ten days after the report is finalized and published.”

SECTION 2. Section 1‑6‑10(1) of the 1976 Code is amended to read:

“(1) ‘Agency’ means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive department of state government, including administrative bodies and bodies~~. ‘Agency’ includes a body~~ corporate and politic established as an instrumentality of the State. For the purpose of this chapter, ‘Agency’ also includes public schools, public school districts, public charter schools, public charter school authorizers, and any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for public secondary schools in the State. ‘Agency’ does not include:

(a) the judicial department of state government;

(b) ~~quasijudicial~~ quasi‑judicial bodies of state government;

(c) the legislative department of state government; or

(d) political subdivisions, unless otherwise provided herein.”

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

/s/Sen. Greg Hembree /s/Rep. Beth E. Bernstein

/s/Sen. Tom Young Jr. /s/Rep. Micajah P. “Micah” Caskey IV

/s/Sen. Brad Hutto /s/Rep. Neal Anthony Collins

On Part of the Senate. On Part of the House.

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